

“Without Regard to Race”: Critical Ideational Development in Modern American Politics

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Many scholars note that racial policy issues now focus on color-blind versus race-conscious approaches to racial inequalities, but they have not adequately explained how this development occurred or its consequences. Using work theorizing the role of ideas in politics, this article argues that these changes represent a “critical ideational development.” Diverse strains in earlier racial policy positions were reformulated to advance not just old racial goals but new ones. This critical ideational development produced advantages for conservative coalition building and Republican electoral campaigns, thereby contributing to the Reagan Revolution and later polarization and gridlock, and it helped drive racial issues out of campaigns and into other venues, especially legislative, administrative, and judicial hearings. It has not been associated with great progress in reducing racial inequalities or promoting racial harmony.

Paradoxes of Modern Racial Politics

Fifty years ago, the U.S. was embroiled in conflicts over racial policies that featured centrally in electoral contests. Today, massive racial inequalities persist; yet national candidates avoid discussion of racial problems and policies. And though some political scientists analyze implicit racial appeals, most ignore the parties’ official racial platforms, convinced that voters no longer rate racial policies as important (Hagen 1995, 56–58; Mendelberg 2001, 4–7).

Yet race still matters. Voter support for the two major parties has long fallen along racial lines. Exit polls show that Republican candidates won the white vote in every presidential election after 1964. Democrats won far larger majorities of nonwhites (Roper Center 2012). In 2012, exit polls gave Barack Obama 39% of the white vote and Mitt Romney 59%. Obama won 93–6% among African Americans, 71–27% among Latinos, and 73–26% among Asian Americans, (CNN Politics 2012). Whites and nonwhites divide almost as sharply on redistributive “safety net” policies (Pew Research Center 2012, 4–5, 14, 31). Consequently, commentators have begun explaining partisan polarization by giving more attention to how Americans of different races vote—but

still with little stress on the role of racial policy issues in those patterns.

Here we analyze the paradoxical disjuncture between overwhelming evidence of continuing racial divisions, including racial voting, in America and the omission of racial policy issues from national electoral campaigns and many political science analyses. We focus on the oft noted but insufficiently explained change in the content of racial policy issues that occurred in the wake of the 1960s civil rights laws. Arguments about racial policy moved from debates over segregation versus integration to disputes between color-blind and race-conscious policy approaches.

We argue that this change should be seen as a special kind of “critical juncture”: a *critical ideational development*. This we define as a *politically orchestrated enduring shift in how policy issues are predominantly conceived that advantages one political coalition over its rivals*. The shift to a predominant focus on color-blind over race-conscious policies has given electoral advantages to conservatives and Republicans over liberals and Democrats since the 1970s. The greater popularity of color-blind positions has also driven racial policy debates out of electoral politics into legislative, administrative, and judicial venues. Yet this ideational development is “critical” because its consequences are still more far ranging. It has aided conservative

coalition building while hampering liberal coalition building on many issues beyond explicitly racial ones, such as taxes, social spending, and criminal laws. Because candidates debate those issues rather than racial policies, influential scholars wrongly suggest that only implicit racial appeals matter now, while racial policies play minor roles in modern American politics.

Political Science Perspectives on Racial Politics

Both behavioral and historical institutionalist political science accounts offer only limited explanations of modern racial policies. Some give too little significance to their ideational development. Others present it incompletely. Scholars in other disciplines do more, but few have addressed one important error: the claim that modern color-blind policies maintain the principles of the 1960s civil rights laws, while race-conscious ones violate older civil rights goals.

Behavioral Accounts. Republicans and Democrats rarely contested racial issues during much of the twentieth century. But from 1964 on, the parties laid out opposing policies, dividing on whether the federal government should propel racial integration in housing and schools (Carmines and Stimson 1989, 116–18). Some scholars treat American racial “liberalism” and “conservatism” as largely continuous since then, although they agree some policy shifts have occurred (Carmines and Stimson 1989, 87, 134–35; Layman and Carsey 2002, 787–88; Shafer and Johnston 2006, 91). Few devote attention to the substance or causes of these changes. Others contend that racial issues have been subsumed by disputes about redistributive policies or redistributive and cultural conflicts. McCarty, Poole, and Rosenthal argue that “race as an issue has been absorbed into the main redistributive dimension of liberal-conservative politics” in which racial policies play no distinctive role (2006, 11, 51–52). Many have endorsed versions of this “racial absorption” thesis without studying the contributions of racial policy advocacy groups (Brewer and Stonecash 2007, 12–13, 170; Hacker and Pierson 2010, 95–96, 100). These accounts do not explain why the parties’ constituents are now so racially divided, even among voters with similar incomes and economic interests.

Historical Institutional Accounts. Some historical institutionalists stress the development of post-1970s racial policy divisions. But most aver that through the mid-1960s, “mainstream civil rights groups and liberals” saw any racial policy other than color blindness as “taboo” (Skrentny 1996, 3). On this view, Congress

wrote only color-blind principles into the 1960s civil rights laws. Later, “white male elites” in “government and business” crafted race-conscious measures (Skrentny 1996, 5; Lieberman 2002, 708). In our work on “racial policy alliances,” we too have argued that the logistics of administration prompted bureaucrats hoping to enforce civil rights laws, and employers seeking to comply with them, to use numerical targets and other race-conscious policies (King and Smith 2011, 102–03, 111–14). Racial policies then became a key partisan contrast, with the GOP embracing color blindness and Democrats race consciousness, helping Republicans capture the support of whites anxious about racial change (Olson 2008). But neither we nor other political scientists have fully explained how Americans came to conceptualize their policy options in these ways.

Scholars in other fields, especially those elaborating Critical Race Theory, have long called attention to how conservatives have used color-blind conceptions of formal equality to oppose governmental efforts to improve conditions for nonwhite Americans (Crenshaw 1988, 1336–40). But few of these accounts theorize, specify, and document the mechanisms of ideational change. Some accept that the “racial liberalism” of the 1950s and 1960s overwhelmingly endorsed color-blind formal equality (Guinier 2006, 14–15). Consequently, this scholarship has not dislodged claims that proponents of race-conscious policies advance ideologies foreign to the civil rights movement.

