IS NEUTRAL THE NEW BLACK?:
ADVANCING BLACK INTERESTS UNDER THE FIRST BLACK PRESIDENTS

An undergraduate thesis presented
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INTRODUCTION

Until 2008, no Western democracy had ever elected a member of a historically oppressed ethnic or racial minority group to serve as its head of state (Clemons, 2010). That changed with the election of Barack Hussein Obama, the first African American to be elected President of the United States of America. Then, after four years in office, he was re-elected to a historic second term. Yet despite these apparent indicators of racial progress and the resulting claims of a post-racial society that they prompted, the political climate is still highly racialized (Tesler & Sears, 2010). As a result, the unspoken consensus within the realm of American politics is that policies and politicians must be cast in race-neutral terms to be politically palatable.

This race-neutral approach to governance, while popular among ideologically conservative whites and black politicians of the post-Civil Rights Era, may not be as conducive to advancing a so-called “black agenda” as traditional black politics once was. However, the times in which we live seem to necessitate that neutral be the new black. While white politicians have the luxury of being able to speak more openly about racial injustice and other racialized issues than their black counterparts, as the absence of black skin does not trigger the same racial backlash and intense scrutiny; however, it does not mean that they do so more effectively and credibly.

Is there really such a thing as a “black agenda?” To begin, one must unpack the notion of a black agenda and determine what the issues and interests embedded in this agenda necessarily entail. Even though African Americans overwhelmingly vote in a bloc, it is still problematic to assume that they are monolithic. The black community, if one can still call it a community, has become increasingly diverse and fractured. Consequently, support for a singular black agenda has since grown correspondingly less unified. In this sense, it is far more productive to think
going forward in terms of traditionally black interests, rather than a specific black agenda to which every black person subscribes. Encompassed in the term “black interests” is a traditional emphasis on issues such as black unemployment, raising the minimum wage, education, health care, racial profiling, affirmative action, and voting rights (Cottman, 2014).

What follows is an exploration of the impact of race on governance and the nature of this impact, if it exists. It begins with a review of the literature by scholars of race politics, whose scholarship spans the post-Civil Rights Era up to the present day. This literature review presents two competing schools of thought – the race-conscious and race-neutral schools – each one advocating an approach to advancing race-specific interests. Within the race-conscious school, attention is given to the following subschools: liberalism, the interest-convergence theory, the mutual obligations approach, and descriptive representation. Within the race-neutral school, the discussion consists of the following subschools: conservatism, Marxism, and universalism, with additional treatment being given to deracialization, in theory as well as in practice.

Following my review of the relevant literature is an explanation of the design of my research. The research design offers a tentative answer and rationale, hypothesis formulation, definition of concepts, case selection, definition of variables, and data collection and analysis.

At its core, however, this work focuses on race in electoral politics and governance. More specifically, it is an analysis of the politics and policy records of two presidents who campaigned on the basis of race-neutrality and the extent to which this strategy limited the capacity of each to advance policies that promoted race-specific interests. The cases studied here are William Jefferson Clinton, the 42nd president, and Barack Obama, the 44th president. For Clinton, whose popularity among African Americans earned him the unofficial title of “first black president,” the major policy initiatives examined include the Community Reinvestment
Act of 1977, the Violent Crime Control and Law Enforcement Act of 1994 ("crime bill"), the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ("welfare reform"), as well as minor, more symbolic efforts such as affirmative action, the “One America” race initiative, and administrative appointments. For Obama, the Fair Sentencing Act of 2010, the “Smart on Crime” initiative, continued enforcement of the Community Reinvestment Act and the Fair Housing Act of 1968 are examined along with more recent race-based initiatives like “My Brother’s Keeper.” This empirical research was aided by the use of first-person interviews with former administration officials and White House personnel that helped to provide a behind-the-scenes perspective on administrative policy and motives.

Ideally, this comparative analysis will help to illuminate the ways in which the Clinton and Obama administrations were similar as well as different in their approach to governance and the advancement of black interests, and perhaps even offer reasons why. The hope is that this research will allow the findings to be extrapolated in order to provide a more nuanced understanding of what African Americans can and should reasonably expect from white and post-racial black politicians given the current political climate.

ADVANCING RACIAL INTERESTS: TWO APPROACHES

Given the conservative state of political affairs, the challenge for politicians is to decide how they will personally handle issues of race in the context of their campaigns and tenures in office, a challenge that naturally begs the question: what is the most effective means of advancing race-specific interests in a race-neutral political climate? How to answer this question has been the subject of extensive scholarly debate between the proponents of two opposing schools of thought, the race-conscious and race-neutral schools. The approaches advocated by each school and their various subschools have strengths and weaknesses in terms of the quality
of answer that they provide. Nevertheless, they all strive to offer the best of a number of imperfect solutions to the lingering problem that is race in the American context.

**Race Still Matters: The Race-Conscious School**

Notwithstanding the advancements made during and after the Civil Rights Movement, the race-conscious school contends that much racial progress has yet to be made. Adherents to this school of thought do not shy away from open discussions of race and its continued relevance in American society, believing that race- and color-consciousness are the only means to achieving the post-racial society that many agree is still not upon us. Although there is considerable ideological diversity in terms of how individual scholars advocate for going about advancing race-specific interests, with the approaches that they put forth differing in their strategies, tactics, and goals, all approaches are grounded in one foundational assumption: race still matters.

**Liberalism**

Proponents of liberalism generally believe that government can engender solutions to the problem of racial discrimination by means of race-conscious policies that stress equal opportunity, affirmative action, and racial justice. In light of the demands made during the Civil Rights Movement, some liberals viewed compensatory programs as the necessary next stage for achieving racial equality in those areas of society in which it had stalled. Many Great Society initiatives were intended to do just that, focusing specifically on issues such as education, equal employment, housing discrimination, voting rights, and health care. The 1970s and 1980s also saw efforts made to address the lack of diversity in college admissions and the continued segregation of school districts. Although such programs provided a color-conscious response to overt racism and unequal opportunity, they did not confront the underlying causes of racial and economic oppression (Thernstrom & Thernstrom, 1997). Yet liberals attributed disappointing programmatic outcomes to the government retrenchment pushed by neoconservatives in the
1980s, believing that it was these systematic cuts in funding for social programs that doomed the Great Society (Wilson, 1987; Dawson, 2011). Their initial response was to advocate for more resources for existing programs, as if money alone were the solution. With time, however, liberals found that racial disparities in rates of crime, unemployment, homeownership, and educational attainment were far more intractable than once thought. Their support for forced busing, affirmative action, and other controversial racial reforms has since waned (Steinberg, 1995; Sheridan, 1996). As their attitudes toward race have grown more disillusioned, grievance-focused, and fatalistic in light of the failures of their own public policy, results-oriented neoliberals have increasingly bought into racial stereotypes that substantiate holding blacks to a lower, more indulgent standard of conduct and achievement. In letting them off the hook, conservatives argue, liberals have essentially condoned black pathology (Sheridan, 1996). In making such exceptions, liberals undermine the goal of racial equality by emphasizing the same arbitrary racial differences they once sought to overcome. By focusing on individual rather than institutional behavior, liberals have tended to push policies that emphasize the importance of self-help over the existence of structural inequities (A. Reed, 1999; Sleeper, 2002).

Many scholars, even those on the left, have countered liberal efforts to address race with staunch criticism. Given their opposition to an aggressive push for civil rights, says Stephen Steinberg (1995), liberals would have left blacks waiting for relief from racial discrimination had they not engaged in protest action for themselves. History provides ample proof to substantiate his claim. Since 1919, liberals had repeatedly ignored the findings of a series of commissioned reports examining the causes of racially-motivated riots and other instances of civil disorder. Even in the face of mounting evidence that the race problem was truly a problem of white racism – the bold conclusion reached by President Johnson’s Kerner Commission in 1968 – liberal
policymakers responded to the report’s public policy recommendations with inaction. Despite their critically important role during the Civil Rights Movement, “liberals from President Kennedy down through the ranks usually had to be goaded, cajoled, provoked, shocked, embarrassed, and dragooned by escalating conflict into supporting the liberation movement” (Steinberg, 1995, 60). If liberals had any real intention of changing the prevailing racial order, history suggests that it would have been on a much slower timetable than the one ultimately chosen by blacks. There has since been a liberal retreat from issues in the post-Civil Rights Era, and civil rights legislation alone cannot liberate those blacks caught in the grip of institutional racism (West, 1993; Steinberg, 1995; Sheridan, 1996). Steinberg (1995) suggests that liberal orthodoxy may now be an ineffective model for racial progress, as evidenced by liberal capitulation to conservative racial backlash and the tendency to withhold support from blacks pushing demands that white liberals deem too radical. Cornel West (1993) similarly accuses the liberal establishment of lacking the courage to speak to the problems that plague urban black communities and present them as indicative of a systemic failure within American democracy. Maximizing on the silence of their liberal opponents, conservatives have been able to co-opt the rhetoric surrounding these issues for their own political advantage, having largely succeeded in convincing the public that urban problems are the natural consequence of the irresponsibility and immorality of the culture of poverty in which poor blacks choose to live (Wilson, 1987).

In light of the superficial efforts made by liberals to promote racial reform, a number of scholars have proposed their own solutions. For Steinberg (1995), the political will needed to spur black liberation and institutional transformation has always and will continue to come from black leaders at the grassroots – largely as a result of mounting pressure and black discontent culminating in community protest – and not from equivocating white liberals, entrenched civil
rights leaders, or an elite political establishment with a vested interest in maintaining the racial status quo. Yvonne Scruggs (1997) counters his claim by asserting that black initiative – in the form of grassroots activism and protest – and government responsibility are not interchangeable parts, but complementary aspects of a larger public policy strategy for achieving racial equity. In contrast to traditional liberalism, Scruggs emphasizes the need for this two-pronged approach to advancing race-specific interests, instead of relying solely on government to determine the pace and nature of change. West (1993), in true liberal fashion, emphasizes the role of government. Yet he sees affirmative action and the other race-conscious government programs from which most liberals have retracted their support as necessary, albeit inadequate, solutions to black poverty and racial inequality. Given his doubts that the liberal establishment would continue to make a good-faith effort to combat racial oppression in their absence, West (1993) believes these policies should continue to exist in order to keep racial discrimination in check and to preserve hard-fought black progress. Accordingly, he argues that preferential policies must not only be defended, but also expanded until a truly redistributive social democratic program is put in place that makes such policies unnecessary.

For liberals, acquiescing to efforts to undermine the progress made toward racial equality are hostile to the defense of race-specific interests, as many issues coded as race-neutral are often imbued with a deliberate race consciousness (Scruggs 1997). Contesting the claim that race-neutral policies help to eliminate the last vestiges of a racially discriminatory past, Leland T. Saito (2009) in his examination of how race influences politics and public policy in New York City, Los Angeles, and San Diego concludes that such policies often have racialized outcomes. For him, conservative calls for a colorblind society at best seek to deny the continuing relevance of race and at worst seek to justify maintaining the racial status quo. In Whitewashing Race: The
“Myth of a Color-Blind Society,” Brown et al. (2003) make a similar contention in arguing against “racial realism,” a conservative racial paradigm in which black failure warrants a subtle kind of racism (Sears, Sidanius, & Bobo, 2000). Advocates of racial realism believe that race-conscious policies make a colorblind society impossible, yet the authors contend that colorblindness represents a racial status quo that is colored white. Colorblindness aims to drive out blackness and the associated legacy of victimization, while refusing to address the attendant privileges of whiteness (Guinier & Torres, 2002). In reality, then, colorblindness is not characterized by race-neutrality, but white consciousness. Race-neutral politics is not only partial to white interests, but also deliberately works to suppress the interests of those who are non-white, a realization that severely undermines the credibility of conservative calls for race-neutrality. For Brown and his colleagues (2003), minority interests are advanced when systemic racial inequalities are readily acknowledged and actively dismantled by race-conscious policies that foster diversity, fight discrimination, create wealth, and invest in minority individuals and their communities (Brown et al., 2003). In the absence of such, the most effective means of advancing race-specific interests may simply be the defense of minorities’ social, economic, and political interests against seemingly race-neutral legislative attacks (Scruggs, 1997). However, the courts may be an unreliable means of defending said interests, particularly in light of the conservative makeup of the U.S. Supreme Court and prevailing public opinion. While litigation can serve as a useful tool for agenda setting, fundraising, and collective grassroots protest, the high cost of unsuccessful legal action may make this tactic too risky to employ at present (Klarman, 2007).

**Interest-Convergence Theory**

Critical race theory looks at racism not from a micro perspective, but from a macro one, focusing on the level of institutions rather than individuals. One tenet of this theory is interest-
convergence, the notion that “the majority group tolerates advances for racial justice only when it suits its interest to do so” (Delgado & Stefancic, 2012). Cedric Herring (1997) suggests that policies relevant to the black community tend to be reflective of the political moods of whites, and that such policies have little relevance to the actual needs and preferences of blacks. Herring (1997) suggests that simply giving policymakers the facts about the benefits of color-conscious policies is insufficient. Because the nation’s socioeconomic health is tied to that of black America, Americans cannot afford to ignore the interests of blacks (Thernstrom & Thernstrom, 1997). Hence, critical race theorists argue that Americans must be convinced that the costs of abandoning policies that advance the needs and interests of blacks are just as high, if not higher, than the costs associated with appeasing those who oppose them (Herring, 1997).

