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One Congressman's Views

By Louis Stokes

As a member of the House of Representatives, I have been struck by the not-so-curios coincidence of the legal and legislative attacks on affirmative action. My colleagues in the Congressional Black Caucus share this view. Yet there has been a virtual silence on the implications of the increased resistance to full civil rights and equal opportunities for all Americans.

Certainly, the issues are more complex than the days when Black Americans were not permitted in restaurants and hotels, and the days when no Blacks at all attended a large number of major universities. But I think it is time now to recognize fully the extent and implications of the opposition to policies designed to gain equality in our society for minorities and for women.

The opposition is largely political. It takes the form of creating in the body politic the sense and belief that minority groups have gained too much and have gone too far in their quest for equality. It takes the form of code words such as "reverse discrimination" and movements like "anti-busing." Politicians, faced with a public response based on misimpression of the facts, fear in larger and larger numbers to support full protection of civil rights. Some former supporters even take the lead in setting forth legislation harmful to equal rights.

According to an article in the *Review of the Black Political Economy* (fall 1975), the 1970 census indicated the following percentages of Blacks in various professions: bank tellers, 4.2%; electricians, 3.1%; social scientists, 3.1%; insurance and brokers, 1.8%; lawyers and judges, 1.3%; stock and bond salespersons, 1.3%; and engineers, 1.2%. Even these figures may be high, for a recent survey by the American Institute of Architects showed only 400 of 45,000 licensed architects to be Black, less than one percent of the total. Similarly, it is estimated that only 1.6 percent of the physicians in the United States are Black. Moreover, the propor-

tion of Blacks in medical schools has never been more than two percent. This is hardly evidence for the prevailing belief that minority groups have gained too much.

These are facts, political facts that need to be brought before the American public. They simply and effectively destroy the notion of "reverse discrimination." These figures simply and effectively demonstrate that Blacks and other minorities continue to be excluded—both intentionally and unintentionally—from full participation in the nation's economic, social and political life.

For one to argue that somehow affirmative action goes too far is to argue that there are only enough qualified Blacks in the country to make up less than one percent of the architects, or less than two percent of the doctors. How is it that code words have been permitted to obscure the facts in the public mind? It is because the public has not been informed through the political process and through the media of the state of civil rights and equal opportunity in the United States today.

To provide an effective remedy for this situation, the public is told, is somehow to discriminate against white males who have held these positions and gained these benefits in the past. In the first place, as the new NAACP Executive Director Benjamin Hooks so eloquently stated: "When we start with an all-white male group, an increase in the number of minorities is per se an incursion on a domain white males have had to themselves in the past. Without an expansion in the number of opportunities, sharing of existing opportunities by including those formerly excluded will of necessity decrease some opportunity for the majority group."

The option of increasing the opportunities available—increasing the size of the pie—is a major political strategy which must be pursued in achieving equal opportunity. But, even with this expanded pie approach, special efforts would have

to be made to ensure *adequate* inclusion of minorities and women.

The political impact of this misunderstanding and misrepresentation of the facts regarding affirmative action is most directly seen in the rising number of amendments which have been offered in Congress during the past several years—amendments aimed at restricting civil rights.

Just last June, amendments were offered to the Labor-HEW Appropriations bill both in the House and in the Senate in opposition to school busing "quotas", and numerical targets, abortions for poor women, and collection of school desegregation data. In the House, only the amendment limiting collection of school data, was defeated, but fortunately the Senate defeated the anti-quotas amendment.

This drumbeat of attacks on civil rights indicates a political climate unhealthy for the country and for the preservation of the civil rights gains made to date. Most troubling is the manner in which members of the House of Representatives vote against code words without contemplation of the implications and without the resolve to protect rights that characterized passage of the civil rights laws of the mid'60s. Mention "busing" or "quotas" or "abortion" and a large number of the political leaders in Congress run for cover and vote negatively. This was evident during the debate on the Labor-HEW Appropriations bill.

Against this background, the *Bakke* case [*Regents of the University of California v. Allan Bakke*] falls into place as a coordinated piece of the attack—the political attack—on civil rights for Black Americans. This case has both stimulated the negative view of affirmative action and, if Bakke's effort is successful, stands to set back the legal tools for enforcing the civil rights laws. That is, the *Bakke* case helps to create the political climate that makes legislation to restrict civil rights palatable. □