Theorizing Critical Ideational Development

The modern racial policy alliances emerged a decade after the period from 1954 to 1965 when the courts, then Congress and the President, repudiated *de jure* segregation. But more than our earlier work recognized, these new alliances were the culmination of decades-long conservative efforts to find more appealing ways to oppose racial change, as well as a new ascendancy for reform positions favoring race-conscious means. The development of the race-conscious alliance built on rather than repudiated the ideas of many civil rights activists—though it is true that their race-conscious views were previously less prominent.

Public policies often represent “compromises or relatively durable though still contested settlements” that are “vulnerable to shifts” as the “coalitional dynamics” that generated them evolve (Mahoney and Thelen 2009, 7–8). To explain how coalitional shifts produced new racial views with broad-ranging

TABLE 1 Prosegregation Alliance Ideals

| Permanent White Supremacy | Tutulary White Supremacy | Tutulary Supremacy + Individual Opportunity | Permanent Separate but Equal Groups |
|---------------------------|--------------------------|---|-------------------------------------|
| Henry Grady | Woodrow Wilson | Theodore Roosevelt | Sam Ervin |

consequences, we must attend to policies' *content* and the *mechanisms* by which they were propagated. Many scholars have analyzed motives for reconceiving policies, and some have discussed mechanisms, including direct replacement of old policies with others when new coalitions gain power and indirect mechanisms such as "layering," "drift," and "conversion" (Hacker 2005, 41). But few have focused on shifts in policy contents (Schmidt 2011, 50, 55). The means used to formulate new ideas and to employ them in building support among political actors and mass publics remain underspecified. Only such accounts can explain the substance and unequal political power of modern racial policy stances.

Our argument builds on many predecessors. First, as in our earlier work, we stress that new political ideas are rarely wholly new. They must be grasped as efforts to craft—out of intertwined medleys of older political conceptions—reformulations of policy content and purposes that resonate with ingrained senses of identities and interests, while indicating how these can best be furthered by pursuing new policy directions. The reformulated ideas of the modern racial policy alliances fit this pattern.

Second, with Skowronek, we contend that when actors engage in these reformulations, they often give new emphasis to ideological themes that they have previously submerged, used for different ends, or even opposed (2006, 387). This "repurposing" often gives ideas unanticipated meanings and consequences.

Third, with Schmidt (2011, 56–57), we contend that ideational reformulations occur as part of two linked political activities. First is the forming of advocacy coalitions, such as racial policy alliances, via what Schmidt terms "coordinative" discourses among political leaders. Second is the gaining of mass support through "communicative" discourses, appeals that coalitions make to the general public.

Fourth, with Hattam and Lowndes (2007, 203–04, 219), we add that the reformulation of ideas into fresh positions with wide resonance can be aided by positive and negative cultural images associated with established identities and policies. Political leaders, activists, public intellectuals, and the media, amongst others, propagate these images. Color-blind advocates proved

far more effective than race-conscious ones in associating their policies with imagery that gave their positions broad appeal.

Via these mechanisms—repurposing, reformulation of coordinative and communicative discourses, and deployment of cultural images—ideational developments can sometimes transform political landscapes, facilitating some coalitions' rise and posing barriers to others. That is why they can be deemed *critical*. Unlike other critical junctures, they can rarely be identified with a single event like a realigning election or a military victory. They take place more gradually—but produce major changes.

In modern racial policies, rival activists culminated two main reformulations between the early 1960s and the late 1970s. The first was a *conservative repurposing* of the ideology of color blindness that turned it away from goals of promoting greater material racial equality and integration toward goals of avoiding direct public attention to racial conditions. The second was a *liberal reformulation* of civil rights ends and means that elevated commitments to greater material racial equality above the color-blind commitments to individual opportunities many reformers had long foregrounded—albeit more tactically and equivocally than many scholars acknowledge.

Building the Modern Racial Policy Alliances

Like all coalitions, the rival alliances fighting over segregation from the late nineteenth century through the 1960s had important internal differences, summarized in Table 1. The forces supporting separate but equal laws included many who maintained the permanent inferiority of blacks to whites, as southern editor Henry Grady did when championing segregation (Vander Zanden 1959, 394–95). But early on, the prosegregation alliance included others who argued that segregation for a period of "tutelage" might enable African Americans to achieve equality eventually, as Booker T. Washington and Woodrow Wilson averred (Gerstle 2008, 105–10). Some like Theodore Roosevelt endorsed doctrines of equal rights for all individuals, believing that the few very talented

TABLE 2 Antisegregation Alliance Goals

| Full Color-Blind Integration | Integration with Distinct Racial Identities | No <i>De Jure</i> Segregation, with Racial Material Equality | No <i>De Jure</i> Segregation, with Material, Cultural Autonomy |
|------------------------------|---|--|---|
| Myrdal Liberals | Martin Luther King, Jr. | A. Philip Randolph | Malcolm X |

blacks should be allowed to rise as high as they proved able. Roosevelt still thought that nonwhites usually were inferior to persons of northern European stock, justifying segregation and disfranchisement (Scheiner 1962, 178). Over time, other segregationists stopped espousing white supremacy entirely. They contended, as North Carolina Senator Sam Ervin did in the 1950s, that though whites might not be superior to blacks, a "law of nature" meant that people found their "greatest happiness" among those of similar "backgrounds," making segregation appropriate (Vander Zanden 1959, 389).

None of these positions really challenged white supremacy. Yet many proponents of separate but equal and tutelary segregation simultaneously endorsed individual rights and opportunities within segregated institutions in ways that could sound like endorsements of color blindness. Many segregationists like Woodrow Wilson always claimed they favored "fair dealing" toward all persons of all races (Link 1947, 92).