Mutual Obligations Approach

Instead of perceiving race as a problem to be ignored, some race scholars advocate for a mutual obligations approach to transcending racial barriers. This approach to coalition building differs from the universalistic one proposed by William Julius Wilson in that it enlists race rather than class as a vehicle for positive social change. It relies on a shared commitment to common values and goals to promote productive interracial interactions between racial groups, such as those that integrated major league baseball. The mutual obligations approach is thus seen as a more constructive alternative to a majority or minority obligations approach, which makes race far more divisive and burdensome. For its scholarly proponents, consensus-building can work in times when group activism has not. The goal is for racial groups to move past their hesitancy to pay the costs of compromise and consider the interests of all racial groups when drafting public policy (Emerson & Yancey, 2011). In a similar vein, Lani Guinier and Gerald Torres (2013) introduce the concept of “political race” as a multiracial coalition of people defined by their
common politics and united by their opposition to the structural problems that inhibit the uplift of people of all colors. The authors cite predominantly white prison chapters of the NAACP as an effective mobilization of political race, where “blackness” becomes less a racial designation than an indicator of a person’s marginalized position in American society. While West (1993) also advocates for multiracial coalitions and broad-based alliances, he sees white racism and black fixation on white guilt as an intractable barrier to interracial cooperation and collaboration. However, an earlier study by Dovidio, Gaertner, and Saguy reveals that even people who strongly identify as white will support preferential policies if their American identity is strong and inclusive, leading them to base their support on ideals about fairness rather than group self-interest. By reframing the goal of race relations to promoting equality for all instead of the more polarizing and punitive one of preventing discrimination by a few, racial attitudes can be altered and a common group identity formed (Dovidio, Gaertner, Saguy, & Hehman, 2011).

*Descriptive Representation*

Considering the continued relevance of race, scholars of the race-conscious school still see value in black descriptive representation. Bennett, Herring, and Gills (1997) analyze the consequences of black political empowerment for African Americans using census and related data. The authors define black empowerment as the degree to which blacks can elect and select those who will represent them in political decision-making. Their findings suggest that black population concentration activates black political empowerment in ways that help promote greater equality between blacks and non-blacks. According to the data, cities are most likely to have black mayors when the proportion of blacks is above or below a particular threshold – less than 30 percent or greater than 50 percent of the population. Several benefits accrue to blacks from descriptive representation at the mayoral level. First, mean annual earnings are increased
for both blacks and non-blacks under a black mayor, especially when the proportion of blacks is outside of the threshold. Second, the black poverty rate is lower in cities with black mayors relative to those with non-black mayors when the proportion of blacks is held constant. Third, the rate of professional employment is greater for blacks and non-blacks under a black mayor in cities whose proportion of blacks is again outside of the threshold. These findings are consistent with the threshold model of the black empowerment thesis, which states that only when blacks are less than 30 percent or more than 50 percent of a city’s population will they reap the social and economic benefits of having a black person in the mayoralty. Although black empowerment does not necessarily translate into socioeconomic equality for blacks relative to non-blacks, the authors’ findings demonstrate that blacks still tend to fare better in cities with black mayors, as do many non-blacks (Bennett, Herring, & Gills, 1997). The evidence that they present makes a compelling case for descriptive representation of blacks’ race-specific interests.

The Content of Their Character: The Race-Neutral School

For those who find a race-conscious approach to be less than pragmatic, there is another alternative to advancing race-specific interests. The race-neutral school is ideologically varied, having three distinct subschools of thought. Each one contributes its own unique answer to the normative question of why race should not be the vehicle – or at the very least the primary one – for advancing racial interests. One way of conceptualizing the differences between these three subschools is through a comparison of the ways in which each would respond to the theory of race relations proposed by Robert E. Park (1950), a member of the Chicago School of sociology at the University of Chicago. His theory posits that the experience of racial minorities can be condensed down into a four-stage process of contact, conflict, accommodation, and assimilation with respect to the majority group, mirroring the experience of European ethnic immigrants.
Although the first two stages are self-explanatory, the latter two are more complex. For white ethnics, the accommodation stage involved the creation of urban ethnic enclaves and the rise of cultural politics as a way of negotiating their inferior position in society relative to that of the dominant group. The same held true for blacks, as they were relegated to urban ghettos by discriminatory housing practices and prohibited from participating in conventional politics. The assimilation stage represented the point at which ethnic Europeans became fully Americanized. In the immigrant analogy, it was by entering the mainstream that the various ethnic groups finally experienced upward mobility. While white ethnic Europeans were eventually able to reach this stage, blacks were precluded from doing so as a result of racial discrimination. This obstruction provided an impetus for the Civil Rights Movement and its related reforms; reforms that would give rise to the black middle class. In spite of this, millions of African Americans have yet to make it to the assimilation stage. How some scholars explain this social phenomenon provides an insightful answer to the larger question at hand.

Conservatism

Prior to the Civil Rights Movement, conservatism was marked by an open belief in the biological inferiority of blacks. However, conservative ideology in the post-Civil Rights Era (distinguished by some scholars as “neoconservatism”) provides a working framework for blacks to improve their condition within society through individual effort and self-reliance rather than government intervention and legal redress for grievances. Black conservatism, in particular, sees accommodationism and capitalism as effective race-neutral approaches to collective self-advancement, as the free market operates impartially. Yet according to Christopher A. Bracey (2008), the impartiality of the free market offers blacks insufficient protection against discrimination. Because the theory of individualism is colorblind, it does not account for the
social instability and political powerlessness that blacks experience, a reality that undercuts the advancement of their economic interests. Nevertheless, conservative scholars maintain that assimilation into the mainstream is a reasonable strategy for racial uplift, and that there is an individual explanation for why some blacks are unable to do so (Steele 2008). Given that 38.4 percent of blacks were in the middle class as of 2009 (U.S Census Bureau), assimilation is not impossible. The failure of other blacks to follow suit is indicative of a personal failing for which these individuals and the black community must hold themselves accountable (Williams, 2006). This conservative explanation rejects the liberal notion of institutionalized racism, assigning blame to the oppressed instead of the oppressor (Steinberg, 2007). Conservative behavioralists contend that structural barriers to upward mobility no longer exist; individual effort and talent are the sole determinants of life chances. For this reason, disparate economic outcomes are the natural consequence of variations in individual aspirations, self-determination, work ethic, and moral code rather than flaws in the opportunity structure (Sheridan, 1996). Following this logic, inequality of this sort is an acceptable, fair, and expected aspect of American meritocracy.

For conservative scholars, race-specific policies are undemocratic, retrogressive, and above all contrary to traditional American values like individualism and merit (Steele, 1998). After all, it was Dr. King who dreamed of a day when people “would not be judged by the color of their skin, but by the content of their character” (Edley, 1996, 84). Rooted in this principled opposition to color-consciousness is the belief that race-specific policies are an attempt by blacks to secure special rather than equal treatment (Christie, 2012). The notion propagated by the so-called racial grievance industry is that there is power in blacks’ history of victimization (Williams, 2006). Alternatively, Shelby Steele (2006; 2008) considers personal responsibility to be the strongest and perhaps the only transformative power available to blacks, even though it
has been stigmatized for its attractiveness among whites and other black conservatives. Denying the need for black responsibility places the burden on whites to atone for racial transgressions through political concessions, holding white redemption hostage to black equality (Steele, 1998). In this way, says Steele (2008), blacks use white innocence as a bargaining chip to mobilize white guilt, garnering support for racial entitlements and preferential policies that only reinforce the weakness of their position and give them license to live irresponsibly. The consensus among conservatives is that while “whites must guarantee a free and fair society…blacks must be responsible for actualizing their own lives” (Steele, 1990, 34). Believing the former to have largely been accomplished, they consider it high time that blacks got serious about the latter (Williams, 2006). In the absence of such efforts, blacks and black problems are considered unworthy of public concern. This “benign neglect” approach, first articulated by Daniel Patrick Moynihan during the Nixon administration, plays particularly well with white voters, making it a popular course of inaction for policymakers on both the Right and the Left (Steinberg, 1995, 100). Because it stresses doing no harm, benign neglect frees politicians from any moral or political obligation to do for blacks beyond what they are willing to do themselves (A. Reed, 1999).

**Marxism**

Whereas conservatism represents the race-neutral school from the Right, Marxism is its ideological analogue on the Left. For Marxists, the worsening condition of the working class is the product of the capitalist ruling class, which has historically fostered racial divisions and exploited racial minorities to the social, economic, and political detriment of all laboring people (Rosenthal, 1997). Manning Marable (1995) sees most efforts to eliminate racism as failing to deconstruct the power relationships that inform the social construct known as race – economic
exploitation, social privilege, and white supremacy. Accommodationists working within the system fail to see the relationship between capitalism and institutionalized racism, instead viewing capital accumulation as the path to black advancement and electoral politics as the key to black liberation (Marable, 1985). For Marable (1984), the institutionalization of the black elite is antithetical to the progress of the black masses. The black elite gives whites the mistaken impression that discrimination and other barriers to inclusion no longer exist for most blacks, making affirmative action and other reforms seem unnecessary. In this sense, reformism is an inadequate solution to the race problem. A far more revolutionary approach is needed to bring about social change, one that combats racism through an anti-capitalist strategy (Rosenthal, 1997). Marxism offers a vision of black liberation that makes a radical break with the narrow, race-based politics of the past. Instead of pursuing Black Nationalism or integrationist politics, blacks must seek the radical transformation of existing democratic institutions (Marable, 1995).

While Wilson (1987) envisions multiracial coalitions coalescing around economic issues to lobby for democratic reforms, Marable (1995) calls for formerly divided people of all colors to unite behind their identity as an oppressed class to fight elite interests and dismantle economic power structures. Under Marxism, economic parity is the path to racial equality, made possible by rejecting rather than reforming the capitalist system (Marable, 1984; Rosenthal, 1997). But considering the entrenched nature of this system, some scholars view a Marxist strategy of economic overhaul as an unrealistic means of bringing about a much-needed reprieve from racial discrimination. By subsuming issues of race under those of class, Marxists fail to recognize the extent to which racial oppression makes the unique experience of black Americans categorically different from the oppression endured more broadly by members of the exploited laboring class. At best, Marxist scholars overstate the real potential for coalition building among this class and
across racial lines. At worst, they are out of touch with the lived experience of the black masses (Emerson & Yancey, 2011). By seeing racial interests as a subset of larger economic interests, “blacks are rendered invisible not only by the color-blind Right, but [also] by a color-blind Left” (Steinberg 2007, 78); in this sense, colorblindness “impedes the realization of fairness, because it refuses to deal with the legacy of racial oppression” (Sundstrom, 2008, 48).

Universalism

In his groundbreaking 1978 book, *The Declining Significance of Race*, William Julius Wilson makes the case for an approach to advancing black interests that goes beyond the narrow focus on race. According to him, the fact that economic outcomes among lower and middle class blacks have become increasingly disparate is indicative of the life chances of individual blacks being increasingly determined by class instead of race. Changes in the structure of the modern economy have had an adverse impact on all low-income people, regardless of their color. Although blacks can still feel the effects of a history of racial oppression, it is the class subjugation that characterizes the capitalist system that contributes most to current inequalities. For Wilson (1987), public policies seeking to resolve these inequalities would have to confront more than just racial discrimination. Blacks are not a monolith, and policies treating them as such would fail to address the unique economic problems of the most disadvantaged, those who because of race and class subordination lack the social and educational resources to be competitive in a free market system. At the same time, the black middle class – the primary beneficiaries of Civil Rights Era reforms – disproportionately benefit from equal opportunity measures and preferential policies for which they comparatively have little need. Hence, their condition becomes even more privileged, while the plight of blacks who are truly disadvantaged remains unchallenged and unchanged (Wilson, 1990).
In *When Work Disappears*, Wilson (1996) furthers his argument by contending that the problems originating from historic racism cannot be addressed through race-specific solutions alone. Black leaders can no longer argue against the “myth of black progress” to garner support for stronger race-based policies when the rise and expansion of the black middle class and the election of greater numbers of blacks to high political office provide evidence in support of such progress. What is more, this liberal strategy only bolsters the conservative critique that federal anti-discrimination policies failed to achieve their goals, when in fact it was subsequent changes in the structure of the economy that exposed the need for additional policies to address lingering inequality (Wilson, 1987; 1990; 1999). Thus, race-neutral, need-based solutions are also needed. He also believes that black leadership should now focus on the problems of the poor, since the elimination of racial barriers to upward mobility did little to ameliorate their economic condition. Given the fiscal conservatism and “reactionary colorblindness” that marks the current political era, policies designed to improve the welfare of poor blacks would need to be applicable to a broader coalition of Americans and framed with an egalitarian rhetoric of enhanced opportunities for all races and classes to elicit popular support (Wilson, 1987, 2011).

In 1975, the black economist Vivian Henderson foresaw the challenge of making policy with respect to black interests and issues:

> The economic future of blacks in the United States is bound up with that of the rest of the nation. Policies, programs, and politics designed in the future to cope with the problems of the poor and victimized will also yield to blacks. In contrast, any efforts to treat blacks separately from the rest of the nation are likely to lead to frustration, heightened racial animosities, and a waste of the country’s resources and the precious resources of black people. (54)

Wilson (1990) could not agree more, contending that race-specific policies are economically counterproductive for blacks. The role of the government, then, is to advocate for egalitarian
solutions, yet the political will to pursue this may simply not exist (Wilson, 1999). The prevailing strategy for fighting inequality involves pursuing broadly unpopular race-specific policies that reinforce whites’ inferior view of blacks by “stigmatizing the already stigmatized” (Steele, 1990, 120). While policies like affirmative action are intended to uplift all racial minorities, they disproportionately benefit athletes, legacies, and privileged minorities who were already poised to take advantage of greater access to opportunity, leaving those without resources behind. Preferential policies tend to estrange white Americans who view these policies as unprincipled, punitive, and requiring an undue material sacrifice threatening their interests and social position relative to other racial groups. For Wilson (1999), an emphasis on race-neutral policies to improve employment opportunities, education quality, and health care outcomes would help to regain the political support of whites and revive the Democratic coalition, citing the adoption of such policies by multiracial organizations like labor unions as evidence of the effectiveness of universalism as a strategy for social and economic reform. Thus, broad-based policies addressing universally salient issues can still be a boon to racial minorities without being specifically targeted to them (Wilson, 1990).

