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CHAPTER 2

THE HIDDEN FACES OF RACISM: CATHOLICS SHOULD STAND FIRM ON AFFIRMATIVE ACTION

BRYAN N. MASSINGALE*

In order to get a minority, they picked someone who was less qualified than me." Tales of poorly qualified persons of color being advanced or preferred over better qualified whites express the worst fears of whites and occasion the deepest resentments of people of color in the current politically charged public debate on affirmative action.

For whites, affirmative action at its worst is a fundamental negation of deeply held values and beliefs such as basic fairness—"just reward for ability and hard work"—self-reliance, and an individual's own responsibility to make something of him- or herself. From this perspective, affirmative action connotes the granting of unfair advantage and the belief that people of color are "getting something for nothing," that is, are being rewarded without personal effort and initiative.

To blacks, however, the sentiment that affirmative action is opening the floodgates to legions of unqualified minorities is merely a flimsy rationalization justifying the pervasive presumption that most of "them" are not, and could not be, as qualified as whites. For many African Americans and other people of color, white anxiety over affirmative action is yet another sign of the endemic refusal on the part of the dominant society to admit that racial prejudice stifles the progress of even the most qualified of black persons.

Little wonder, then, that affirmative action is one of the most volatile, delicate, and emotionally charged issues in the minefield of American race relations. Writing in 1958, the U.S. Catholic bishops declared, "The heart of the race question is moral and religious." Yet the current public discourse over affirmative action is all too often marked by political expediency, the exploitation of racial fears, and polarizing rhetoric. These racial resentments and suspicions can overwhelm the

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voice of faith. I'd like to allow this voice of faith and its message of challenge and hope to shed some light on this contentious debate.

Let me state at the outset that I do not write as a neutral observer. I bring several biases to the discussion of affirmative action. I am a Christian who believes that faith in Jesus demands a special sensitivity to and concern for the poor and marginalized.

I also write as an African American who has benefited from affirmative action. Without the benefit of a scholarship targeted for black students, I would have been unable to attend a prestigious Catholic university and earn my degree with highest distinction. I make a point of saying "with highest distinction" to be upfront about my profound disagreement with the opinion that affirmative action necessarily results in a lowering of quality or a denial of merit.

Finally, I cast this discussion principally in terms of the African American perspective for two reasons. It is the experience with which I am most familiar; and the granting of affirmative action to black people arouses a passion and fury which other forms of affirmative action—in particular those that benefit white women—do not.

WHAT IS "AFFIRMATIVE ACTION"?

Affirmative action is a catchphrase for various measures that propose to address and rectify the pervasive, systematic discrimination experienced by people of color and women through facilitating, encouraging, or, rarely, compelling their inclusion in the mainstream of society.

Such measures have included aggressive recruitment and targeted advertising practices, remedial-education and job-training programs, vigilant enforcement of nondiscrimination laws and policies, flexible hiring goals and promotion timetables, and—in extremely rare instances of entrenched discrimination and the failure of voluntary measures—mandatory hiring or promotion quotas.

Hence in the official language of the U.S. Commission on Civil Rights, affirmative action "encompasses any measure, beyond simple termination of a discriminatory practice, that permits the consideration of race, national origin, sex, or disability, along with other criteria, and which is adopted to provide opportunities to a class of qualified individuals who have either historically or actually been denied those opportunities and/or to prevent the recurrence of discrimination in the future."

Affirmative-action measures and efforts originated in the 1960s and flourished in the early 1970s in response to the insistence of civil-rights activists and the prodding of the government that employers, schools, and other public entities take proactive steps, beyond merely

terminating discriminatory behaviors, to increase the presence and participation of African Americans and other racial minorities.

But why, many wonder, is affirmative action necessary? Why isn't simple nondiscrimination enough? Why couldn't the government simply have said, "Stop discriminating," enforced it, and be done with it? Noted constitutional scholar Mary Frances Berry writes: "Those calling for an end to affirmative action...ignore one fundamental fact: The reason we need affirmative action is because we've had so much negative action throughout American history."

It is shocking to realize that it has only been within the last generation that our country has changed its official policy of second-class citizenship for African Americans. Prior to 1965, racial exclusion from political participation and employment, education, housing, and health-care opportunities was not simply the norm, it was public policy. Especially—though not exclusively—in the South, unequal treatment between blacks and whites was mandated in the most ordinary circumstances of life such as eating meals in a restaurant, visiting a public park, traveling on a bus, or choosing a place to live.

Racism—racial discrimination and segregation—was *de jure* ("by the law"), which means that it existed with the approval, cooperation, mandate, or acquiescence of government officials and agencies.