The actors opposing *de jure* segregation, summarized in Table 2, were at least equally diverse: particularly for some white liberals, the ultimate goal was a society so integrated that racial identities would cease to exist, creating a fully color-blind America. Myrdal argued that as long as any social, customary racial distinctions persisted, they would endanger equality "*in all other respects*" (1944, 642).

The NAACP and Martin Luther King Jr. also urged the desirability of an integrated society (King 1991, 117–20; Valocchi 1996, 120–21). King termed desegregation only a "short-range" step toward the "ultimate goal" of integration (King 1991, 118). But for King and others, a primary aim of integration was to improve the living conditions of African Americans as a community. Few African American advocates of integration suggested any intent to eradicate racial identities.

The antisegregationist alliance also included black unionists, boycott leaders, consumer cooperative advocates, and socialists such as Philip Randolph, Adam Clayton Powell Jr., Ella Baker, and W. E. B. Du Bois, as well as black nationalists like Malcolm X.

In different ways, most black socialists, boycott and cooperative organizers, and nationalists were far more concerned to improve the inferior material conditions of African Americans than to win integration. Even so, most still thought progress unlikely until *de jure* segregation laws were repealed (Cohen 2003, 46–50; Dawson 2001, 10–23).

The content of their varied but overlapping ends made combating *de jure* segregation the one great common aim of racial reformers. Still, many spoke of their goals as reducing harms to African Americans, not as pursuing color blindness so pervasively as to bar public recognition of distinct African American concerns (Siegel 2004, 1481–87). Up to 1960, the power in Congress of prosegregation Democrats made litigation and direct protests seem the best avenues for civil rights campaigns (Klarman 2004, 163–64). To persuade courts to strike down segregation, litigators invoked the words of Justice Harlan's dissent in *Plessy v. Ferguson* (1896), "Our Constitution is color-blind" (Kluger 1977, 558–59, 637–46). Yet NAACP lawyers like Thurgood Marshall still saw themselves as "race men" who strove to help, not dissolve, their racial communities (Lawrence 1995, 5–10). Their legal briefs featured color blindness, but only as one strategy for improving the lives of black Americans.

As battles against Jim Crow moved from the courts to Congress, that strategy gained further prominence. When antisegregation forces grew strong enough to pass the 1964 Civil Rights Act, the 1965 Voting Rights Act, and the 1968 Fair Housing Act, they did so by repeatedly disavowing racial quotas (Skrentny 1996, 3–4). Color-blind rhetoric had won judicial victories, and conservatives were already raising the specter of quotas, so this stress was understandable. But what many scholars miss is that instead of unequivocally favoring color-blind measures, liberal lawmakers in the 1960s pursued greater material racial equality in many policy arenas through diverse means that included numerous race-conscious elements (Ackerman 2014, 127–25).

Advocacy groups and the courts insisted that equal protection required public schools to be integrated enough so that they did not inflict

badges of humiliation on nonwhites—which meant race-conscious pupil assignments to schools. The Civil Rights Act banned discrimination in interstate commerce, so its enforcement required attention to both private and public racial practices. The Fair Housing Act banned many forms of discrimination—including invidious but facially racial-neutral measures—so it compelled scrutiny of those measures’ racial consequences. The Voting Rights Act used quantitative measures of low voter registration or turnout, but not racial categories, to determine which jurisdictions should face preclearance requirements. But changes in those jurisdictions’ electoral laws were then reviewed for racial impacts. The common denominator to these innovative initiatives was not color blindness. It was a quest for measures that would really work to reduce racial inequalities in American life.

Emergence of the color-blind racial alliance. Still, given the prevailing rhetoric, it is fair to ask why these events did not foster more color-blind policies, instead of the modern racial policy divisions. Current scholarship tells some of the story: many former segregationists perceived that by embracing color blindness, they could turn that idea from a weapon against segregation into a barrier to aggressive efforts at integration and redistribution to nonwhites. Conversely, many opponents of segregation decided their ultimate ends required them to elevate racial material equality and cultural autonomy to central policy goals, pursued if necessary by race-conscious measures. But more analysis is needed to understand how and why older views were repurposed, reformulated, and communicated to activists and the public and what consequences these changes induced.

Senator Ervin best exemplifies the segregationists’ reformulation of their views. In 1956, Ervin helped draft the Southern Manifesto denouncing *Brown v. Board of Education* and asserting states’ rights to operate segregated institutions—which, again, Ervin saw as conforming to natural law (Aucoin 1996, 174–75). With South Carolina Senator Strom Thurmond, Ervin weakened the enforceability of the Civil Rights Act before voting against it (Farhang 2010, 114–15). Then in 1969, Ervin, stressing that he had never endorsed racial inequality, assailed the Nixon administration’s Philadelphia Plan because it involved hiring “on the basis of race.” Ignoring his past support for segregation, Ervin insisted that constitutional principles of individual rights meant that public policies had to be fully color-blind, made “without regard to race” (Skrentny 1996, 200). This was a textbook repurposing of political language.

How could Ervin and others shift rapidly from support of racial segregation laws to impassioned insistence on color blindness? Beginning in the 1930s, but especially after WWII, many conservatives sought to subsume their racial views under more palatable themes of states’ rights and individual choice (Noel 2012). The war prompted many Americans to condemn Nazi-style “racial theories” or any “legalization of racism” (Klinkner with Smith 1999, 186, 194). In those same years, many activists embraced a vision of the United States as a “consumers’ republic.” Through boycotts and protests, African Americans insisted that their rights as consumers were equal with other Americans (Cohen 2003, 52–53). During the Cold War, these patriotic and proconsumer ideas favoring equal rights became harder to resist. So from the Dixiecrat revolt in 1948 on, southern politicians and public intellectuals began formulating views featuring opposition to coercive centralized governance rather than white supremacy. Their new coordinative discourse sought allies across the nation, many more comfortable with states’ rights rhetoric (Lowndes 2008, 11–44).