Douglas S. Massey and Nancy A. Denton (1993) directly challenge the central claim of *The Declining Significance of Race* in their own book, but they also find some common ground. All three scholars agree that despite the increasing importance of class, it would be a mistake to push for policies that only consider economic need. Class-based policies would serve to limit opportunities for blacks whose life choices have been limited by the cumulative effects of race, in the same way that race-based policies were successful in raising up the middle class but failed to improve the socioeconomic status of the underclass (Wilson, 1978; Massey & Denton, 1993). However, there has since been a noticeable shift in his thinking, and he now advocates for both
race-specific and class-based, race-neutral policies in his most recent scholarship (Wilson, 2011). As an alternative to eliminating affirmative action or making such programs entirely class-based, Wilson (1999) offers what he calls “affirmative opportunity” programs that would rely on merit-based criteria. Such programs would reframe the goal and rhetoric of affirmative policies to that of achieving equality of life chances by surmounting chronic racial and economic subordination, and in doing so avoid the stigma associated with race quotas and numerical benchmarks (Wilson, 2012). The key to success is “to construct an economic-social reform program in such a way that the universal programs are seen as the dominant and most visible aspects by the general public,” offering political camouflage to a “hidden agenda” of advancing race-specific interests (Wilson, 1987, 154-155). It is this method that has come to characterize the deracialized approach of contemporary politicians, in general, and contemporary black politicians, in particular.

Deracialization in Practice

It is precisely because race is so socially significant and politically polarizing that black candidates for elected office choose not to emphasize race within the context of their campaigns and, for those who make it past the election, their subsequent terms in office. In *Dilemmas of Black Politics*, Joseph P. McCormick and Charles E. Jones (1993) examine the deracialization concept – first coined by Charles Hamilton (1973) at a meeting of the National Urban League – by breaking it down into its two functional parts, as an electoral strategy and an agenda-setting strategy. Deracialization as an electoral strategy encompasses the issues, mobilization tactics, and political style of a candidate. More specifically, this involves deemphasizing racial issues, avoiding direct racial appeals to the black community, and projecting a non-threatening image. However, the extent to which candidates choose to pursue a deracialized strategy has different racial implications and raises several key questions. To what extent can black politicians pursue
race-specific policies? Can blacks trust a deracialized candidate to advance their interests once in office? Is there really such a thing as deracialized black politics? (McCormick & Jones, 1993)

Even as racial attitudes have progressed to the point where most whites now believe in integration and racial equality, many staunchly oppose any policies that seek to foster more of either (Bobo & Kluegel, 1997). In general, public support for government policies and programs is influenced by several factors, including individual and group self-interest as well as normative beliefs about economic and social stratification. The most powerful determinant, by far, is racial attitudes. In their study of opposition to race-targeting, Lawrence D. Bobo and James R. Kluegel (1993) find that race-targeted policies strongly activate racial attitudes among whites, while the activation of these attitudes is weaker for race-neutral, income-targeted policies. Activation of racial attitudes is also triggered by policies that seek to create equality of outcomes as opposed to equality of opportunity. Given the findings of Bobo and Kluegel’s (1993) study and others, Stephan and Abigail Thernstrom (1997) argue against preferential public policies on the basis that they reinforce and even produce the racial acrimony that such color-conscious policies were designed to surmount, so much so that the political costs of pursuing such policies may simply be too great. “Racist Americans have long said to blacks, the single most important thing about you is your color. And now, black and white Americans of seeming good will have joined together in saying, we agree. It has been – and is – exactly the wrong foundation on which to come together for a better future” (Thernstrom & Thernstrom, 1997, 540). For these scholars, policies aimed at promoting out-group racial diversity fail to acknowledge the extent to which an interracial, in-group community can be created through an appreciation of individual differences. Given the us-versus-them mentality that these race-specific policies tend to cultivate, race-
neutral policies represent a necessary step forward and away from America’s racially divisive past (Thernstrom & Thernstrom, 1997).

Political candidates similarly activate racial attitudes. In their 2010 book, Michael Tesler and David O. Sears (2010) demonstrate that then-Senator Obama’s 2008 presidential campaign was far from post-racial. The historic nature of his candidacy activated strong racial attitudes – both positive and negative – and these attitudes were highly accessible to voters when evaluating Obama as a candidate. Thus despite his deracialized campaign, the 2008 election was inherently racialized (Tesler & Sears, 2010; Kennedy 2011). Tesler and Sears (2010) show that the chronic accessibility of racial attitudes affects policy as well as politicians, further discrediting claims of a post-racial society. According to them, a spillover of racialization from the campaign into President Obama’s first term may explain why public opinion has been so polarized with respect to his policies. The data reveals that public opinion on health care became increasingly polarized between December 2007 and November 2009, and reflected the racial attitudes of survey respondents. Racial resentment also rose during this period, while partisanship and ideological identification remained relatively constant. Taken together, these results suggest that health care became a more racialized policy issue through its association with President Obama, a finding corroborated by a study in which the same policy proposals were significantly less racialized when attributed to former President Bill Clinton (Tesler, 2012). They imply that the inability to deactivate racial attitudes will inhibit the successful implementation of not just race-specific policies, but also an entire policy agenda. This line of research provides an empirical basis for why a race-neutral approach is preferable to a race-specific one. While not for lack of trying, true colorblindness cannot be achieved when racial attitudes are unconsciously activated in the minds of whites (Dovidio, Gaertner, Saguy, & Hehman, 2011).
Case Studies in Deracialized Representation

In his study of African American political success, Dennis S. Nordin (2012) examines the campaign strategies employed by black politicians running for elected office. For those who are ultimately elected, success entailed reassuring whites and appealing to mutual interests across racial lines. Since the threat of system change has traditionally been associated with blacks in positions of power, these politicians did not propose race-specific or provocative solutions to the problems affecting blacks, except in the case of Gillespie’s (2010) first wave of black mayors. Scruggs (1997) surmises that this is the result of an inverse relationship between black visibility and power concentration. As blacks become more prominent politically, greater efforts are made to supplant their influence and leadership, as was the case with the mayor of Washington, D.C., Marion Barry. To counter this phenomenon, black politicians often use class-based appeals to find interracial common ground and demonstrate to their white constituents that they will not lose influence with a black representative. Even so, the value of blacks’ winning elections is offset by their inability to influence public policy and unwillingness among whites to throw their support behind anything or anyone associated with an explicitly pro-black agenda.

Andra Gillespie (2012) introduces the concept of elite displacement, an electoral strategy in which black challengers use their elite connections and deracialized campaigns to garner support from beyond the black community. Because they often lack an established political record on which they can be judged, these so-called “political entrepreneurs” instead highlight the moral and political failings of entrenched black incumbents when challenging them for their elected office. However, by questioning their effectiveness, challengers risk reinforcing negative stereotypes about black leadership. According to Gillespie (2012), the generation gap between old and new black politicians is marked by fundamental differences in how each conceptualizes their role with respect to the black community. Old Guard politicians tend to view themselves as
spokespersons for this community, whereas new black politicians are more apt to view themselves as ambassadors to it, serving merely as a liaison between black America and American society as a whole (Bai, 2008). The men and women who comprise this growing cadre of new leadership do not see themselves as black politicians, but rather as politicians who happen to be black. Marable (1990) looks on such “post-black politicians” with derision, describing them as those who are “racially and ethnically ‘black’ but who favor programs with little kinship to the traditional agenda of the civil rights movement” (20-21).

Gillespie (2012) further emphasizes the extent to which black challengers are limited in their ability to advance black interests once in office as a result of the tactical choice of running a deracialized campaign. With their extensive ties to the black community and the civil rights establishment, the Old Guard governs in a style that is reminiscent of the challenging tone and confrontational spirit of insurgent politics. By contrast, new black politicians emphasize racial reconciliation, a strategy with considerable crossover appeal because it absolves whites from racial guilt (Gillespie, 2010). Black politicians who aim to get elected in jurisdictions that are majority black may be able to brand themselves in the image of Civil Rights Era leaders. Increasingly, however, those who aspire to higher and more visible offices must ultimately come to terms with the limited electoral viability of this political brand (Gillespie, 2012). Another downside to the new black politics is that despite its symbolic appeal, racial reconciliation tends to shy away from substantively addressing issues of interest to blacks, particularly those pertaining to the plight of the underclass (Persons, 1993). In light of this, new black politicians may be no better at promoting race-specific interests than Old Guard black incumbents, especially those with similar policy preferences (Gillespie, 2012).
In his critical analysis of a racially transcendent strategy, Clayton (2010) examines the 2008 presidential election, focusing specifically on then-Senator Barack Obama’s transcendent and deracialized campaign strategy. Clayton (2010) claims that Obama was in a unique position to transcend race, because his perceived “otherness” made him an imperfect fit as a descriptive representative of blacks. Obama could therefore be seen as more accessible and less threatening to a much broader base. By deliberately choosing to run a class-based campaign, he was later able to address issues pertinent to African Americans while avoiding the stigma and divisiveness of traditional race-based politics. In this way, Obama represents a new kind of black leadership.

However, Steele (2008) argues that President Obama is irreconcilably trapped between the two approaches that blacks typically use in their dealings with white America: bargaining and challenging. Although he has the qualities that should enable him to redefine the terms of race politics – biracial heritage, Ivy League credentials, and a conservative temperament – Obama is nonetheless constrained by the need to be “twice as good and half as black” in what he can realistically do for blacks (Coates, 2012, 80). For Steele (2008), racial liberalism is synonymous with blackness, and blackness is a political dead end. Since he cannot afford to be blackened in this way, Obama takes a less direct stance on race issues than other non-black liberals, modulating his positions to govern more as a centrist than as the leftist he appeared to be while a senator and presidential candidate.

Thus, the question of whether the electoral success of deracialized black leaders comes at the cost of black constituent interests remains to be seen. Fredrick C. Harris (2012) explores the extent to which the election of Barack Obama undermined the very movement that made his rise to the presidency possible. His efforts to appeal to white voters during both campaigns and his subsequent race-neutral approach to governance have placed issues of continued relevance to the
black community on the margins. Harris (2012) argues that black voters allow race-neutral black candidates to pass on speaking to their interests in exchange for having them in office. For black voters, the cost of deracialization is the inability to get issues pertinent to the black community on President Obama’s policy agenda. Yet despite the risk of falling short of blacks’ expectations for the first black president, Obama has taken a pragmatic approach to dealing with race, managing to circumvent the stigma associated with race-specific issues by reframing them or evading the subject altogether (Gillespie, 2010; Kennedy, 2011; Harris, 2012). By emphasizing the universality of certain issues in the style of Wilson – unemployment, childhood obesity, gun violence, underinsurance, etc. – President Obama has had some success in selectively addressing issues that disproportionately affect black Americans in the context of public policy.

Even so, David H. Ikard and Martell L. Teasley (2012) assert that blacks cannot rely on President Obama to do the heavy lifting when it comes to addressing race-specific issues. In Nation of Cowards: Black Activism in Barack Obama’s Post-Racial Era, Ikard and Teasley (2012) contend that blacks must instead take charge of their socioeconomic destiny. Obama has taken a universalistic “rising tide lifts all boats” approach to improving economic conditions, because he cannot risk racial partiality for the sake of his political well-being (Kennedy, 2011). For this reason, tough conversations about race will not happen in the absence of an intense, organized push from civil rights organizations and interest groups. The authors see gay rights activism as a model for blacks of how to make demands of Obama: relentlessly push the president to make good on his campaign promises. While the success of these activists may be indicative of the room that blacks have to push for a place on his policy agenda, the favorable shift in public opinion that bolstered gay rights activism has not occurred for issues of race. For Ikard and Teasley (2012), a progressive black agenda is a fundamentally American agenda, and
the black community must not let racial pride keep them from being critical of black politicians’ post-racial approach and holding them accountable as they would any other elected official (Kennedy, 2011). Racial common sense thinking, the idea that one must accommodate elements of white power to make limited political and socioeconomic gains for blacks, is seen as an insufficient strategy for advancing these interests, one that leaves much to be desired by those whose expectations are shaped by the past successes of black politics (Ikard & Teasley, 2012).