To put this another way: prior to 30 years ago, racial minorities had little or no legal recourse if, when desiring to attend a theater or nightclub, be buried in the cemetery of their choice, or stay at a hotel or buy a house they could afford, a white person refused them entry or service. Thus the personal prejudices of individuals were reinforced, and even enforced, by the government of our country.

Fortunately, this official second-class status for African Americans came to an end with the Civil Rights Act of 1964 and the Voting Rights Act of 1965. But the belief that people of color, and black Americans in particular, are full and equal human beings rests upon a still shallow legal foundation.

Perhaps a visual picture will help to make this point. Suppose one constructed a vertical time line, one foot in length, representing the history of our nation since 1619 (the arrival of the first Africans to North America). The last 30 years, the period since the end of legalized racism, would be only one inch deep. Hence, the consensus that people of color should be full and equal participants in the life of our country is a very thin one indeed; the idea and practices of racial inferiority are much more deeply rooted in our national psyche.

The conclusion is clear: even with the end of official discrimination and exclusion, the effects of this negative racial legacy will continue in the absence of positive action to counter them. Simple declarations of

nondiscrimination and race-neutral or so-called color-blind approaches are not sufficient to overturn centuries-old practices and beliefs.

The need for affirmative action rests upon the realistic appraisal that, given the deep-seated racism of American culture, racial minorities will continue to be hindered or excluded in the absence of concerted, conscious, and deliberate efforts to incorporate them into the American mainstream.

One cannot understand affirmative action except in light of its relationship to the social evil of racism (later broadened to include other forms of social exclusion such as gender discrimination). Affirmative action is inseparably linked to the existence of racial prejudice and discrimination, for it is a tool for rectifying past and present racial inequities. The true issue at the heart of the current discussions of affirmative action is not—or ought not to be—affirmative action by itself but the continuing existence of racism (and gender discrimination) as an obstacle to full participation in society.

In summary, affirmative action has a twofold purpose: 1) to compensate for the enduring legacy and effects of our history of de jure segregation; and 2) to minimize the occurrence of present and future discrimination, toward the goal of creating a racially inclusive society.

RACISM IS NOT A THING OF THE PAST

"But why dwell on the past?" some will ask. "Isn't this all past history? Surely we have made enormous progress in race relations! Even if there was a time when affirmative action might have been useful and even necessary, that time is now past. Affirmative action is no longer needed, and to continue these practices is unfair." Thus goes one of the major objections to affirmative action: if it is inseparably linked to the evil of racism, and if racism is no longer a major problem or issue, then affirmative action no longer has any justification or moral merit.

My response is that declarations of racism's demise are premature or naive at best—and at worst, willfully ignorant and cynically dishonest.

In 1990, the University of Chicago's National Opinion Research Center conducted an ambitious national survey of the country's racial attitudes. Given that on such surveys people tend to understate their racial bias, the results are disturbing: 62 percent of whites believed that blacks were lazier than whites; 51 percent thought blacks were less patriotic than whites; 53 percent stated that blacks were less intelligent; 56 percent claimed blacks were more prone to violent behaviors.

Indeed, on every measure of merit and virtue, blacks were deemed to be inferior to whites by a majority of white respondents. Moreover, other surveys indicate that the younger generation (Americans under the

age of 30) may be more racially prejudiced than their parents and grandparents.

Despite overwhelming evidence to the contrary, a majority of white Americans are in a state of denial over the continuing existence of racism. The extent of this willful ignorance or avoidance concerning racism has been brought home to me during the course on faith and racial justice that I teach to undergraduate college students.

Each semester that I have taught the course, the white students will speak painfully of the estrangement they begin to feel from their families and friends: how their parents forbid them to discuss what they are learning in the course at home; how their white roommates become uncomfortable when black classmates are invited to the dorm to continue a class discussion; how their friendships have become strained and even broken because they dared to differ with their friends because of what they have learned and come to believe through their study.

At the course's conclusion, one of my students wrote: "The most painful thing about this course is that I have lost my innocence concerning my family and friends. I knew that they might be a little prejudiced. But I'm shocked at the extent to which they are willing to ostracize me in order to keep their prejudices unchallenged." I suspect that many people remain in denial because the personal costs of acknowledging the existence of racism are too high.

Notwithstanding the undeniable progress of the last 30 years, racial prejudice and discrimination remain deeply entrenched and strongly operative in the personal attitudes, group behaviors, and institutional processes of this country. Because black skin is still seen as a liability in America, proactive measures like affirmative action are still necessary if there is to be any hope of overcoming the stigma, the presumption of inferiority, which too many whites still ascribe to African American people.

REVERSE DISCRIMINATION?

"But what of those who are incompetent? Why should they be granted access over better qualified whites? Why should hardworking whites be pushed aside in favor of second-rate affirmative action folks?"