That national alliance of conservative political and intellectual leaders still proved hard to forge while the main racial policy issue was segregation. But in the early 1960s, libertarian presidential hopeful Barry Goldwater began courting southern conservatives. Goldwater had supported civil rights laws in 1957 and 1960. But he opposed the 1964 Civil Rights Act, contending that its ban on racial discrimination in interstate commerce interfered with economic freedoms (King and Smith 2011, 87). Goldwater’s libertarian, economics-oriented discourse showed how not just states’ rights doctrines, but far more popular views of universal individual rights, could be used to challenge national laws aimed at altering inequalitarian racial conditions.

This new coordinative discourse fostered an economic libertarian/racial conservative coalition that precipitated a historic shift of white southerners to the GOP, beginning with Ervin’s ally Strom Thurmond in 1964. But this conservative alliance did not yet have broadly appealing communicative discourses to build mass support. It failed to elect Goldwater or prevent the legislative triumphs of the 1960s civil rights movement. Nonetheless, this burgeoning conservative alliance was able to impose compromises on the policies and agencies created to combat segregation and discrimination. It also won promises from reformers like Minnesota Senator Hubert Humphrey that liberals were not giving government “any power . . . to require hiring, firing,

TABLE 3 Color-Blind Alliance Goals

| Color-Blind for Individual Rights, Justice | Color-Blind for National Unity | Color-Blind as Barrier to Compulsory Integration | Color-Blind as Barrier to Economic Redistribution |
|--|--------------------------------|--|---|
| Clarence Thomas | Stephan/Abigail Thernstrom | Sam Ervin | Charles Murray |

or promotion of employees to meet a racial ‘quota’ or to achieve a certain racial balance” (Skrentny 1996, 3).

Those conservative victories had enduring impacts. Because conservatives blocked efforts to add to the Civil Rights and the Fair Housing Acts administrative powers to issue “cease and desist” orders against discriminatory practices, those injured had to seek judicial relief and prove discriminatory intent, a difficult task. Officials of the new federal agencies, including the Equal Employment Opportunity Commission (EEOC) and Housing and Urban Development (HUD), felt poorly armed to combat entrenched racial inequalities (Frymer 2008, 83–84; Lieberman 2002, 705).

Conservative success in gaining liberal promises not to impose racial quotas also enabled opponents of *all* race-conscious policies to claim the increasingly prestigious mantle of the civil rights movement. As conservatives began from the mid-1970s to form think tanks and litigation groups, adding major new members to the color-blind alliance, they contended that civil rights leaders like Frederick Douglass and Martin Luther King had always stood for color blindness and individual rights. Conservatives highlighted King’s “I Have a Dream” speech theme: children should “not be judged by the color of their skin but by the content of their character” (Hofstadter and Hofstadter 1982, 452). They claimed the “civil rights establishment” had turned to the apostasy of race-conscious measures—a charge many scholars have accepted (Bolick 1996, 36–38, 47).

For some black conservatives like Clarence Thomas, color-blind individual rights were parts of natural justice (Thomas 1987). For others, color-blind advocacy expressed sincere beliefs that race-conscious policies promoted racial antagonisms. Public intellectuals Stephan and Abigail Thernstrom cited King to insist that whites and blacks “cannot walk alone.” The standard guiding policies must be “that which brings the races together is good; that which divides us is bad;” and they felt racial preferences widened American divisions (1997, 22, 539–40).

Still, Carmines and Stimson are right that proponents of color blindness like Sam Ervin saw the position as a new weapon to combat coercive public

efforts to promote a racially integrated society with fewer racial inequalities. Conversely, many supporters of race-conscious policies valued them as means to achieve racial integration as well as material progress. The new racial policy alliances that emerged in the 1970s did have continuities with the earlier desegregation/segregation camps—though these should not obscure how and why new goals and constituencies came to the fore. Similarly, McCarty, Poole, and Rosenthal (2006) are right that some conservatives like Charles Murray first criticized affirmative action chiefly for the counterproductive consequences they attributed to redistributive measures generally (Murray 1984, 91–96). Many race-conscious policy advocates, in turn, defended their positions chiefly as means of material redistribution. Political science accounts stressing redistributive issues are not wrong, but they do not capture the range of goals and members in the modern alliances.

Table 3 displays the diversity of the color-blind alliance. Although its members’ goals can potentially conflict, in the 1970s its architects successfully devised discourses to bond their concerns and to communicate a shared policy message to the American electorate. In so doing, they helped build a broad New Right coalition in American politics that drove many Republican victories from 1980 to 2010.

Emergence of the race-conscious policy alliance.

As conservatives began to adopt color-blind terminology and gain some liberal allies, a less popular yet potent and enduring coalition in favor of race-conscious measures also emerged. But it did not arise from a void. These developments represented the surfacing of positions long present among many black activists, reinforced by shifts in the views of some white liberals, especially the Ford Foundation and allied reform-oriented philanthropies.

We affirm that reformers’ desires to circumvent conservative successes in limiting civil rights enforcement options mattered. As bureaucrats struggled to achieve change, the civil rights activists who had long focused on material inequalities began arguing more vocally for race-targeted initiatives and for new interpretations of statutory and constitutional provisions to justify those policies. Many scholars have noted

that, as the 1960s and 1970s proceeded, federal administrators working with liberal judges and civil rights groups like the NAACP Legal Defense Fund, the ACLU, and the Lawyers' Committee for Civil Rights interpreted the compromised 1960s civil rights laws to allow for affirmative action policies in employment, education, housing, and more (Farhang 2010; Skrentny 1996). But while this scholarship shows that the compromised statutes and slow pace of progress helped motivate ideational change, it is silent about how civil rights activists reformulated the content of their policies and goals.