*The Implications of Deracialization for Black Politics and Black Interests*

Robert C. Smith argues that the maturation of black politics has contributed directly to its decline and an ensuing crisis in black leadership (Smith, 1990). Civil rights leaders are often hesitant to confront gross injustices for fear of alienating the businesses and other white donors on whose financial support their civil rights organizations have come to rely, diminishing their effectiveness as the hard-line champions of black interests (Nelson, 2003). By contrast, the approach of post-Civil Rights Era black leaders has been integration into the political establishment by becoming culturally and ideologically mainstream, agreeing not to talk about race in exchange for getting elected (McCormick & Jones, 1993; Smith, 1993). This process of acculturation coupled with personal ambition cause some black leaders to become estranged from the masses, such that they cannot be relied upon to advance the interests of the community they profess to represent (Sheridan, 1996; Smith, 1996). For Smith (1990), achieving greater descriptive representation and symbolic power at the expense of the policy preferences of black constituents is a hollow victory, one that questions the contemporary value of having “black faces in high places” (A. Reed, 1999). His concern about the quality of representation given to black interests lends itself to the question: who can represent them? Carol M. Swain finds that white representatives are undervalued in this regard, and reservations about their ability to serve
black interests are hypocritical. After all, if blacks have doubts, should whites not also question whether a black politician could represent their interests, especially in national, state, and local majority-white jurisdictions? Hence, the substantive representation of black interests cannot be contingent on race, just as descriptive representation cannot guarantee being more than a symbol of the collective aspirations of the black community (Swain, 1995; Sheridan, 1996; A. Reed, 1999).

Nonetheless, Smith’s claim on behalf of the black community is that it lacks true leaders. Despite their incorporation within the dominant power structure, black leaders are often forced to marginalize black interests to mainstream and institutional concerns (Smith, 1996; Walters & Smith, 1999). This marginalization has enabled the Democratic Party to ignore black demands with impunity (Frymer, 2010), especially as black politics has been increasingly subsumed under American politics (Harris, 2009). Further undermining black leadership is an inability to sustain support among the black middle class, which sees black cultural leaders as no longer needed to advocate for full inclusion into the mainstream. As a result of the co-optation of middle class blacks, their sense of linked fate – the perception that their self-interest is tied to the interests of the group to which they belong – has waned (Dawson, 1994). Black leaders have also moderated their tactics from protest to accommodation, the two variants of black leadership first typified by Gunnar Myrdal (1962; Walters & Smith, 1999). While some scholars see assimilation as a sign of racial progress, others see it as foreshadowing the eventual decline of black influence (Smith, 1990; Sheridan, 1996; Nelson, 2003; Bai, 2008). So is there such a thing as deracialized black politics? To be sure, deracialization changed the goal of black politics from finding black candidates to represent black interests to finding those who appeal to whites (Gillespie, 2010). Some scholars are not comfortable with this. McCormick and Jones (1993) posit, “If
deracialization as a successful electoral strategy leads its practitioners to ignore the policy-oriented concerns of African Americans, then we should rightly dismiss their political behavior as non-legitimate expressions of black politics” (79). Thus it seems that traditional black politics, once the vehicle for advancing racial interests, has since been demobilized; rendered meaningless and politically impotent by a racially transcendent and deracialized political culture (Smith, 1996; A. Reed, 1999; Harris, 2009; Gillespie, 2010; Mack & Charles, 2013).

RESEARCH DESIGN

Despite recent historic indicators of racial progress at the state and national levels that have prompted claims of a post-racial society, the political environment is still highly racialized. Race is the untouchable third rail of American politics, so much so that the unspoken consensus is that politicians and public policies must be cast in race-neutral terms. Given this current state of affairs, my research question is as follows: what is the most effective means of advancing race-specific interests in a race-neutral political climate? This issue is significant to scholars, politicians, and ordinary citizens alike. For scholars of race politics, this question has generated an intense debate between proponents of race-consciousness and race-neutrality, two opposing schools of thought. For politicians, this questions asks them to consider how they will handle issues of race in the context of their campaigns and tenures in office, which in turn may influence their degree of electoral and governing success. For black constituents, how politicians choose to answer this question has important practical implications for the character and substance of the representation of their racial interests, and even the future of hard-earned civil rights reforms. Hence, my research seeks to determine how politicians might still advance these race-specific interests in a political environment that is not conducive to explicit talk and treatment of race.
Tentative Answer and Rationale

There is considerable disagreement within the field of race politics on this issue, and scholars offer two competing answers to my research question. The difficulty in choosing the best one arises from the unsatisfactory nature of both. While race-consciousness acknowledges that there is a risk of losing ground in the fight for racial progress if recognition of the continuing significance of race were to cease, it is simply an impractical and unpopular means of furthering this progress given the current political climate and the strong activation of racial attitudes by racialized policies and politicians (Bobo & Kluegel, 1993; Tesler & Sears, 2010). Still, the impracticality of this approach should not be interpreted to mean that race is no longer relevant in the American context. Contrary to what conservative proponents of the race-neutral school believe about the extent to which race has become an irrelevant social construct, it is precisely because race remains so socially stigmatizing and politically polarizing that most politicians choose not to openly emphasize race during their campaigns and terms in office (Thernstrom & Thernstrom, 1997). Because it takes the path of least political resistance, race-neutrality is the more pragmatic approach to promoting racial interests.

Race-neutrality is the ideological basis of deracialization, the electoral and governance strategy employed by post-racial black politicians. Because there is no uniform way to practice race-neutrality, the extent to which politicians take this approach has varying racial implications. While in theory deracialization appears to be an effective and racially progressive means of increasing black representation, in practice it can have an adverse impact on black interests. Descriptive representation holds symbolic meaning for African Americans, and also offers the substantive benefit of giving black politicians an opportunity to disprove prevailing racial stereotypes about blacks’ leadership abilities. Even so, the practical benefits that accrue from representation of this sort are often undermined by black politicians who moderate their issue
positions and distance themselves from the black community in an effort to appeal to a broader base of electoral support, or at the very least avoid triggering the racial fears of white voters. Although deracialization may provide black politicians with greater access to elected offices through which they can advance black interests, it may also hinder their ability to do just that. Because they ran as deracialized candidates, black politicians are then expected to govern in a race-neutral way. However, a race-neutral governance strategy can be problematic for black constituents who are relying on these politicians not to acquiesce to compromise, co-optation, and ideological capitulation in order to push their policy agendas. Whereas the electoral benefits of race-neutrality may outweigh the costs, the trade-offs associated with its use as a governance strategy make it a potentially less effective tactic for advancing race-specific interests.

Hypothesis Formulation

Based on this tentative answer to my research question, I formulated a hypothesis that captures the negative cause and effect relationship between the degree to which politicians ran a race-neutral campaign and the extent to which pursuing race-specific interests is politically possible for them once in office. My hypothesis is that the more politicians brand themselves as race-neutral, the less able they are to address issues that correspond with the interests of African Americans in their governing capacity. A graphic representation of this hypothesis is as follows:

Race-neutrality of politician’s campaign ➔ Ability to address issues that advance black interests in governing capacity

This hypothesis takes for granted the answer to the question of what type of black politician can get elected in jurisdictions where blacks are not the majority, or where the black vote is split between a black incumbent or another black candidate. In light of the extensive scholarly work
that has been done in this area, the answer is relatively self-evident: post-racial black politicians who run racially transcendent campaigns tend to be successful electorally due to the electoral viability of the deracialized brand. Thus, the focus of this hypothesis is governance, and seeks to respond to the question of what race-neutral politicians, white or black, can do. The literature suggests that the need to transcend race and their own blackness for the sake of pushing an agenda imposes unique constraints on black politicians while in office, primarily with respect to the policies they can publicly advance and the issues they can openly discuss. In light of these constraints, the answer to this question is less apparent than the answer to the first. After reviewing the literature, it is clear that scholars of race politics tend to focus on the electoral side of race-neutrality rather than the governance side. For this reason, my research focuses on a comparatively understudied topic within the field: whether black politicians who ran as race-neutral candidates produce different policy outcomes on issues advancing black interests than white politicians who ran similarly race-neutral campaigns.

**Definition of Concepts**

To better understand this hypothesis, three key concepts must first be unpacked. The first of these is post-racialism. To be post-racial implies a rejection of the overt racial discrimination and racial caste system that at one time characterized American social and political life. Implicit in this definition is that those who have been subjected to this discrimination will refrain from making appeals to this history of racial subjugation and commit themselves to the realization of the colorblind ideal (Weisenfeld, 2012). Post-racial politicians are marked by their deracialized political style, which involves deemphasizing racial issues, refraining from making direct racial appeals to the black community and black leadership, and projecting a non-threatening or “unblackened” image (Gillespie, 2012). The second key concept is a product of the first. Race-
neutrality, which is synonymous with colorblindness, entails a complete disregard of racial characteristics. This encompasses not only racial discrimination and prejudice, but also reverse racism and racial preferences. Hence, a race-neutral policy does not take race into account in its formulation and implementation, but it may have racialized outcomes. The third concept is race-specific interests. For the purpose of my analysis, these interests are those belonging to African Americans. Although the idea that there is or has ever been a unified “black agenda” is highly contested and discredited by a study of black history, the relative political homogeneity of blacks with respect to other racial and ethnic groups allows for their interests to be inferred from their position on several issues.

Case Selection

To evaluate my hypothesis, I have decided to focus on a post-racial black candidate who was ultimately elected to the office for which he ran. In an ideal situation, I would have chosen cases that would have enabled me to make an apples-to-apples comparison of racialized and deracialized black politicians at one level of government in order to eliminate any potential confounding variables. However, there is currently only one popularly elected black senator, one black governor, and one black president. Given these limitations on my case selection, I have chosen cases that will enable me to examine the political efficacy of a post-racial black politician with respect to a white counterpart, which could be considered a control case. More specifically, I will examine the treatment given to black interests by Barack Hussein Obama, the first African American President of the United States, compared to the treatment given to these interests by Obama’s Democratic predecessor and publicly hailed “first black president,” William Jefferson Clinton. An analysis of their respective presidencies will allow me to test my hypothesis on the relationship between the race-neutrality of electoral campaigns and its effect on the subsequent
advancement of race-specific interests. Selecting these two cases also allows me to control for several factors. By choosing Democratic candidates who would later become president, I control for variation among politicians at different levels of government and the ideological differences between political affiliations. The expectation is that Barack Obama, an African American man, would be more limited in his ability to be responsive to black interests than Bill Clinton, who is white. While Clinton was also pressured to avoid policies that advanced black interests given the political context in which he was running, as a white man he was not additionally constrained by his race. In doing this case study, I should be able to discern whether Obama has advanced race-specific interests to a lesser extent than Clinton.

**Measurement of Variables**

The evaluation of my hypothesis will require the use of both qualitative and quantitative measures. The key to unlocking the analytical potential of these measures is the operationalized definition that I assign to my independent and dependent variables. The operationalization of my independent variable is based on the answer to the following: what indicates the role played by race in a presidential campaign? This variable measures the degree of race-neutrality, which will be expressed in qualitative terms such as the extent to which a candidate addressed race actively, reactively, or not at all, and if he did, positively or negatively. The operationalization of my dependent variable seeks to answer another, far more complex question: what indicates that a president is advancing race-specific interests? The qualitative measures of this variable will be the balance between substantive and symbolic policies pursued by the administration, efforts to alleviate the disproportionate harm done to African Americans by proposed or existing race-neutral policy initiatives, and support for race-specific policies. The quantitative measures will be the number of African Americans appointed to high-level positions both within and beyond
the administration, the number and economic impact of discrimination cases prosecuted by the administration, and the resources allocated to fund race-specific initiatives. I will apply these measures to my primary focus on crime and fair lending policy under the Clinton and Obama administrations, as well as to secondary policy initiatives like welfare reform, affirmative action, race initiatives, economic stimulus, and health care reform. Because these variables are closely tailored to the operationalized definitions of key concepts – the race-neutrality of campaigns and the ability to address race-specific interests in office – they represent valid and reliable measures of my hypothesis.

**Data Collection and Analysis**

The data collection methods that will enable me to measure my variables and evaluate my hypothesis will encompass to a large extent scholarly accounts of President Clinton’s two terms (1993-2001) and President Obama’s tenure to date (2009-present). In addition to these, I will rely on archival news coverage of their respective campaigns and presidencies by national and local sources such as the *New York Times*, the *Washington Post*, the *Los Angeles Times*, the *Baltimore Sun*, as well as black media sources. To get a sense of the scale and impact of the policy initiatives advanced by both administrations, I will examine White House press releases, official agency statements, independent impact studies, public remarks and interviews, as well as internal documents recently made public by the Clinton Presidential Library. The purpose of my qualitative measures is to get a subjective assessment of the job that Clinton and Obama have done advancing black interests as president of the United States. To this end, I will conduct interviews several with past and present members of both administrations, specifically those with ties to the U.S. Department of Justice (DOJ), the U.S. Department of Housing and Urban Development (HUD), and either president’s inner circle. Ideally, these interviews will enable me
to parse out the political motivations behind efforts to focus on crime policy as well as fair lending and housing policy, and to pursue these in the way that they did. A combination of qualitative and quantitative measures will provide a complete picture of the relationship between the contemporary emphasis on race-neutrality and quality of political advocacy of black interests. Moreover, it should reveal some key similarities and differences in the approach taken to advancing black interests by a post-racial black politician and a race-neutral white politician whose political well-being is not ostensibly constrained by the need to be racially transcendent.

