

# Is There a Correct Way to Be Black?

By David J. Garrow

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### REFLECTIONS OF AN AFFIRMATIVE ACTION BABY

By Stephen L. Carter.

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**S**TEPHEN L. CARTER readily acknowledges in "Reflections of an Affirmative Action Baby" that he has had both a privileged and a fortunate life. Born in 1954 into a professional and academic family, he grew up in the shadow of Cornell University, graduated from Stanford and then from Yale Law School. He clerked for a prominent member of the United States Court of Appeals in Washington and then for Supreme Court Justice Thurgood Marshall. Returning to Yale to teach, he became one of the youngest tenured professors in the university's history, and was named William Nelson Cromwell Professor of Law while still in his late 30's.

Not all of Mr. Carter's memories are happy ones, however. He relates his discomfort at being nicknamed "Brillo," because of the texture of his hair, in junior high school and he recalls being the target of a splattered egg and an invective in Palo Alto and of a bottle and epithets in Atlanta. But the missiles and the insults trouble Mr. Carter far less than the many academic and professional experiences in which he has found himself being both pigeon-holed and patronized on account of his race.

He poignantly recounts several such stories, most tellingly one encounter at a conference "where a dapper, buttoned-down young white man glanced at my name tag, evidently ignored the name but noted the school, and said, 'If you're at Yale, you must know this Carter

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*Stephen L. Carter at the Yale University Law School.*

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fellow who wrote that article about thus-and-so.' Well, yes, I admitted. I did know that Carter fellow slightly. An awkward pause ensued. And then the young man, realizing his error, apologized with a smile warm enough to freeze butter. 'Oh,' he said, 'you're Carter.'

The author reflects: "I have since wondered from time to time whether, had I been white and the error a less telling one, his voice would have been inflected differently; 'You're Carter.' Think about it."

To recoup the embarrassing error, Mr. Carter's questioner gushed about the importance of the article "in terms so adulatory" that his underlying presumptions were illustrated even more starkly. As Mr. Carter observes, "That gushing is part of the peculiar relationship between black intellectuals and the white ones who seem loath to criticize us for fear of being branded racists — which is itself a mark of racism of a sort."

"Reflections of an Affirmative Action Baby" is Mr. Carter's powerfully written and persuasive attempt to illuminate both the significant personal costs that accrue even to those like

himself who are acknowledged beneficiaries of affirmative action programs (the "affirmative action babies") as well as what he correctly terms "the deepening divisions in the black community over the issue of affirmative action."

**M**ANY previous commentators have maintained that within black America "the benefits of affirmative action fall to those least in need of them," generally college graduates. But Mr. Carter offers a trenchant account of how personally burdensome can be "that extra degree of scrutiny" — and doubt — "that attaches to those who are suspected of having benefited . . . from a racial preference."

Anyone who thereby presumes that Mr. Carter is some sort of neoconservative advocate or apologist will quickly be brought up short, however, whether by his strongly stated argument that the death penalty is administered in a racially discriminatory manner or by his comment that "the Republican Party is now . . . a natural and evidently comfortable home for white racism in the United States."

Mr. Carter's critique of the political wisdom of racial preference programs reaches well beyond his objections based on their personal costs. It encompasses, for example, a very telling attack on the presumptions that undergird some versions of the present-day academic diversity movement. As Mr. Carter explains, "The ideals of affirmative action" — which he memorably terms a search "to find the blacks among the best, not the best among the blacks" — "have become conflated with the proposition that there is a black way to be — and the beneficiaries of affirmative action are nowadays supposed to be people who will be black the right way."

His argument is likely to be extremely influential. "The opportunities the civil rights movement opened up," he writes, "have been diluted by the imposition of a stereotype that the black people on the inside will hold a particular, and predictable, set of political positions." He quotes Derrick Bell, a prominent black legal scholar, who has insisted that "the ends of diversity are not served by people who look black and think white," and then relishes the opportunity to detail how narrow, exclusive and intolerant any such vision of "diversity" proves to be.

"History does make black people different from white people," Mr. Carter emphasizes. "But it is both wrong and dangerous to insist that it makes us different in some predictable, correctly black way." Additionally, the author argues, many proponents of "diversity" adopt the further fallacy "that our specialness in effect adds value to us in a way that the specialness of other people does not."

At the root of much of Mr. Carter's argument (although this is not often fully or clearly articulated) is a basic plea that people, with their widely divergent advantages and disadvantages, be looked at first and foremost as individuals rather than as simply members of one or another racial group. "The peculiar language forced upon us by programs that treat people as members of groups and assign characteristics on the basis of that membership has an ugly mirror image, for it is as easy to assign negative characteristics as positive ones."