For though the 1960s civil rights laws contained a mix of color-blind and race-conscious features, the pursuit of these race-conscious goals still required two reformulations in ideas. The first was to give new prominence to goals of better material conditions for nonwhites over concerns for formal equality—as Bayard Rustin wrote, “what is the value of winning access to public accommodations for those who lack money to use them?” (1965, 25). The second was to dissociate race-conscious measures from the maintenance of racial hierarchies and to associate them instead with more truly equal opportunities, and an inclusive, egalitarian racial and cultural pluralism. Always present in antisegregationist discourses, these ideas had been subordinated to the rhetoric of color blindness while it proved more legally and politically potent.

Yet as early as 1961, civil rights advocates like Stanley Lowell of the New York City Human Rights Commission called “the whole doctrine of color blind... outmoded” (Moreno 1997, 201). In 1963, Martin Luther King also suggested a more race-conscious, materially focused view of civil rights aims. He said at the March on Washington that African Americans had come “to cash a check” redeeming a “promissory note” that white Americans had sent back “marked ‘insufficient funds,’” leaving African Americans “on a lonely island of poverty in the midst of a vast ocean of material prosperity” (Hofstadter and Hofstadter, 1982, 450). That same year, the NAACP’s Roy Wilkins rejected racial quotas but urged the Senate to permit hiring preferences for blacks when they were equally qualified to whites (Moreno 1997, 207). James Farmer of the Congress on Racial Equality (CORE) advised the House Judiciary Committee that cities like Philadelphia should overcome discrimination in construction industries by insisting on a “representative number” of black workers (Sugrue 2004, 163). Though Farmer defended integration against black nationalists like Malcolm X, he and CORE stressed overcoming barriers to black

economic progress far more than color blindness (Downs 1999, 46).

Similarly, as early as the Kennedy years, white liberals began race-conscious outreach initiatives to increase the presence of African Americans in higher education (Downs 1999, 47–52). Then in the late 1960s, the efforts of the civil rights proponents who supported race-conscious measures and the emerging “black power” heirs of Malcolm X gained support from the Ford Foundation under former National Security Adviser McGeorge Bundy (Ferguson 2013, 70–71). Influenced by the “third world modernization” theories that American policy makers and academics elaborated earlier in the decade, Bundy decided that rapid, coercive measures to achieve racial integration were at best premature. Black Americans needed to develop further their own economic, political, and cultural institutions and capacities—which meant that “grant proposals directed at increasing the group identity and power of minorities” were often preferable to ones focused on “integration” (Ferguson 2013, 57–65, 77, 80). The Ford Foundation went on to fund organizations such as the Mexican American Legal Defense and Education Fund and the Puerto Rican Legal Defense and Education Fund (MALDEF and PRLDEF) as counterparts to the NAACP LDF, creating enduring advocacy groups for a variety of race-conscious policies (81).

But while ideational reformulation to feature improved material conditions won by race-conscious measures had some longtime supporters and gained powerful new ones, these views still struggled to win acceptance. For too long race-consciousness in America had been associated with *inegalitarian* positions—most often in white supremacist ideologies, sometimes in black ones, like Elijah Muhammad’s Black Muslim beliefs (Dawson 2001, 105–06). Efforts to reassociate race-consciousness with egalitarian goals ruptured liberal ranks. In the mid-1960s, the NAACP’s Washington lobbyist Clarence Mitchell held to color-blind commitments so firmly that he opposed keeping statistics on employment by race even to aid civil rights enforcement (Skrentny 2002, 107). Some liberal intellectuals like urban policy adviser Nathan Glazer rejected affirmative action measures (a position Glazer later modified) (Glazer 1975, 1997).

But with mounting intensity by the late 1960s, civil rights leaders like Farmer and Rustin insisted it was now time to shift to “achieving the fact of equality” via “new techniques” that included “special treatment of a positive sort” (Rustin 1965, 26–27; Farmer 1998, 101–03, 193–96; Sugrue 2004, 163). As Assistant Secretary of Health, Education and Welfare

TABLE 4 Race-Conscious Alliance Goals

| Temporary, Remedial Race-Conscious Measures | Enduring Race-Conscious Measures for Distributive “Fair Shares” | Enduring Race-Conscious Measures for Egalitarian Integration | Enduring Race-Conscious Measures for Egalitarian Cultural Autonomy |
|--|---|--|--|
| Sandra Day O’Connor Ford Foundation | Jesse Jackson | Gary Orfield Elizabeth Anderson | Beverly Tatum Multiculturalist Advocacy, Consulting Groups |

under Nixon, Farmer particularly urged “compensatory preferential treatment” in hiring (Canady 1998, 45). He contended it was impossible for an “employer to be oblivious to color because we had all grown up in a racist society” (Canady 1998, 45). Both Rustin and Farmer supported some race-conscious policies for the rest of their lives (Farmer 1998; Podair 2008, 150). Farmer, sometimes deemed “the father of affirmative action,” insisted in 1998: “the need for affirmative action is just as great, even greater now than it was at the beginning. We need to move from color-blindness to color-consciousness to eliminate color discrimination” (1998, xii).

President Lyndon Johnson reflected and propelled this ideational transition when he called for achieving “equality as a fact and equality as a result” in his 1965 Howard University address, though what this meant was ambiguous. Then, a combination of black frustration at the slow pace of change and white resistance to integration accelerated ideational innovations. The urban race riots in 1967 and 1968 and the rise of black power militancy in the Student Nonviolent Coordinating Committee and the Black Panthers made moderate reformers fear they would lose influence with anxious whites and with many blacks newly attracted to black nationalism (Edsall and Edsall 1991, 58–61). Reinforced by the shifting emphases of advocacy groups and foundations, many corporate and political leaders became more supportive of race-conscious measures. Both executives in the National Alliance of Business, concerned about anti-discrimination lawsuits and disruptive racial violence, and civil rights litigators like the NAACP LDF’s Jack Greenberg, who despaired of having to prove intentional discrimination in thousands of cases, concluded that result-oriented public and private policies, including affirmative action measures in employment and other arenas, were imperative (Skrentny 1996, 91, 141). Even after Nixon turned against his administration’s affirmative action proponents, goal-oriented EEOC officials cooperated with civil rights groups and business leaders to form key members of a nascent, internally

diverse, but growing race-conscious policy alliance.