The widespread sentiment that affirmative action policies make white people the victims of "reverse discrimination" is the most emotionally potent indictment in the current debate surrounding this issue. This accusation, too, needs to be exposed to the light of reality. By every objective measure and study, instances of unfair reverse discrimination are real—but extremely rare.

Only 3.6 percent of the discrimination cases brought to the U.S. Commission on Civil Rights were filed by white men alleging that they

were victims of reverse discrimination, versus the over 96 percent filed by women and racial minorities. Further investigation uncovers that of those complaints deemed to have merit and validity, only 2 percent are claims filed by white men wronged by reverse discrimination.

What can one conclude from this? First, allegations of reverse discrimination are either grossly underreported to public authorities or, more likely, they are greatly exaggerated. Second, it is undeniable that complaints of reverse discrimination have some validity. Third, the phenomenon of reverse discrimination is minuscule in comparison with the pervasive discrimination encountered by women and racial minorities. Fourth, even with the existence of affirmative action, women and people of color encounter enduring obstacles to equal treatment in hiring and promotion.

In light of all this, it is difficult to avoid concluding that the anxiety, anger, and resentment fostered by horror stories of reverse discrimination are being skillfully manipulated for the political benefit of a few; but we all pay the price of increased racial polarization and estrangement. The correct approach should not be to scrap affirmative action but rather to refine its application so that "reverse discrimination"—as well as racial and gender exclusion—is minimized.

WHAT WOULD JESUS DO?

Thus far I have remained at the level of the sociological and the political. This was necessary so that our reflection would be grounded in concrete reality. But what of our faith? As stated at the outset, at stake in any discussion of and struggle for justice are moral and religious convictions. Indeed, the core issue in the controversy over affirmative action, as with any justice issue, is our integrity as followers of Jesus.

Let us then mine the riches of ethical wisdom inherent in the Christian tradition of social reflection and discover its message of challenge and hope amidst the controversies and confusions of the moment.

A central conviction of the followers of Jesus is that every human being, of whatever race, gender, class, nationality, or other distinction, is fundamentally equal in dignity with every other human being. Each is a creature of God, made in God's image.

It follows, then, that any attitude or practice that would deny or compromise this fundamental human equality cannot be acceptable to those who profess faith in Jesus. The Second Vatican Council rejected all forms of discrimination based on race and gender by declaring: "With respect to the fundamental rights of human persons, every type of discrimination, whether social or cultural, whether based on sex, race,

color, social condition, language, or religion, is to be overcome and eradicated as contrary to God's intent."

Yet the U.S. bishops, in their 1979 pastoral letter on racism "Brothers and Sisters to Us," note that an "unresolved racism permeates our society's structures and resides in the hearts of many among the majority." It is in this context that the bishops endorse the concept of affirmative action as a means of addressing the "long-standing imbalances in minority representation" which stem from this "unresolved racism" in American society. They went on to urge every diocese and religious institution to adopt an affirmative-action plan.

In 1986, the U.S. bishops again addressed affirmative action, this time in their pastoral letter "Economic Justice for All." Central to their argument is the idea that human dignity can only be realized in community. Therefore all persons must have the right and opportunity to participate in the life of their society. Thus all forms of marginalization or exclusion from social, political, and economic life are rejected as immoral, for such practices compromise the fundamental dignity of persons.

The bishops observe, however, that "patterns of exclusion," whereby entire social groups are made marginal, continue to plague our society. They declare that overcoming these patterns of exclusion is "a most basic demand of justice" and conclude: "Where the effects of past discrimination persist, society has the obligation to take positive steps to overcome the legacy of injustice. Judiciously administered affirmative-action programs in education and employment can be important expressions of the drive for solidarity and participation that is at the heart of true justice."

Beginning, then, from a core conviction regarding the equal dignity of all human persons and a condemnation of all discrimination based on race and gender, the Catholic ethical tradition embraces the use of affirmative action as a concrete means of overcoming entrenched social practices which result from racial and gender bias. Thus in our ethical tradition, one sees the constant link between the sin of racism and the moral endorsement of affirmative action.

As a professor of moral theology, I have a strong appreciation for Catholic social teaching. It can help highlight the ethical dimensions of political issues that are all too easily ignored. But in my experience as a preacher and teacher, I find that church documents are rarely viewed as inspiring and compelling. They lack a quality essential to inspiration—namely, that of committed witness.

Thus followers of Jesus will draw their challenge and hope not only from the official teaching of our tradition but also from the witness of Jesus himself.

Needless to say, affirmative action was hardly a burning issue during Jesus' life. Yet features of his ministry have profound implications for our task today. In his practice of table fellowship, Jesus ate meals with all manner of folk, in particular with those who were socially despised, publicly ostracized, and morally suspect.