THE CLINTON PRESIDENCY

Race and Electoral Politics

After five terms as governor of Arkansas, Bill Clinton’s familiarity and friendship with African Americans was well established going into the 1992 presidential election. Even so, he recognized the need to distance himself as well as his campaign from the special interest politics traditionally associated with the Democratic Party. Clinton had learned this lesson the hard way in 1980. Having served one term as governor, he lost his initial bid for re-election after being criticized for being soft on crime and other issues (Applebome, 1992). As a result of that loss, Clinton realized that “he could not actively push a liberal agenda in the face of a dominantly conservative and racially polarized state” (Klinkner, 1999, 12). By the next gubernatorial election, he had rebranded himself as a moderate, downplaying racial and identity-based issues in the name of political pragmatism. While Clinton did push a limited number of progressive policies upon his return to the governorship, he also changed his stance on capital punishment to become a strong advocate of its use in Arkansas and offered only tepid support for a state civil rights bill that ultimately died in the legislature (Klinkner, 1999).
Clinton developed his political strategy further during his tenure as chairman of the Democratic Leadership Council. In the aftermath of Ronald Reagan’s landslide 1984 re-election victory against Democratic challenger Walter Mondale, the DLC had emerged to counterbalance the traditional liberalism of the New Left. Representing the disgruntled conservative wing of the Democratic Party, its members were fed up with the Party’s inability to attract the moderate and conservative white voters that were necessary to secure a win on the national stage. As a white Southern Democratic, Clinton understood the importance of this better than anyone. He took the lead on advocating for a new path forward that would downplay race and other aspects of special interest politics, and in return the DLC gave Clinton an ideological and organizational platform from which to launch his presidential bid. In 1991, his last year as chairman, he defended the approval of a platform plank against racial quotas by DLC delegates at their national convention. Far from being motivated by a belief in race-neutrality, Clinton had strategized to appeal to the racial fears of white suburban voters to garner their support (Klinkner, 1999). Clinton’s devious tactics notwithstanding, DLC founder Al From conceded, “This guy [Clinton] understood the importance of values politics better than anybody else” (Klinkner, 1999, 14). Christopher Chambers, a professor of journalism at Georgetown University, agrees:

Clinton was mindful of how Reagan cemented the loss of the blue collar white Democratic base. He needed to navigate this carefully by being the white guy that black folks love, but also being a scion of humble Southern beginnings. This was a natural alliance Democrats have dreamed about. If he could step to the right, he could open up a whole lot more political real estate than boxing himself into the left. (Chambers, 2014)

For this reason, Clinton did not take a unique position on race issues during the 1992 Democratic primaries. At that early stage in the campaign, none of the candidates discussed the current condition of the black community, especially not that of the underclass. Even as a
Democrat, it was no longer politically prudent to be too closely attuned to and aligned with the interests of African Americans (Sheridan, 1996). Given his own political philosophy, Clinton identified with and espoused the political prescriptions of prominent journalists like Thomas and Mary Edsall and E. J. Dionne, Jr. (Dionne, 1991; Edsall & Edsall, 1992). For them, in the wake of electoral losses by liberals like George McGovern, Walter Mondale, and Michael Dukakis, the success of the Democratic Party hinged on a strategy of abandoning special-interest politics while being more attentive to the interests of white, middle-class, suburban voters (Klinkner, 1999). The Clinton campaign appeared committed to deemphasizing race, focusing instead on policies relevant to all Americans. Compared to Reagan, whose 1976 presidential campaign had spawned the racialized image of the “welfare queen,” Clinton took a race-neutral approach to advocating for welfare reform. He maintained a strong focus on the weak state of the economy, with “It’s the economy, stupid” becoming an unofficial slogan of his campaign (Kelly 1992). It was only in the immediate aftermath of the L.A. riots, when race was elevated to the level of national prominence, that Clinton spoke to the issue publicly (Sheridan, 1996). The riots were a chance to exploit racial tensions and frame them as a failed test of incumbent leadership, and it was too good for him to pass up (Rollins, 1992). Clinton described himself as the candidate best able to lead the nation to racial reconciliation (Klinkner, 1999). Despite making this statement, any discussion of the plight of blacks and the poor during the campaign was couched in terms of law and order, family values, and personal responsibility in an attempt to appeal to the moral sensibilities of moderate and conservative white voters. When Clinton became the Democratic nominee, he continued to run in the same ideologically centrist style and use the same conservative campaign rhetoric, calling himself a “New Democrat” (Klinkner, 1999, 15). By avoiding talk of race and choosing a relatively conservative running mate in the form of Senator
Al Gore of Tennessee, Clinton hoped to entice Reagan Democrats – conservative voters who had defected to the Republicans in past elections – back into the Democratic coalition. In this way, African Americans were largely taken for granted throughout most of the 1992 presidential campaign; as a consequence, black voter turnout was down in both the primaries and the general election (Sheridan, 1996). While some attribute blacks’ support for Clinton as the result of blind loyalty, DeWayne Wickham, author of the book *Bill Clinton and Black America*, sees their decision as far more calculated than that:

I think what they [African Americans] decided was that if the choice was between a liberal Michael Dukakis who can’t get elected and a centrist Bill Clinton who could, they’d rather have a centrist Bill Clinton than George Bush. A practical political equation kicked in. We’d love to have Michael Dukakis, oversize helmet and big tank and all, but the fact of the matter is, you can’t elect Michael Dukakis in America today. You can’t elect Walter Mondale, but you can elect a centrist Democrat from the South. And when you do that, what you also know is that you don’t get everything that you want politically. The question that begs is whether you got more than you lost. (Hansen, 2002)

Although Clinton made an effort to keep race out of his 1992 campaign, he was also not above going on the offensive and raising the race issue himself to appeal to conservative white voters. One of the most significant moments of the campaign was Clinton’s public spat with the Reverend Jesse Jackson over Sister Souljah. Sister Souljah, a rap artist and community activist who had previously spoken before Reverend Jackson’s Rainbow Coalition, stated in a newspaper interview after the Los Angeles riots that from the perspective of black gang members it was “wise” to resort to violence and kill whites instead of other blacks (Klinkner, 1999, 17). When Clinton gave remarks before the Rainbow Coalition in June 1992, he used his speech to publicly repudiate Sister Souljah and chastise Jackson for having given her a platform for expressing her
views. Despite how spontaneous it appeared, Clinton’s antagonism was supremely calculated, having little to do with his own moral objections to the sentiment expressed by Sister Souljah. While less racially inflammatory in context than the media portrayed them to be, her comments were nonetheless seen by Clinton’s campaign advisors as a golden opportunity to show socially conservative white voters that he was willing, unlike past Democratic candidates, to get tough with Reverend Jackson. He even physically distanced himself from Jackson, who at that time was the nation’s most prominent black leader, in an effort to avoid being seen with him in public (Germond, 1992). This political calculation paid dividends for Clinton. As many as 68 percent of the electorate knew of Clinton’s confrontation with Jackson, while half as many knew of his proposed economic plan. While reaction to the incident was split along racial lines – 75 percent of whites approved of his actions while 75 percent of blacks disapproved – it had its intended effect among its target audience (Klinkner, 1999, 18). In the approving words of an electrician in North Philadelphia, “The day he [Clinton] told off that fucker Jackson is the day he got my vote” (Germond & Witcover, 1993).

While Clinton could comfortably rely on the support of African Americans, the most loyal constituency within the Democratic Party, he nevertheless recognized the importance of symbolic politics. Clinton made frequent visits to black churches to pray with members of the congregation. He let hurting people know that he felt their pain. He also made stops at soul food

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1 First-hand accounts suggest that Clinton may have had mixed emotions about this strategy. According to Bob Woodward, upon concluding his remarks before the Rainbow Coalition, “Clinton told [campaign advisors Paul] Begala and [George] Stephanopoulos tersely, ‘Well, you got your story’” (Klinkner, 1999, 17). While one would hope to be able to rely on the accuracy of this reporting, there is little reason to believe given Clinton’s history that he was any less calculating than his campaign advisors. Clinton was certainly not above political opportunism, as evidenced by his decision earlier that year to return to Arkansas to preside over the execution of a black mentally impaired death row inmate named Ricky Ray Rector (Applebome, 1992). Thus, it seems unlikely that he would have had second thoughts about following through with the racially opportunistic strategy that he had devised years before.
restaurants, impressing local patrons with his ability to polish off a plate of chitlins or ribs just like the rest of them (Wickham, 2002). In what was perhaps his most famous demonstration of his appreciation for black culture, Clinton donned black sunglasses and played the saxophone during a guest appearance on *The Arsenio Hall Show*, a popular late-night talk show (Germond & Witcover, 1993). Although some critics questioned Clinton’s motives, many blacks argued that the motives did not matter:

Does he know the words to the Negro National Anthem because he really studied hard? Did he read Walter Mosley because he wanted to be able to say in some convincing way that he’s immersed himself in black culture? If the answer is yes, you still get the credit….he did it and no one else did. Whether he did it because he was serious in his intent to understand a significant portion of the population of this country, or whether he did it because he saw them as the Democratic Party’s most loyal constituency, he did it. (Hansen, 2002)

By and large, Clinton’s delicate if not-so-subtle balancing act between race-neutrality, racial opportunism, and symbolic politics proved to be a winning formula. Clinton understood the value of symbolic gestures, especially when relating to the black community, and he used this to garner 83 percent of the black vote (Roberts, 2008). Yet despite how easily he seemed to relate to blacks, Clinton was not above calling attention to the shortcomings of some prominent and revered African Americans to curry favor with the white voters he needed to ensure victory. He was also careful not to engage in issues of racial equality as more liberal Democrats had done in the past. By sidestepping this political minefield by remaining race-neutral, George H. W. Bush was unable to use Willie Horton-style attacks to incite a racial backlash against him. With no equally effective means of diverting attention away from the economy, the federal deficit, and other pressing issues, leaving President Bush vulnerable to criticism (Germond, 1992). Clinton
ultimately edged out Bush in the three-way contest, making him the first Democrat to be elected president since Jimmy Carter.²

**Race and Governance**

Upon winning the 1992 election, Clinton went into his first term as president determined to do more of the same, applying his winning campaign strategy to governance. He continued to see the value of symbolic politics and policymaking, a view that was evidenced by the racial representation of his political appointments and minor race initiatives. At the same time, Clinton continued to subscribe to the notion of race-neutrality in policymaking through his efforts to improve the economy and reform the welfare system. However, he subscribed to this notion with some deviations. There was a known racial dimension to both welfare reform and the crime bill, one that would result in African Americans and other minorities assuming a disproportionate share of any burden or harm caused by these policies. Clinton pushed for them nonetheless, a testament to his willingness to employ race opportunistically for his own political gain. Even so, Clinton did succeed in pushing race-specific measures related to upholding government’s part of the bargain in the implementation of welfare reform and strengthening the enforcement of the Community Reinvestment Act of 1977. Despite the high-impact and positive nature of these initiatives, Clinton’s race-specific policymaking strategy intentionally advanced black interests behind the scenes at the administration level where there would be low publicity of these efforts.

**Race and Symbolic Politics**

Knowing the value of symbolic politics, Clinton focused his efforts on assembling an inclusive Cabinet that “look[ed] like America” (Klinkner, 1999, 19). During his two terms as

² Given its temporal proximity to the Watergate scandal, Jimmy Carter’s victory over Gerald Ford in the 1976 presidential election is considered somewhat of an aberration in presidential politics. In light of this, one could reasonably argue that Clinton was the first Democrat to be elected president since Lyndon Johnson’s victory over Barry Goldwater in 1964.
president, he would appoint an unprecedented number of blacks to Cabinet-level agencies. Beginning with Lyndon Johnson’s choice of Robert C. Weaver as Secretary of Housing and Urban Development, every president has appointed at least one African American to his Cabinet, although primarily to head social service agencies like HUD and HHS (Hansen, 2002). However, upon taking office in 1993, Clinton appointed five African Americans to his Cabinet, the most in U.S. history. For the first time, blacks held the highest-ranking positions at the Departments of Agriculture, Veterans Affairs, Commerce, and Energy. The first Cabinet included Mike Espy as Secretary of Agriculture, Ron Brown as Secretary of Commerce, Hazel O’Leary as Secretary of Energy, Jesse Brown as Secretary of Veterans Affairs, and Lee Brown as Director of the Office of National Drug Control Policy, which at the time was a Cabinet-level position. During his tenure, Clinton appointed four more African Americans to his Cabinet, including Alexis Herman as Secretary of Labor, Rodney Slater, and Togo West as Secretary of Veterans Affairs, the West appointment marking the first time that two African Americans had served consecutively as heads of the same federal agency. Other high-ranking black appointees included Eric Holder, Jr. as Deputy Attorney General and Franklin Raines as Director of the Office of Management and Budget.

Over the course of his presidency, Clinton appointed a total of nine African Americans to head Cabinet-level agencies, the most of any U.S. president before or since (Burke, 2012). He also surrounded himself with over 60 black appointees, including his cabinet secretary, deputy chief of staff, director of public outreach, staff secretary, and White House director of presidential personnel, and publicly touted his relationship with civil rights luminary Vernon Jordan (Hansen, 2002; Kearney, 2006). Because Clinton made such an effort to reward his black supporters with positions within his administration, many African Americans were sad to see
him go at the end of his second term (Wilder, 2011). “There’s a sense of great loss….The feeling is that we really became players in Washington politics. We weren’t in the stands, we were on the playing field. Before, the struggle was to get into the arena. And now, we’re back in the stands” (Hansen, 2002). As much as these appointments meant something to blacks on a personal level, they arguably meant something much more. “When you look at the lengths to which he went to put African-Americans in significant positions of authority…those who understand the legislative process know that billions and billions of dollars flowed through the controlling hands of these appointees. It would literally take a political anthropologist, if there is such a creature, to figure out the real impact of the flow of that money” (Hansen, 2002).