Liberal judges gave the alliance vital support. Most notably, Supreme Court justices struck down employment tests that fostered racially disproportionate hiring in *Griggs v. Duke Power*, 401 U.S. 424 (1971). At the same time, the new Congressional Black Caucus (CBC) presented resistant Nixon officials with 61 recommendations designed to achieve “equality of results,” including “vigorous affirmative action by the government” (Barnett 1975, 35–36). The CBC included Representative Parren Mitchell, Clarence Mitchell’s younger brother, who would lead the campaign for race-targeted aid to minority businesses in the next decade—symbolizing the ideational transformation of the civil rights movement’s agenda.

By the mid-1970s, most leading civil rights advocates had reformulated their ideologies and their interpretations of modern civil rights laws from antisegregation to race-conscious measures (Skrentny 1996, 158). The various minority LDFs all argued that the 1960s statutes should be read to permit or require explicit race-conscious policies designed to reduce racial gaps in education, employment, housing, political offices, and more, while also enabling nonwhites and other disadvantaged groups to establish organizations for their support and representation within public institutions newly open to all, such as cultural houses and ethnic studies programs on campuses and black and Latino caucuses in legislatures. Many white liberals also urged race-conscious programs. In 1977, for example, McGeorge Bundy passionately defended affirmative action in the *Atlantic Monthly* as the Supreme Court was hearing the *Bakke* case (Ferguson 2013, 267).

But this emerging alliance contained major differences over ultimate racial goals that posed obstacles to elite coordination and persuasive communications (Table 4). Justice Sandra Day O’Connor articulated the most prevalent, though most reluctant, view supporting race-conscious measures when she contended: “affirmative action should be a temporary bandage rather than a permanent cure” (P. Schmidt 2010).

Similarly, Ford Foundation officials always insisted their support for separatist institutions was intended to overcome what they saw as “psychological barriers from full entry” into all parts of a future integrated America—although some embraced a more permanent multiculturalism (Ferguson 2013, 175). But for many, perhaps most white supporters of race-targeted aid programs, the ultimate goal has been to achieve a color-blind America, after race-conscious measures ameliorate publicly fostered racial inequalities and provide more equal opportunities for all (Klein 2006).

Many advocates for race-conscious policies from Parren Mitchell through Jesse Jackson have instead suggested those policies must never end. The founder of the Rainbow Coalition has long made clear that he sees affirmative action for racial minorities and for women, the disabled, and other disadvantaged groups as a way “to get inside the big tent, where the opportunities are, where education is, where health care is, where wealth is,” and to get a “fair share” (Gates 1998). Jackson’s position does not imply that any specific race-conscious measures must be permanent. But it does call for constant attention to whether all groups are getting a “fair share”; so policymaking is not likely ever to be fully color-blind.

Most of those whose ultimate goal is not simply fairer distributive shares but substantial racial integration of all public institutions are similarly committed to perpetual race-conscious measures. Gary Orfield, co-founder of The Civil Rights Project, has long maintained that race-conscious school attendance policies will probably always be required for Americans to “learn to live and work successfully together” (Orfield and Lee 2007, 4–6). The philosopher Elizabeth Anderson (2010) has written a similar brief for “the imperative of integration.” They and other integrationists believe that whether segregation arises from *de facto* or *de jure* causes, it prevents the common experiences and understandings needed for civic harmony and truly equal opportunities.

These three views overlap uneasily with a fourth, increasingly prominent race-conscious view: multiculturalism (Herring and Henderson 2012; Tatum 1997). A range of civil rights, business, and educational advocacy and consulting organizations emphasize goals of preserving the “unique cultural and ethnic heritage” of different groups while building “an inclusive society that is strengthened and empowered by its diversity,” to cite aims of the National Association for Multicultural Education (N.A.M.E.) and the National Multicultural Institute (National Association for Multicultural Education 2012; National Multicultural Institute 2012). Spelman College

President Beverly Tatum has added that racial minorities often benefit from education in institutions in which they are majorities, such as historically black colleges, and sometimes from limited social self-segregation in formally integrated schools and workplaces (Tatum 1997, 88–89, 131–41).

Though multiculturalists repudiate racial hierarchies, their goal is not color blindness but equally respectful recognition of evolving but enduring group identities. They see forms of inclusion that do not display such respect as repressively assimilationist. At least some multiculturalists believe these forms of group diversity need to be permanent. Many integrationists, in contrast, argue that significant assimilation is needed to achieve goals of personal mobility and civic solidarity. Anderson writes that her integrationism has “no truck with identity politics, understood as a kind of group-based spoils system,” though she stresses she only opposes “pervasive self-segregation” and denies that integration means total assimilation (2010, 110, 188–89). Jesse Jackson, often accused of supporting group-based spoils, has also said that multiculturalists who glorify “our own unique culture” may foolishly “drop (their) buckets” where they are, in the manner of Booker T. Washington, instead of demanding their “share of the tent” (Gates 1998). Though Jackson does not take color blindness or integration as his ultimate goal, he is wary when multiculturalism threatens to become a new separatism that may prove less than equal.

Racial Policy Ideas in Coordinative and Communicative Discourses

These ideational developments in racial policies are “critical” because they meant proponents of race-conscious measures confronted greater barriers to coordinated action and effective communications than supporters of color blindness. Color-blind proponents advance one simple message: there should be no racial classifications in public laws. In contrast, African Americans, Latinos, Asian Americans, multiracial Americans, and white liberals who favor race-conscious policies often clash over how to structure legislative and school districts and racial and ethnic census categories; who should be eligible for affirmative action; immigration admissions rules and public aid to immigrants; and criminal justice policies, among others (Johnson 2003, 771–79; McClain and Stewart 2006, 181–218). Sometimes, as in the 1992 Los Angeles riots, oppositions among racial and ethnic groups become violent. And within racial and ethnic communities, controversies erupt over what persons and positions are “authentic”

as opposed to "assimilationist," or "extremist" or even racist in their race-conscious advocacy (Johnson 2003, 779–82).