Further, Jesus sought out and embraced the lost and rejected; he told stories where the main characters are commanded to search the back roads and to bring the uninvited to the banquet table. And it is beyond dispute that Jesus had women among his followers—a practice that was a source of scandal.

Thus time and again we find Jesus, in the name of a God of all-embracing love, engaging in controversial practices that challenge and expand the boundaries which define the limits of belonging. Jesus' concrete witness is a lasting challenge to those who call themselves his followers to also actively embrace those who are despised and outcast. Jesus' resurrection also grounds our hope that the evil of human exclusion and intolerance, despite its stubborn tenacity, is not ultimately victorious.

AN AFFIRMATIVE-ACTION AGENDA FOR THE CHURCH

What, then, are we to do? What should be the affirmative-action agenda for the church, the body of believers inspired by the words and deeds of Jesus? How are we to make his witness real amid the contentious and at times distorted affirmative-action debate? Without any pretense of being exhaustive, the following actions seem essential:

1. Keep the focus where it belongs. Despite all the rhetoric to the contrary, affirmative action is not the problem. The problem is the continuing existence of racism, sexism, and other forms of human denigration and exclusion. As long as the presumption of racial inferiority persists, some kind of proactive countermeasures will also be necessary. The most moral way, then, to eliminate affirmative action is to eliminate the need for it by working to eradicate racism and sexism.

2. Combat denial. As developed at length above, many do not believe that racism is still a significant social evil. In the face of this pervasive denial, Christians can do at least two things. The first is to educate themselves, through reading and dialogue with people of color, in the reality of racism. The second is to take a stand by enlightening the unaware and challenging the dishonest.

3. Respect the concerns of the fearful and anxious. Economic uncertainty exacerbates racial tensions. When these tensions are deliberately manipulated by some politicians for short-term electoral gain, the results can be tragic. The church, through its ministries of preaching and teaching, can respond to racial fear with gentleness and firmness. Often when I speak on racial justice, I pause at some point to acknowledge

the tensions present in the room, gently assuring that it's okay to be afraid and angry—and firmly stating that it's not okay to let one's fear and anger blind one to reality and the pursuit of justice.

4. Be a model for society. Those who would teach justice must be perceived as being just themselves. Therefore, the Church's own corporate life must show a commitment to the principles of affirmative action. Does the diocese, school, or parish have an affirmative-action plan? Who is responsible for overseeing and implementing it? Is the diocese's/parish's/school's commitment to affirmative action readily apparent in the composition of its staff and leaders? The point here is simple and profound: one leads best by doing. If the church shows a lack of commitment to affirmative action in its corporate life, then its words will ring hollow and appear hypocritical.

5. Be a beacon of hope. Perhaps the most important contribution the church can make to the struggle for justice is instilling and sustaining a sense of hope. Whenever I talk to audiences about racism and affirmative action, the most common emotions, besides anger and fear, are weariness and despair: "We've been at this so long, we've tried everything, and nothing seems to work." And thus a sense of resignation and powerlessness sets in, which leads to capitulation to the status quo.

I understand these feelings. I, too, struggle to keep alive a sense of hope that will sustain working for justice in the face of seemingly insurmountable odds. But when I find myself discouraged, I remind myself of three things:

First, we haven't been at this all that long. It's only been in the last 30 years that as a nation we've seriously undertaken the cause of inclusion. Racism isn't new; what is new is the attempt, halfhearted as it may sometimes be, at being fair.

Second, racism is of human making. It is neither inevitable nor inexorable. Human beings created it; human beings maintain it; therefore, human beings can eliminate it.

Finally, I remind myself that in working for racial justice, I—and many others before, with, and after me—am doing the work of God. And when one does the work of God, ultimately one cannot fail, for while human beings can hinder and delay its arrival, they cannot definitively block the coming of the reign of God.

DISCUSSION QUESTIONS

1. Do you know anyone, yourself, a friend, a family member, who has been passed over because of an affirmative action decision? If so, what was the response to that action? Do you think this type of affirmative action is good for our society? Why? Why not? Who gains from affirmative action?

2. Discuss what Fr. Massingale means by “our negative racial legacy.” Why does the church teach that the heart of the race question is “moral and religious?” In light of the U.S. Supreme Court’s recent decision (June 2014) putting severe constraints on Affirmative Action, what stance should the Catholic Church and other churches take?

3. Talk about Fr. Massingale’s five point affirmative action agenda for the church. What might your parish/congregation/social concerns committee do to help implement that agenda?

FURTHER STUDY

“Black and Catholic: On Race, Faith and Freedom,” *America*, 211 (July 7-14, 2014). An up-to-date popular but profound treatment of race, with articles and reviews by Vincent D. Rougeau, M. Shawn Copeland, Christopher Pramuk, Cora Marie Billings, Bryan N. Massingale, Diana L. Hayes, C. Vanessa White, and others.

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