

# Entitlements Empowerment and Victimization

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# PANEL I ENTITLEMENTS, EMPOWERMENT, AND VICTIMIZATION

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*Wm. Bradford Reynolds*†

## INTRODUCTION

When I was asked to participate on this panel, I could not help but reflect back almost ten years to the fall of 1981 when I became a rather noticeable player on the debate circuit. The debate then was much narrower and indeed much more one-sided. Entitlements was the topic, but back then the tag was “affirmative action”—whether you are for it or against it. At that time the phrase had sufficient respectability. Associated with terms such as goals, quotas, preferences, and set asides, the phrase was used without any embarrassment whatsoever.

What a difference a decade makes. The debate over race- and gender-based preferential treatment has been joined, and joined very energetically. Affirmative action programs, once seemingly well entrenched, came under increased scrutiny. Goals, quotas, set-asides, preferences—the stock in trade of the civil rights agenda throughout the '70s and into the '80s—started losing their luster. This shift in attitude toward affirmative action extended beyond political circles, as the '80s progressed, into the courts as well. Serious questions emerged, and continue to emerge, about some of the past civil rights policies and where, if anywhere, they were destined to lead.

This panel discussion is a logical outgrowth of the past decade's questioning of the evolving precepts—questioning that became a very real part of the civil rights orthodoxy of the past. It is not about the extent of racism or discrimination in society today. All of us on the panel believe this country has a long way to go to remove the

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blight of discrimination on a variety of fronts: race, gender, religion, national origin, disability. I expect as well that the members of the panel share with me the rather disquieting feeling that a polarization—indeed we hear it said in some quarters, a balkanization—of the races is becoming more evident. So this is not a debate on whether racism or discrimination is prevalent today. It is also not an exchange of views about affirmative action, *per se*, although that clearly will be one aspect of the discussion. Instead, the dialogue this afternoon is really going to center largely on what makes sense for the future.

The traditional civil rights focus views preferential treatment (i.e., entitlements) as still alive, if not terribly well. The Supreme Court has thrown “affirmative action” a remedial lifeline—once all alternative race- or gender-neutral remedies have been tried and failed so long as the preferential remedial program is narrowly tailored and of limited duration.

Proponents of such programs defend them by saying “it is the least that we can do to chip away at years of systemic discrimination.” Those opposed to preferential affirmative action retort that “such programs serve only to perpetuate the divisiveness of discrimination and to debase the accomplishments of the racially preferred; they do nothing to treat the real societal problems that are continuing to tear at the fabric of many American communities.”

If you sense in that debate the body language of victimization, stay with us, because in a very real sense, victimization is a central theme here. It has a number of overlays. Those minority families—overwhelmingly, I would suggest to you, the middle-class families—who have actually been touched by affirmative action programs, have a victimization story to tell. That story goes hand-in-hand with being identified, often erroneously, as the affirmative action student, employee, promotee, government official, or even Supreme Court nominee.

They who are among the nation’s most impoverished, who have been identified as lower class in the economic sense, and who have never been touched by affirmative action programs—and this is by far the overwhelming majority of this country’s minority population—also have a victimization story to tell. The more of those stories that emerge from policies that promote the concept of preference, the more they are told. The more they are told, the more debilitated the prospects for any meaningful change become. If you repeatedly tell a group of people enough times that its membership is composed of society’s victims, eventually the stigma of inferiority settles in. The members begin to believe, even if only intuitively, that they are second class citizens for whom preferences

are the only means of achieving equality. In this regard, the social welfare mentality that swept across this country in the '60s and '70s, and lingers still today, helps, in some respects, to explain the persistence among those still pushing for entitlements.

On the other hand, a new policy shift is clearly emerging—one that currently travels under the banner of empowerments and that is grounded in the work ethic, in self-help programs, in economic self-sufficiency, in freedom from governmental intervention, in community cooperation, and in educational choice. Empowerment programs are not being promoted as the wholesale solution to the problems that confront so many communities across the land. The fight against discrimination in law enforcement is still an essential piece of the puzzle. The effort to reach out affirmatively to those competitively qualified is another important piece of the puzzle. But the empowerment philosophy brings to the table a new and exciting set of policy considerations that may well hold the greatest promise we have yet seen for a meaningful equal opportunity agenda.