The difficulties of race-conscious proponents should not be overstated. Coalition-building efforts of Democratic leaders and advocacy groups proved able to shift the party's platform from unqualified opposition to "policy quotas or 'discrimination in reverse'" in 1964, to support for affirmative action in every platform since 1972. But color-blind advocates have done even better in uniting Republican leaders and activists, so that GOP platforms have opposed quotas and other race-conscious measures since 1972, and especially after 1980, the year the "Reagan Revolution" culminated the success of modern conservative alliance building (King and Smith 2011, 10–11, 88).

The Reagan coalition's triumph was aided by color-blind proponents' abilities to formulate both coordinative and communicative discourses that built broad support for their policy positions. Conservatives of all stripes—economic libertarians, cultural traditionalists, the Religious Right, national security hawks, law-and-order champions, states' rights opponents of big government—as well as racial conservatives and many less ideological citizens—have accepted that if nonwhite Americans are faltering, it is their own responsibility, as color-blind discourses argue (Pew Research Center 2011, 30). Color-blind ideology holds that race-conscious regulatory and redistributive policies are unnecessary and counterproductive. It contends that moral individuals place their duties as Americans above racial allegiances, and they want laws that treat all identically. By condemning compulsory integration, affirmative action, and other race-conscious policies as unjust and unworkable, color-blind ideology assures many citizens that racial inequalities are not their problem. There are exceptions: many corporate executives and military leaders, though conservative on other issues, support race-conscious hiring. But on the whole, color blindness unites conservative citizens as well as elites.

Color-blind principles have thereby helped conservatives build elite and mass coalitions that cooperate on many issues, not just racial ones. This is no easy task. Neoliberal and libertarian advocates of minimal government do not automatically lock hands with proponents of strict public enforcement of religious and moral values or big prison and defense budgets (Lowndes 2008, 157–60). But modern conservative leaders have persuaded their supporters that they share a common ground: the "politics of character" and "personal responsibility" (Wilson 1985, 3–5).

All conservatives favor policies that reward good individual character and responsible economic, moral, and civic behavior, while discouraging and punishing bad character and conduct.

Especially since the late 1960s, even as they have urged that explicit racial classifications be expunged from public policies, conservative thinkers and media have fostered this sense of a common cause in part by employing cultural images with racialized positive and negative associations. Conservative public intellectuals have associated race-conscious policies meant to aid nonwhites with social disarray, welfare dependency, and drug addiction, sexual licentiousness, military weakness, and criminality, while linking color-blind policies with self-reliance, hard work, law-abidingness, sexual morality, national service, and personal merit (Lowndes 2008, 141, 161). This language communicates to proponents of traditional morality, tough-on-crime policies, free markets, strong national security, and racial conservatism that they share a cause embodying America's best ideals, *including* those of the civil rights movement.

A famous example of this negative cultural imagery is Ronald Reagan's recounting of Linda Taylor's story. In 1976, the *Chicago Tribune* accused Taylor of using over 100 aliases in 12 different states to claim public assistance, despite having several husbands, enabling her to receive illegally from \$150,000 to a million dollars. In 1977, Illinois convicted Taylor of illegally obtaining only \$8,000 using four aliases (Kohler-Hausman 2007, 334). Still, her case helped to launch initiatives to fight welfare fraud throughout the United States. Historians contend that such "welfare queen" stories "instantly convey multiple stereotypes" of black laziness, female promiscuity, and the criminality of the undeserving poor, stirring widespread anger (Kohler-Hausman 2007, 335).

The actor and activist Charlton Heston also blended color-blind rhetoric with moral imagery to broaden and energize the conservative base. In 1997, Heston exhorted the Free Congress Foundation: "a cultural war is raging across our land . . . Heaven help the God-fearing, law-abiding, Caucasian, middle class, Protestant, or—even worse—Evangelical Christian, Midwest or Southern, or—even worse—rural, apparently straight or—even worse—admittedly heterosexual, gun-owning or—even worse—NRA-card-carrying, average working stiff," because "you're a downright obstacle to social progress . . . That's how cultural war works. And you are losing." Heston claimed moral authority by adding: "I was one of the first white soldiers in the civil rights movement in

1961... I marched on Washington with Dr. Martin Luther King to uphold the Bill of Rights... As vice-president of the NRA I am doing the same thing" (Heston 1997).

Ronald Reagan also deftly associated his conservatism with King's legacy while linking it to color blindness. When he signed the bill making Martin Luther King's birthday a national holiday in 1983, Reagan applauded King for his "sense that true justice must be color-blind," focused on "individual merit" (Reagan 1983). By connecting color-blind policies not only with civil rights but also with God-fearing, hard-working, family-loving patriotic Americans, such communications built support both for conservative racial policies and for modern conservatism more generally.

The success of conservatives in further popularizing color blindness has posed special rhetorical challenges to race-conscious proponents. Racial liberals have deployed cultural imagery less effectively. Skillful color-blind advocates can use cultural images to appeal subtly to various constituencies without overtly discussing race or racial policies, except to endorse equal rights. Advocates of race-conscious measures do not have that option. It is impossible to call for racially explicit policies without mentioning race. In the early 1970s, with support for race-conscious policies still rising, liberals did create films like *Joe* and television shows like *All in the Family* depicting working-class white conservatives as racist, sexist, violent, and hostile toward the poor (Cowie 2010, 9–10, 191–98). But though these portrayals energized many liberals, they made many other Americans feel ridiculed, contributing to the rise of "Reagan Democrats" (Cowie 2010, 5–17; Edsall and Edsall 1992, 140–41, 185–92).