Yet despite the symbolic diversity of Clinton’s Cabinet, which included several women and African American appointees, there were limits to the kind of diversity Clinton was aiming for. He was careful to select persons who would not attempt to push a more liberal agenda than he, as he had made a pledge to govern from “the vital center” (Balz, 1996). To this end, under intense scrutiny from Republicans, Clinton abruptly withdrew his nomination of Lani Guinier, his first choice for assistant attorney general for civil rights within the Department of Justice. Right-wing opponents had attacked Guinier for her academic writings on race and had accused her of being a “quota queen” for her views on voting rights, even though she had proposed an alternative to race-conscious redistricting (Klinkner, 1999, 19). Despite being a longtime friend of Guinier, Clinton made no effort to defend her against conservative attacks, to the chagrin of many African Americans. Due to this delay in the nomination process, the Civil Rights Division was unable to focus on the enforcement of civil rights laws for more than a year until the eventual nominee, Deval Patrick, had been appointed. Less than a year later, Clinton would succumb to Republican pressure and force the resignation of another black appointee, Surgeon
General Joycelyn Elders, for a number of controversial statements about drugs and sex education that the White House described as “contradicting Administration policy” (Jehl, 1994). After the Republican takeover of the House in the 1994 midterm elections, the Clinton administration could not afford to keep anyone who jeopardized the credibility of its move toward the political center, and Clinton was not afraid to pull back on anyone he deemed too liberal or race-oriented for his administration.

During the 1996 presidential election, Clinton articulated no real second term agenda. Although he ultimately won re-election, he did not attempt to push any major programmatic efforts, focusing instead on minor, mostly symbolic gestures. In general, he did not demonstrate a willingness to address issues like race, widening economic inequality, and a growing sense of powerlessness among the poor and working class. However, almost a year into his second term, Clinton announced a new race initiative (Klinkner, 1999). Citing his experience growing up in Hope, Arkansas, and witnessing firsthand the racial discrimination that had been so pervasive and entrenched throughout the South, Clinton framed “One America in the 21st Century: The President’s Initiative on Race” as an extension of his personal, lifelong commitment to racial equality. The initiative had five goals: articulating the president’s vision of racial reconciliation, educating the nation about race, fostering a constructive national dialogue, recruiting leaders to bridge the racial divide, as well as identifying and implementing solutions to a variety of race-related problems. To this end, it called for the creation of an advisory board that would report back in a year on the status of race, race relations, and racial discrimination in America. In the interim, the seven members of the board would advise the president on ways to achieve the initiative’s goals through “leadership, dialogue, study, and action” (The Leadership Conference on Civil and Human Rights, 1997).
Yet despite the initial fanfare, many critics came to view Clinton’s race initiative as essentially meaningless. The policy proposals that were articulated in the advisory board’s first report lacked substance. According to Thomas Kean, one of the members of the board, this was a deliberate choice. “As the year wore on, people became – not the board, but people in the administration – became concerned. We were not encouraged to be bold” (Klinkner, 1999, 26). In this sense, the difference between how the race initiative was originally conceptualized and what it ultimately became in practice was emblematic of the Clinton administration’s stance on racial issues (Klinkner, 1999). As Roger Wilkins, a professor of history at George Mason University, contends, “Clinton talked a good game, but when the rubber hit the road, he would flinch. But he did it in ways black people couldn’t see very easily” (Coates, 2001). However, confidential documents pertaining to the “One America” initiative released by the Clinton Presidential Library in March 2014 show that its roll-out was hindered by conflict between White House staff working on the initiative and domestic policy advisors. To his credit, Clinton had planned to release a comprehensive report related to the race initiative, known internally as his “race book,” but White House aides who were concerned about how it would be received by the public delayed the report’s release indefinitely (Gerstein, 2014). Thus, it seems as though much of the criticism surrounding the initiative’s lack of substance could have been avoided had the president been able to have his way. Ultimately, Clinton’s “One America” initiative did not amount to much, as it was quickly overshadowed by the Monica Lewinsky scandal.

Race-Neutral Policymaking

For the most part, Clinton’s preference was to govern in a race-neutral manner. In no other policy area was this more evident than his economy policy. During his eight years in office, Clinton worked in tandem with the Republican leadership in Congress to eliminate the
federal deficit and balance the budget, closing out his tenure having achieved a budget surplus.

Clinton also pushed for an increase in the Earned Income Tax Credit as well as the minimum wage. Although his economic agenda was a race-neutral one, the benefits that accrued from his efforts to stimulate the economy would naturally extend to African Americans. From 1992 to 2000, black median income rose from $23,190 to $30,495, while the black poverty rate fell dramatically from 33.4 percent to 22.5 percent (Dreier, 2001). Speaking on Clinton’s successful efforts to jump-start the economy, Hugh Price of the National Urban League said, “the economic growth pushed recovery deep into our [African American] communities…you can see that in the revivals of the Harlems of the world. It placed retailers into our community; our communities became safer, too” (Kearney, 2006, 352). Still, the incidental impact of the economic recovery on black communities was overshadowed by its highly publicized impact on all Americans.

*Racial Opportunism*

Notwithstanding the emphasis placed on running a largely race-neutral campaign, the Clinton presidency was in many ways defined by a number of racialized policy issues.³ Perhaps the most visible of these was welfare reform. During the campaign, Clinton had made the bold promise to “end welfare as we know it,” a promise that had resonated with conservative white

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³ Rather than eliminate affirmative action altogether as many Republicans had hoped, Clinton “[threw] the full weight of the Department of Justice behind holding the line against conservative legal attacks on affirmative action in education and public employment” (Chambers, 2014). Although he initially characterized his stance on the issue as one of “mend it, don’t end it,” Clinton did not see affirmative action as universally acceptable (Klinkner, 1999, 24). He broadly regarding any program that “creates a quota, creates preferences for unqualified individuals, creates reverse discrimination, or continues even after its equal opportunity purposes have been achieved” as problematic (Klinkner, 1999, 24). Despite his administration’s efforts in the first term to preserve affirmative action, Clinton’s strategy during the 1996 campaign involved changing his position on the issue to one that was less favorable and more antagonistic. Notwithstanding the racialized nature of the issue, Clinton only made mention of affirmative action programs that helped women and did not reference those that helped racial minorities.
voters who saw welfare recipients as lazy cheats who simply wanted to live off the public dole (Enda, 1997). As president, he intended to make good on his campaign promise to overhaul the welfare system, thereby making welfare “a second chance, not a way of life” (Klinkner, 1999, 24; Clinton, 2006). While he was careful not to demonize individual welfare recipients as President Reagan had done, his “New Covenant” nevertheless stressed the need for individuals to demonstrate greater personal responsibility as a condition of receiving government assistance, rather than it being an entitlement. As Clinton phrased it, “we [the federal government] will do with you. We will not do for you [emphasis added]” (Klinkner, 1999, 15). The key elements of the 1996 welfare reform law included the replacement of the existing federal assistance program, Aid to Families with Dependent Children (AFDC), with a far more restrictive one – Temporary Assistance for Needy Families (TANF). One of the features of this new program was a work sanction that required recipients to find employment within two years in order for them to continue to receive benefits. A new lifetime limit of five years was placed on the collection of these benefits, although in some states children were exempt (Office of Human Services Policy, 2002). Liberal critics opposed Clinton’s reform efforts on the basis that they would force poor people from the welfare rolls who were willing to work but unable to find or maintain jobs, particularly working mothers (Goldberg, Collins, Ginsburg, & Harvey, 1996). And it did just that. In the first ten years after the law’s passage, 7.7 million people came off the welfare rolls. Of the mothers who were dropped, only 60 percent ultimately found work (Clinton, 2006). While Clinton benefitted politically from the tough-love stance he took on the welfare issue, he did it on the backs of people who were already hurting.

Another issue of which Clinton took racial advantage was crime. In 1992, the rate of violent crime in the United States skyrocketed to its highest point ever, with over two million
rapes, murders, assaults, and robberies reported in that year alone. Gun crime was at its highest level in 20 years, and more youth were caught up in violence, drugs, and gang activity than ever before (The White House, 2001). Maximizing on the public’s fear, President Clinton and Vice President Gore pushed for the passage of a $30 billion anti-crime bill, the largest in U.S. history. The Violent Crime Control and Law Enforcement Act of 1994 emphasized crime prevention, law enforcement, and stiff carceral penalties for violations of existing laws (The White House, 2001). This omnibus bill provided federal funding to assist local governments to construct new federal prisons, assist local law enforcement agencies in hiring 100,000 more police officers, and create deportation courts to process cases of non-citizens suspected of participating in terrorist activity. It also permitted children thirteen and older to be tried as adults and instituted a three-strikes rule triggering a mandatory life sentence without the possibility of parole after three felony convictions, eliminating judicial discretion in federal sentencing while providing financial incentives to states requiring criminals to serve at least 85 percent of their sentences. In addition, the bill instituted a ban on assault weapons and expanded the number of federal crimes eligible for the death penalty from two to fifty-eight, while eliminating an existing statute that made it illegal to execute criminals with mental impairments (National Criminal Justice Reference Service, 1994). After the bill failed a procedural motion, Clinton disavowed his commitment to race-neutrality by appealing directly to black ministers for their prayers for its passage. He argued that when children die as a result of violence “there’s a disproportionate number of black kids in those pine boxes” (Klinkner, 1999, 21). Although rhetorically effective, Clinton’s appeal failed to mention that the bill would inevitably lock more African Americans behind bars. It eventually passed and was signed into law. At the end of the second term, the Clinton administration touted statistics that showed a drop in crime rates in every year since the bill’s
passage, reaching their lowest levels in three decades (The White House, 2001). However, later studies showed that the evidence suggesting that the law directly contributed to this decline was mixed (Koper, 2004; Roth & Koper, 1997; Roth & Koper, 1999). The rise in incarceration rates, however, was unequivocal. One million black males were incarcerated and one in three were disenfranchised by the end of Clinton’s second term (Coates, 2001).

From the very beginning, the crime bill was not without its critics. While it was making its way through Congress, the Congressional Black Caucus and the NAACP opposed it on the grounds that it was too draconian, placing an undue emphasis on prisons and police relative to drug treatment and crime prevention in black communities (Dillin, 1994; Hosler, 1994). In spite of its vast expansion of the use of the death penalty and the prison population in general, there were no provisions within the law to ensure its implementation would not be racially biased (Klinkner, 1999). On this front, the Justice Department was a crucial advocate of black interests relative to the equitable use of capital punishment. Attorney General Janet Reno commissioned a federal study for the purpose of illuminating any evidence of racial discrimination in the decision to sentence someone to death. The study’s findings indicated that the decision to give someone convicted of a federal offense the death penalty was, in fact, influenced by the defendant’s race in a way that was prejudicial to African Americans (“News and Views,” 2001). However, conservatives stripped the Racial Justice Act, the one provision in the bill that would have enabled inmates on death row to use such data to avoid the death penalty, from the bill (Dillin, 1994). Although the CBC had pushed hard for its inclusion, some members eventually relented after an eleventh-hour, closed-door meeting at the White House. Still, some members of the Caucus expressed feeling unappreciated by Clinton. “[T]here is a frustration that, given our level of loyalty, we are asked to bend more than most” (Hosler, 1994).
Although the crime bill was a controversial one, it did include a directive to re-examine and make appropriate recommendations for changing the statutory federal sentencing guidelines for cocaine offenses. Due to the prohibitory pricing of powder cocaine, crack convictions were disproportionately associated with blacks and Latinos, and the sentencing disparity between the drugs was 100-to-1 (Kearney, 2006). In 1995, the bipartisan U.S. Sentencing Commission made recommendations to Congress to equalize the penalties for crack and powder cocaine, but Attorney General Janet Reno rejected them on the basis that equivalent treatment of crack and powder cocaine “fail[s] to reflect the harsh and terrible impact of crack on communities across America” (Office of Public Affairs, 1995). Later that year, President Clinton signed a bill that prevented the Commission’s recommendations from automatically taking effect. However, the legislation commissioned a study to determine a more appropriate alternative to the existing sentencing ratio. When Clinton asked “Drug Czar” Barry McCaffrey and Attorney General Reno to make recommendations of their own, they recommended that he reduce the disparity (Vagins & McCurdy, 2006). Even though the CBC pushed to eliminate the disparity entirely, McCaffrey and Reno instead decided on a ratio of 10-to-1. The Sentencing Commission then recommended reducing the disparity in the amount of product needed to trigger a mandatory minimum sentence of five years in prison from five grams of crack and 500 grams of cocaine to 25 grams of crack and 250 grams of cocaine. Clinton endorsed McCaffrey and Reno’s proposed reduction and instructed them to obtain congressional approval for the change. However, several members of the CBC deemed this proposal insufficient, and objected to the recommendation on the basis that it maintained a disparity in sentencing that should not exist. Others saw it as a thinly veiled attempt to appease the black community. For Marc Mauer, assistant director of the Sentencing Project, “It is racial politics and crime politics coming together. The administration
is trying to steer a narrow course between responding to the concerns of the black community about perceived injustices, while being fearful of being accused of being soft on crime” (Cannon & Enda, 1997).