If some "diversity" proponents insist that race per se represents "a proxy for disadvantage" or "a proxy for the ability to tell the story of the oppressed," their use of race as a proxy is the reverse of how thousands of others use it, Mr. Carter notes: as "a proxy for a high potential for criminality. That is why there has always been something unsettling about the advocacy of a continuation of racial consciousness in the name of erudicating it."

Mr. Carter rightfully observes that we are in the midst of a pivotal transformation in how racial-preference issues are viewed by significant numbers of liberal academics, journalists and officeholders, both black and white; recently one writer even coined the phrase "post-affirmative action left." One concomitant of this accelerating change, Mr. Carter notes, is how traditional ideological stances or mantras are defended "with a desperation that often turns to virulence." This is especially true, the author argues, within the black community, where a political loyalty test is applied across a range of subjects and where until very recently dissent was least tolerated on "the desirability of extensive systems of racial preference."

Dissent from the traditional orthodoxies, Mr. Carter notes, can lead one to be labeled a traitor to the race. "There is an inexorable link between the notion that people of color have a special perspective and the idea that dissenters from the orthodoxy are more dangerous if their skins are not white." Because "traitors are much worse than adversaries," he suggests, black academics and journalists who adopt independent stances are often met with ad hominem criticism from organizational spokesmen and politicians. Such

treatment — nowhere better reflected than in one recent opinion piece that repeatedly called Supreme Court nominee Clarence Thomas a snake while disingenuously denying that it was doing so — is intended to silence others who might offer diverse or original voices.

Many black professionals, Mr. Carter observes, mute what they are willing to say publicly because of this "ideology of solidarity," and "many white intellectuals are likely to follow fashion," to remain silent and "to join, often unthinkingly, in the ostracism of dissenters." Both communities, he warns, "need to avoid the error of thinking . . . that unity means solidarity and that solidarity, in turn, means groupthink."

Mr. Carter concludes his appeal for a real appreciation of authentic racial and political diversity by recalling the courage that W. E. B. Du Bois and the Niagara Movement (the forerunner of the N.A.A.C.P.) displayed early in this century in their forthright dissent from the heavy-handed political orthodoxy decreed for black America by Booker T. Washington. "Perhaps the time has come," Mr. Carter writes, "for a new manifesto in which we who are black and choose to dissent might proclaim . . . our right to think for ourselves."

That invitation, however, in no way reflects any pessimism on Mr. Carter's part for where this rapidly evolving debate is headed; he notes that "there is a growing perception among black intellectuals that racial solidarity is less a solution to a problem than a problem in itself." With regard to preferential forms of affirmative action, the author contends, "The ranks of dissenters . . . are swelling" and "there is good reason to think that we are looking toward the end of most racial preferences." More and more academics and journalists, he says, are acknowledging that "far too much has been allowed to turn for too long not only on our 'groupness' but on the idea that our problems aren't really ours, but someone else's: the government's, white people's, history's."

All across the ideological spectrum of black America there is growing agreement, as Mr. Carter sees it, that "the era of playing on our history of oppression, the fact of our victimization, to urge or shame or coerce the assistance of the larger white society is surely over." Increasingly, there is developing an ideology of self-determination and self-reliance that will feature both truly radical as well as frankly conservative tenets.

However, Mr. Carter's rightful optimism about where the political and intellectual debate in and around black America is headed in the near future

does not mean that he has a wishful or even hopeful view about the future of American race relations. He states early in his book that "it is not my purpose . . . to make white people more comfortable," and he underlines that point again at the end by emphasizing that racism "continues to operate with awesome force in the lives of many of the worst-off members" of black America.

Most challenging of all is Mr. Carter's disquieting reminder that "for many millions of black folk, white people in general, and white people with power in particular, are simply not to be trusted." That is a mindset that history and culture have contributed to throughout this country's entire history, and Mr. Carter's honest conclusion that "this flavor of mistrust is perhaps the single most notable feature of white-black relations in America" should hence surprise no one.

"Reflections of an Affirmative Action Baby" is a resolutely thoughtful book that will leave every reader better informed; but Stephen L. Carter's appropriate optimism about how the intellectual dialogue on race and public policy will evolve is rightfully overshadowed by his clear-eyed realism regarding the much larger world of popular and often deep-seated sentiments: with some reason, "so many black people, maybe most, simply do not trust white people to be fair." □