Consequences of Ideational Change

The success of color-blind discourses in coordinating elites and communicating with the public has meant that commitments to color-blind protection of individual rights are now overwhelmingly accepted by whites and widely though less massively accepted by nonwhites. Sniderman and Piazza contend that though a majority of whites might support a liberal but color-blind social welfare agenda, more than 80% oppose race-conscious measures (1993, 22–23, 130–35). Survey data show that as policies become more racially preferential, support for them declines. In both 1988 and in 2008, 11% of whites supported racial preferences in hiring and promotion, while black support for such policies dropped from 65% to 54% during those two decades (Hutchings, 2009, 923).

Even so, support for race-conscious policies remains significant and may become more so as the electorate grows more nonwhite. In 2012, 52% of self-identified Democrats said that "blacks and other minorities" should be given "preferential treatment," a larger percentage than ever before (Lauter 2012). GOP attacks on immigration, affirmative action, and ethnic studies helped Obama receive a larger share of the Latino vote in 2012 than in 2008 (Bloomberg News 2012). But as the 52% figure shows, in comparison to Republicans, today's Democratic coalition remains more "deeply divided over political values relating to race" (Pew Research Center 2011, 30).

Because color-blind ideology has proven more unifying for conservatives and more appealing to the public, the clash of the modern racial policy alliances has long given electoral advantages to conservatives and to Republicans, and so particularly to conservative Republicans (Levendusky 2009, 53). Even political scientists who do not stress racial policies acknowledge that the public perceives significant partisan differences between them. Layman and Carsey contend that the public's awareness of the Republicans as more conservative on racial issues jumped more than 20 points—41% to 62%—from 1972 to 1980, deepening "partisan racial polarization" (2002, 790, 794). Voters have since continued to see the parties' differences on racial issues (Tesler and Sears 2010, 6–7). This contrast appears to be a greater electoral liability for Democrats than positions on most economic and social policy, military, and even criminal justice issues (Pew Research Center 2011, 28–35; Tesler and Sears 2010, 5–6).

Shifts of Racial Policy Issues from Electoral Arenas. The lack of overt discussion of racial policies in national campaigns means that elections do not help Americans resolve racial issues (Hagen 1995, 56–58; Tesler and Sears 2010, 52–54). In 2008, Obama was a symbol of hope for racial progress but, fearing whites' "racial aversion" to his candidacy, his strategists stressed only "moderate, race-neutral, economic messages" (Tesler and Sears 2010, 55–56). In 2012, again both candidates said little about racial policies. The media saw race in Romney's claim that Obama removed work requirements for welfare, in immigration discussions, and in "birther" jokes, but those were claims about implicit racial appeals, not explicit racial policies (Hammer 2010, 276–78; McIlwain and Caliendo 2011). This lack of discussion cannot be traced to any easing of racial inequalities. In many sectors—employment, wealth, education, housing, health care, office holding, criminal justice, and more—American racial

disparities have persisted or deepened (Bobo 2011, 19–25). It is more likely that the ideational development of racial policy issues has made them disappear from election campaigns.

Americans nonetheless do still contest racial issues intensely. In the last three decades, racial policies have been fought over in less visible, nonelectoral venues, chiefly by proponents of polarized positions. Conservative groups such as the Center for Individual Rights and the Institute of Justice and liberal ones such as the NAACP and the ACLU regularly testify on racial policies at congressional and administrative hearings and in judicial cases (Southworth 2005, 1267–73; Teles 2008, 22–57, 220–64). Their sharply opposed interventions have, however, made decision making by “courts and administrative agencies more complicated and antagonistic” and fostered “acrimony,” not effective policymaking (Southworth 2005, 1271).

Elite Polarization and Policy Gridlock. That is in part because the rise of polarized racial policy stances has contributed to polarization more generally. Most observers see the increased power of ideologically extreme conservative Republicans as the main driver of modern partisan polarization (Layman et al. 2010, 332; McCarty, Poole, and Rosenthal 2006, 11). In explaining their rise, many scholars stress how ideological activist groups have “pushed the parties toward extreme stands” in both nominating and general elections (Layman et al. 2010, 326). Among these activists are the advocacy groups and think tanks in the modern racial policy alliances, with the Cato Institute and others championing color blindness and the Leadership Conference on Civil Rights, among others, championing race consciousness (Southworth 2005, 1266–71). Again, in the mid-1960s, legislators adopted an impressive variety of policy mechanisms. Today, rival advocacy groups often frame policy choices in all-or-nothing fashion on behalf of their preferred approaches, stressing their moral principles more than empirical evidence of the efficacy of their policies. Few successful policy initiatives result.

Conclusion

In sum, coalition building, electoral outcomes, the venues of policy debates, polarization, gridlock, and much more in recent American politics can be better understood if we recognize the role of a critical ideational development that has restructured American racial policy debates since roughly 1975. At the national level, the clash of the modern racial policy alliances has long since ceased to produce the sort of bipartisan

support for contextually adapted mixes of race-neutral and race-conscious measures that the 1960s civil rights laws embodied. Although those laws did not achieve all their goals, their willingness to blend approaches in whatever combinations appeared empirically most likely to reduce racial inequalities did far more to spur racial progress than has the gridlock of recent decades.

The example of those laws has, to be sure, never been wholly lost. Below the national level, there are some new state, city, and school-district micropolicies that seek to reduce material racial inequalities, increasingly through facially race-neutral means chosen on race-conscious grounds. These include the use of Housing Choice Vouchers, performance instead of written tests for hiring, efforts to construct integrated school district boundaries, and criminal justice reforms. Still, such measures have yet to go far in reducing many racial inequalities or moving Americans beyond racial divisions. In this context of stalled progress, understanding how modern racial policy ideas emerged, and their consequences, may spur Americans to look for better ideas once more.

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