In the end, no change was made to the cocaine-crack disparity before the end of Clinton’s tenure in office, as the Senate opposed the recommendations from both President Clinton and the Sentencing Commission (Vagins & McCurdy, 2006). Clinton was thus forced to pass on the responsibility to eliminate the disparity between crack and cocaine to his successor, President George W. Bush (Coates, 2001). In a 2002 interview, Clinton spoke to the discrepancy between his personal feelings on the disparity and what his administration was able to do about it:

On the disparity between crack and powder cocaine, I just don’t agree with that. We urged the Congress to reduce it. They said – well there’s more violence associated with crack than with powder cocaine. So we said okay, then don’t eliminate it, just reduce it. It doesn’t have to be ten to one. Cut it down to two to one. And I remember Senator Hatch saying that Congress would cut the disparity by raising the penalties on powder cocaine. It was very frustrating to me. I don’t blame people in the African American community for being disappointed that I didn’t do a better job of closing that gap. I had the Congress to deal with. By the time we got to this issue, the Republicans were in majority and we just couldn’t do it. (Wickham, 2002, 161)

However, Clinton’s account fails to take responsibility for the role that his administration played in delaying the process. The Clinton administration waited until 1997 before it began to make vague calls for reform, and it was not until 2000 – the final year of his presidency – that Clinton endorsed a reduced ratio of 10-to-1. But by then, after many years of the administration kicking the can down the road, Congress did not feel compelled to act (Coyle, 2002).
Having witnessed Clinton’s historic appointments and his unparalleled efforts to make African Americans feel as though they were more than just an afterthought, the Nobel Prize-winning novelist Toni Morrison expressed her own feelings on behalf of the black community in a commentary published in the *New Yorker*. “White skin notwithstanding, this is our first black President. Blacker than any actual black person who could ever be elected in our children's lifetime. After all, Clinton displays almost every trope of blackness: single-parent household, born poor, working-class, saxophone-playing, McDonald's-and-junk-food-loving boy from Arkansas” (Morrison, 1998). While Morrison, an African American, was later criticized for this stereotypical depiction of blackness, the sentiment she expressed rang true for many. Yet despite how strongly many African Americans felt about Clinton, they did not let him off the hook. As popular as was among them, symbolic politics was not enough to make up for the limited reach and detrimental effect of other policies. Being the shrewd politician that he was, Clinton was well aware of this. For this reason, he found a way to pursue latent race-specific initiatives below the radar of the public, with much of these policies being made and implemented at the agency level. To avoid attracting negative attention to these efforts, Clinton administration was forced to keep the full extent of his race-specific successes out of the spotlight.

What many people saw when they looked at welfare reform were those aspects that were the most detrimental to African Americans. After all, these were the elements that were highly publicized. However, there were other, less visible elements of the final bill for which Clinton actively fought and from which African American arguably benefitted. Prior to signing the final bill, Clinton had vetoed the first two versions passed by the Republican-led Congress, arguing that they did not do enough to protect vulnerable populations, particularly impoverished children (Clinton, 2006). Given the emphasis that was being placed on moving people off of the welfare
rolls, Clinton worked to ensure that the federal government was going to uphold its end of the bargain by helping to facilitate the transition from welfare to work. Despite Republicans’ strong opposition to government providing essential services and resources for this purpose, Clinton took a hard line on these federal supports. He preserved federal funding for education and job training programs for working parents, and secured a $4 billion increase in existing funding for child care over six years (Clinton, 2006). Clinton also advocated for the inclusion of several provisions in the bill that would supplement the incomes of low-skilled workers and provide a safety net to former welfare recipients. These included cash wage subsidies, hardship waivers, and food stamps (Hill, 2013). Beyond the scope of the welfare reform bill, Clinton’s “Access to Jobs” initiative assisted low-income communities devise innovative transportation solutions to help former welfare recipients and people without access to cars get to work. Additionally, the Clinton administration made 110,000 new housing vouchers available to welfare beneficiaries and low-income families in need of housing closer to their place of work (The White House, 2000). Despite how vital they were, most of these provisions went unseen or unheard of by the public. Even after Clinton signed the third version of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 into law, the Congressional Black Caucus and other liberal supporters of the president continued to view the bill as too punitive for their liking. Clinton commiserated with them. “I want to be clear, some parts of this bill still go too far, and I am determined to see that those areas are corrected” (Wickham, 2002, 237).

Even though Clinton presided over a good economy from which millions of Americans benefitted, African Americans were especially grateful to him for social and economic policies that helped to improve the condition of the most vulnerable within the black community. Unlike Reagan and Bush, Clinton did not believe a rising tide alone would life all boats, instead seeing
“macroeconomic policy [a]s necessary, but not sufficient” (Dreier, 2001, 142). For him, what was needed was a combination of economic recovery and social policy to improve the condition of the poor. Whereas his two Republican predecessors had refused to meet with mayors from the nation’s largest cities, Clinton repeatedly met with these urban leaders to get a better sense of the unique problems facing cities and their plans to overcome them (Dreier, 2001). But because doing too much to ostensibly assist urban constituents could potentially alienate white suburban voters, the Clinton administration pursued what some scholars call “stealth urban policy,” or “nonurban program initiatives that were not perceived as directing benefits toward cities” (Persons, 2004). Thus, in 1994, the Department of Housing and Urban Development designated empowerment zones and enterprise communities in both urban and rural communities. The eleven empowerment zone cities received $100 million each in federal funding and tax breaks to provide businesses with a financial incentive to create jobs for local residents, a drop in the bucket compared to the multibillion dollar budget of first round cities like New York, Chicago, and Philadelphia-Camden (Busso & Kline, 2008). Over one hundred enterprise communities in smaller urban and rural areas also received modest federal grants of $3 million to encourage businesses to provide employment opportunities in low-income communities (Dreier, 2001).

In spite of all the fanfare that surrounded the launch of these programs, a surprisingly small amount of money was put behind them to ensure their effectiveness. Given the narrow reach of the empowerment zones and enterprise communities in both size of grants and scope, HUD Secretary Andrew Cuomo believed that more comprehensive action was needed to address the issue of urban poverty. Acting on this suggestion, President Clinton expanded these existing programs to other communities in the form of the New Markets initiative. This initiative enabled urban and rural communities without the empowerment zone/empowerment community
designation to offer some of the same low-interest loans, tax abatements, and fund matching incentives that the federal government had made available in other struggling areas. Even with this expansion to new markets, the totality of Clinton’s urban policy efforts was anything but robust, as the federal deficit, a conservative Congress, and a dramatic 25 percent reduction in HUD’s 1995 budget placed serious economic constraints on what the administration could do (Austin, 1997). And given that white suburban voters were crucial to sustaining the Democratic Party’s electoral coalition, the pursuit of more aggressive urban policies and redistributive regional policies was a political risk that the Clinton administration was simply unwilling to take (Dreier, 2001).

Compared to the relatively negligible effect of other Clinton initiatives to boost private investment in urban communities, the Clinton administration’s efforts to strengthen enforcement of the Community Reinvestment Act were far more effective at achieving this end. On October 12, 1977, the 95th Congress passed the Community Reinvestment Act as title VIII of the Housing and Community Development Act of 1977 (Housing and Community Development Act, 1977). Passed two years after the federal Home Mortgage Disclosure Act, which marked the first time that lenders were required to report the number and dollar amount of mortgages made in cities by census tract, the purpose of the CRA was to discourage redlining of low- and moderate-income neighborhoods by banks and thrifts (Squires, 1994). In historical context, the term “redlining” refers to a discriminatory practice dating back to the 1930s in which the Federal Housing Authority drew red lines on maps around inner-city black neighborhoods to indicate that they would not be targeted for lending, creating barriers to black homeownership (Benson, 2011). Over time, it grew in meaning to encompass the more general practice of “refusing to provide credit or varying the terms and conditions under which credit is available due to the geographic
location or neighborhood racial composition of a risk...or any other characteristic of an individual applicant unrelated to credit-worthiness” (Squires & O’Connor, 2001, 26). Given that low-income, minority neighborhoods had traditionally been undeserved by banks and other financial institutions, the CRA sought “to encourage institutions to help to meet the credit needs of the entire community served by each institution” (Office of Thrift Supervision, 1994, 1). To be in accordance with the new law, these institutions were required by Congress to “demonstrate that their deposit facilities serve the convenience and needs of the communities in which they are chartered to do business...[as regulated financial institutions] have continuing and affirmative obligation to help meet the credit needs of the local communities in which they are chartered” (Housing and Community Development Act, 1977). Banks could fulfill this obligation through a variety of means, including loan participation, capital investment, and cooperative ventures with women- and minority-owned institutions, as well as low-income credit unions (Housing and Community Development Act, 1977).

Yet when President Jimmy Carter signed it into law, the Community Reinvestment Act lacked clear provisions to ensure its effective enforcement (Robinson, 2011). Under the CRA, bank auditors from four federal agencies were responsible for determining whether financial institutions were adequately meeting their investment, lending, and credit and deposit services obligations with respect to economically distressed and marginalized communities. From among these agencies, the Office of Thrift Supervision oversaw savings and loan institutions, the Office of the Comptroller of the Currency assessed nationally chartered banks, and both the Federal Deposit Insurance Corporation and the Federal Reserve Board examined state chartered banks. After evaluating lenders’ CRA compliance statements, the examiners would assess individual banks’ compliance with the CRA, rating them on their record in meeting community needs using
a scale of “outstanding,” “satisfactory,” “needs to improve,” or “substantial noncompliance” (Squires, 1994, 70). Any financial institution that scored in the two lowest categories could then be sanctioned by the corresponding regulatory agency, possibly resulting in a delay or outright denial of a request for a branch expansion, acquisition, merger, or increase in deposit insurance (National Community Reinvestment Coalition, 2007). While these sanctions seemed tough in theory, in practice they were rarely imposed. The CRA did not specify how federal bank regulators were to determine if bank and thrifts were meeting the needs of entire communities. Assessments were based largely on how much effort banks said to be making to find low-and moderate-income borrowers, and how much documentation could be provided to substantiate this (Office of the Press Secretary, 1993). Problems with inconsistent findings only called into question the use of these subjective individual assessments as valid and reliable measures of compliance (McCool, 1994). In the absence of more objective performance-based standards, relatively little pressure was put on banks to curtail discriminatory lending (Robinson, 2011). Over the next sixteen years, virtually no action was taken against noncompliant banks in response to CRA-related assessments (National Community Reinvestment Coalition, 2007).

This pattern of weak CRA enforcement came to an end under the Clinton administration. During the 1980s and early 1990s, African American mortgage applicants were denied loans at a rate of twice that for white applicants with similar economic profiles (Squires, 1992). Then, in 1992, a highly publicized study by the Boston Federal Reserve Bank revealed that while no evidence existed of explicit discrimination in home mortgage lending, lenders still demonstrated an implicit preference for white home buyers. Even though the methodology employed by the study was later found to be questionable, at the time it sufficed to convince members of the new administration that more needed to be done to address lending discrimination, as “The only thing
that ought to matter on a loan application is whether or not you can pay it back, not where you live” (Office of the Press Secretary, 1993). In 1993, at the behest of President Clinton, federal regulators began exploring possible revisions to the CRA to give it more teeth (Office of the Press Secretary, 1993). In 1994, HUD Secretary Henry Cisneros, Attorney General Janet Reno, Federal Reserve Chairman Alan Greenspan, and senior representatives from seven other federal agencies comprising the Interagency Task Force on Fair Lending jointly issued the Policy Statement on Discrimination in Lending. Directed at banks and mortgage lenders, this ultimatum instructed financial institutions to make credit more readily available to low-income and minority home buyers, as “the agencies will not tolerate lending discrimination in any form” (Sperry, 2012). To insure these institutions against the credit risk, Fannie Mae and Freddie Mac would buy the higher-risk mortgages from the banks to securitize these loans. Banks that did not make these loans would be subject to federal investigation, while individual lenders who engaged in discriminatory practices would face “various remedial actions, including suspension, probation, reprimand, or settlement” (Robinson, 2011).

At the president’s request, HUD published the 1994 National Homeownership Strategy, a report emphasizing the need for “financing strategies, fueled by the creativity and resources of the private and public sectors, to help homeowners that lacked cash to buy a home or to make the payments” (Wallison, 2009). In 1995, federal bank regulators issued new rules for objectively discerning whether banks were in compliance with the CRA based on three new lending, service, and investment tests. While a good-faith effort to identify qualified low- and moderate-income home buyers had once been enough for financial institutions to avoid federal scrutiny, under the new regulations this would no longer suffice. The determination of compliance was no longer at the discretion of individual auditors, but instead contingent on banks making a target number of
loans to these borrowers as stipulated within a series of executive orders (Wallison, 2009). The regulatory reforms of 1995 thus codified the expectation that banks would help underserved neighborhoods and borrowers obtain credit through “innovative or flexible lending practices” by making the use of such practices a measurement of their CRA performance (Federal Deposit Insurance Corporation, 1995). When legislative attempts were made to weaken the CRA in 1998 and 1999, the Clinton administration pushed to keep its regulatory reforms intact and succeeded. As he signed the Financial Services Modernization Act into law, Clinton announced proudly, “The legislation I sign today establishes the principles that, as we expand the powers of banks, we will expand the reach of [the Community Reinvestment] Act” (Office of Public Affairs, 1999).

In addition to these reforms, Clinton insisted that a bank’s failure to comply with the lending standards articulated within the Community Reinvestment Act would have an impact on its bottom line. To ensure effective enforcement, his administration made several changes to the regulatory process. For the first time ever, CRA compliance ratings were made available for public comment (Office of the Press Secretary, 1993). Under Secretary Cisneros, HUD awarded grants to third parties to provide independent assessments of bank performance. The information gleaned from these audits was then published online, so the public could see which financial institutions were approving or denying mortgages and the demographic characteristics of the borrowers being denied (Dreier, 2001). In 1996, the FDIC began publishing a monthly list of banks under examination for CRA compliance (Federal Deposit Insurance Corporation, 2014). Armed with this information, neighborhood organizations, fair housing watchdogs, community development corporations, and non-profit housing developers were able to seek redress for banks’ failure to meet their credit obligations by challenging them in court (Dreier, 2001). By
forcing a delay in the approval of mergers, acquisitions, and other major transactions by federal bank regulators, legal challenges had the potential to be quite costly (Squires, 1994). As these third-party challenges became more prevalent, banks looking to resolve disputes quickly and quietly had more of an incentive to negotiate settlements with community organizations. As a goodwill gesture, an increasing number of banks voluntarily made community reinvestment commitments in advance of a proposed merger (Schwartz, 1998). In this sense, says Gregory D. Squires, a sociology professor at George Washington University specializing in fair housing policy, “the driving force behind the successful implementation of the CRA’s purposes has been activist community organizations” (Squires, 1994, 75). However, one could argue that it was only because the Clinton administration opened up the CRA enforcement process to the public that these activist community organizations were able to pressure banks as effectively as they did, thereby strengthening the enforcement of the law.

The Clinton administration’s reliance on the individual initiative and advocacy of third-party groups resulted in uneven reinvestment and piecemeal enforcement of the Community Reinvestment Act. Nevertheless, the overall effect of these groups’ efforts was an increase in mortgage lending within low- and moderate-income communities at a faster rate than in more affluent communities (Squires, 1992; Squires & O’Connor, 2001). Moreover, the concessions that community organizations were able to extract from banks through CRA agreements had a significant impact on communities that were traditionally underserved. Although the CRA had always granted community groups the authority to challenge bank mergers and acquisitions, only a small number of organizations made use of this power (Schwartz, 2006). Between 1977 and 1991, CRA agreements only cost banks half a million dollars per year (Taylor, 1998). However, in 1988, federal bank regulators testified before Congress that in the first ten years of the CRA’s
existence only eight bank applications among an estimated 40,000 had been denied for failure to comply. In light of what appeared to be unwillingness on the part of federal regulators to enforce the CRA, community organizations took it upon themselves (Schwartz, 2006). In the first five years of the Clinton administration, the annual cost to banks of CRA agreements climbed to $57 billion, mirroring the rise in the number of challenges made by community advocates (Taylor, 1998). By the end of Clinton’s presidency, more than 95 percent of the money loaned out under the CRA – $15 billion and counting – had been invested during his two terms (Clinton, 2001). Other economic indicators further illuminate the impact made by the CRA during this period. From 1993 to 1999, new home financing and refinancing by CRA-affiliated lenders rose by 93.7 percent and 39.1 percent, respectively (Litan et al., 2001). According to the Joint Center for Housing Studies, in the absence of the CRA as many as 336,000 home purchases by low-income borrowers in low-income communities would not have been made (Joint Center for Housing Studies, 2002). On the whole, these indicators suggest that Clinton-era CRA reforms succeeded in generating significant investment in those communities targeted by the law.

Although the CRA was expressly targeted at low- and moderate-income communities within urban and rural areas, African Americans and other minorities certainly benefitted from Clinton’s efforts to strengthen the law’s enforcement in these places. According to Laurence H. Meyer, a U.S. Federal Reserve System governor during the Clinton administration, “At no time in our history has credit been more available and more affordable to virtually all income groups….The [CRA] has contributed to this increase in the availability and affordability of credit” (Squires & O’Connor, 2001). In 1997, the proportion of loans made to low- and moderate-income borrowers increased from 18 to 28 percent, and increased from 10 percent to 14 percent among blacks and Latinos (Squires & O’Connor, 2001). During the period from 1993
to 1999, home loans made to black borrowers increased by 91 percent, helping to lessen the gap in homeownership between whites and minorities (Barr, 2005). With more credit flowing into historically underserved communities, homeownership rates among all Americans reached their highest levels ever with the greatest increases among black and Latino homeowners (Dreier, 2001). CRA agreements often sought to create programs of particular appeal to blacks, such as government check cashing, free checking accounts, bank branches in inner-city neighborhoods, bilingual staff, and affirmative action measures to help bring diversity to the lending profession. They also organized seminars on homeownership, set up meetings with realtors in minority communities, and increased bank advertising in minority media (Squires, 1994). It was clear from these efforts that the Clinton administration viewed the enforcement of the CRA not only as sound housing and economic policy, but also as a civil rights issue, one that Secretary Cuomo and others took seriously. “You have the civil rights laws. You've had them on the books for decades. Enforce the laws. And do it aggressively. If people discriminate, we will not tolerate it – discrimination within housing, discrimination within lending. Enforce the laws. And we're doing that with more frequency and a more aggressive style than this department has ever done” (Ceraso & Pitcoff, 1998).

Yet in spite of these efforts, greater enforcement of the Community Reinvestment Act fell short on a number of fronts. First, it did not extend to the discriminatory lending practices of private mortgage brokers not regulated by the original legislation. As enforcement of the CRA became more stringent, these private mortgage brokers became more prevalent, encompassing a greater share of the lending market. Because of these and other changes in the financial services industry, the proportion of CRA-regulated mortgage lenders making home buying loans decreased from 36.1 percent in 1993 to 29.5 percent in 2000 (Dreier, 2001). Second, the CRA
did not ensure the quality of the loans being made under the new regulations for borrowers as it did for banks. In this sense, the CRA to some extent encouraged financial institutions to engage in predatory lending by creating incentives for these institutions to make risky loans, resulting in a housing bubble that would eventually burst during the Bush administration. Given what is now known about the causes of the financial crisis, “reverse redlining” – a practice in which banks specifically targeting certain communities for subprime loans and home mortgages – ended up hurting many of the same low-income and minority homeowners whom the CRA sought to protect by making them susceptible to foreclosure by the same banks that had been told to lend to them (Squires, 2005).

Summary

For the most part, Clinton appeared willing to substantively address issues of importance to African Americans throughout his presidency. However, there were a number of factors that constrained his ability to make policy favorable to blacks to the extent that he would have liked. According to Janis Kearney, presidential diarist to Bill Clinton:

Congress…was made up of mostly conservative Republicans, and conservative Democrats who didn’t want to rock the boat too drastically. The “status quo” was the wall the president ran into – a desire to keep things as they were. On the fringes were the right wingers – before Tea Party was a word – and the far-left liberals consisting mostly of the Black Caucus and a handful of other liberal white congressmen or senators who felt he should be doing more. (Kearney, 2014)

Bob Nash, assistant to the president and White House director of presidential personnel, reflected this sentiment:

Many congressmen thought he was overstepping on many levels when it came to race…Most members of the Republican Party disagreed with his aggressive approach toward racial fairness, equity, [diversity in government at all levels], and his position on
programs that affected the rights of blacks and minorities. These groups and individuals fought appointments of a number of minorities, and blocked programs that targeted minority communities and populations [such as education reform and health care reform]. (Nash, 2014)

In addition to this external pressure to conform to a particular agenda, Clinton also encountered opposition to his commitment to racial issues from within his administration:

There were those inside the White House who were there to advise him on political issues and remind him that most Americans didn’t think as he did when it came to social or racial issues. Their role was to keep him as close to the center, politically, as possible. There were political appointees who did not think focusing on race relations would result in anything positive for the president or his administration. He, however, remained committed to engaging on this issue. (Nash, 2014)

In spite of these obstacles, Clinton’s personal commitment to race issues did not wane. “If anything, President Clinton’s level of commitment was even more intense after he realized how much impact the presidency had in improving conditions in the most important areas” (Kearney, 2014). Even so, it was not until after he left office that Clinton acknowledged this underlying commitment to racial equality and the reconciliation of past racial injustices, especially as the motivation behind his administration’s community reinvestment efforts and other policies:

I made it my business to keep raising the race issue every chance I got. Whether it was economic policy, homeownership policy…we basically set up a framework for considering the impact of various policies on our neglect, historical neglect of the African American community that had not been there before…We did a lot of things to correct the historic record – the implementation of the Empowerment Zones, micro-credit banks, community lending banks…My policies, while affecting the masses, had a disproportionately positive effect on African Americans because they needed more. (Kearney, 2006, 363)
African Americans took notice. Although he was mired in controversy by the end of his second term, 83 percent of blacks continued to view him favorably even as his support among other racial groups dwindled (Coates, 2001). Most African Americans believed they had a friend in Clinton, having witnessed the ease with which he related to their community and personally benefitted from his ability to deliver on important issues to blacks (Harris-Lacewell & Albertson, 2005). For this reason, blacks chose to stand by Clinton, regarding his enemies as their own (Wickham, 2002). “Indeed, the Lewinsky affair only served to solidify his support [among African Americans] because it was as if Kenneth Starr was attacking ‘one of us’” (Chambers, 2014). Because he appeared to be the victim of what First Lady Hillary Rodham Clinton called a “vast right-wing conspiracy,” the majority of blacks felt sympathetic toward Clinton; 90 percent of them opposed his impeachment (Maraniss, 1998; Wickham, 2002). In light of this, it was not all that surprising that Clinton ultimately chose Harlem, a “Black Mecca,” as the location for the Clinton Foundation office after leaving the White House in 2001. Yet neither he nor Senator Clinton could have predicted that in 2008, as she made her own run for the presidency, so many of their former black staffers and supporters would choose to throw their support behind the nascent candidacy of Illinois Senator Barack Obama.

THE OBAMA PRESIDENCY

Race and Electoral Politics

In 2000, a young and ambitious state senator living on the South Side of Chicago made the unwise decision to challenge an older and well-respected incumbent black politician for his congressional seat. Later that year, 38-year-old Barack Obama lost in the Democratic primary election to Bobby Rush by a 2-to-1 margin in the 1st congressional district. Rush had deep ties to the black political establishment within Chicago and his district. In the days before the election,
he was comfortably making the rounds in the city’s black churches, reaching out to African American for their support. Obama, by contrast, struggled to connect with the predominantly black, working class voters of the 1st congressional district, even in the crucial final days before the election. Long before Election Day, the die had already been cast in Rush’s favor. While Obama carried white voters, Rush trounced him in a district that was 65 percent black (Scott, 2007). This electoral loss, the only one of Obama’s political career, was a formative influence on his development as a politician. In defeat, Obama realized the need to establish his racial authenticity with black voters. Moreover, he learned the value of symbolic politics, especially for African American constituents who questioned whether a young Harvard-educated lawyer could relate to them and their problems as working-class people. In the few short years since the election, Obama came to embrace multiculturalism in his political persona, using his inspiring personal story of being the son of a Kenyan father and a white mother from Kansas as a unifying rhetorical device in his 2004 keynote address at the Democratic National Convention (Obama, 2006). However, this embrace of race did not translate into his embrace of race-specific policymaking. After winning the 2005 Illinois Senate election, Obama focused on policy issues other than race. His reputation in Congress was made not by his position on racialized issues, but rather on his opposition to the War in Iraq and his criticism of the Bush administration for the poor economy.

For the most part, Obama’s strategy going into the 2008 presidential election was to keep the issue of race out of the election. To do this, he deliberately made no overt appeals on that basis, preferring instead to be race-neutral while striving toward racial transcendence. The Obama campaign deftly deflected any attempts to introduce race into his race-neutral campaign, including any attempts to interject elements of traditional black politics. According to Corey
Ealon, the director of Obama campaign outreach to black media outlets, “I would always get the question, ‘What is Barack Obama’s agenda for black America?’ I would respond by saying, ‘It’s the same as Barack Obama’s agenda for all America’” (Ifill, 2006, 64). From the outset, Obama waged an aggressive 50-state campaign with an emphasis on winning the Iowa Caucus. By winning the Caucus, he proved to white and black voters alike that he had appeal across racial lines, thereby establishing the legitimacy of his candidacy. The Obama campaign also harnessed the energy, ingenuity, and diversity of young campaign workers to mobilize and turnout other young voters, tapping into millennial’s more progressive views on race.

Obama only broke with his race-neutral position on race when a failure to address the race issue had the potential to derail his entire campaign. The controversy surrounding the Reverend Jeremiah Wright, Jr., his longtime minister and friend, was a case in point. Wright was the pastor of the church that the Obamas attended in Chicago. He had married Barack and Michelle, and later baptized their two daughters Sasha and Malia (Heilemann & Halperin, 2010). The notion of the audacity of hope, which served as the theme of the 2004 Democratic National Convention keynote address that launched Obama into the national spotlight and later became the title of Obama’s second book, was borrowed from one of Wright’s sermons. In February 2007, on the eve of the formal launch of the Obama campaign in Springfield, Illinois, Rolling Stone published an article entitled “The Radical Roots of Barack Obama,” drawing the first connections between Obama and the incendiary words of his spiritual mentor (Wallace-Wells, 2007). Wright had been scheduled to participate in the program, but was removed by the Obama campaign as a precautionary measure.

A year later, the media picked up Wright’s “God Damn America” sound bite – a singular line in a 2001 sermon in which he criticized the U.S. government for “fail[ing] the vast majority
of her citizens of African descent” (Wright, 2008). Obama, now the Democratic frontrunner for the Party’s nomination, was quick to condemn the sermon and others for being “inflammatory and appalling” (Heilemann & Halperin, 2010, 235). But as the controversy grew in the coming days, with the New York Post referring to Wright as the “minister of hate,” Obama recognized that he could not afford to say nothing about Wright’s comments (Heilemann & Halperin, 2010, 237). “The idea of doing a big race speech had been on Obama’s mind for months. Back in the fall he’d brought it up, but the suits [his campaign advisors David Axelrod and David Plouffe] were wary, not wanting to mess with his post-racial brand” (Heilemann & Halperin, 2010, 236-237). Although he was initially advised against it, Obama gave a race speech titled “A More Perfect Union” in which he condemned Wright’s remarks for “expressing a profoundly distorted view of our country…not only wrong but divisive – divisive at a time when we need unity” (Heilemann & Halperin, 2010, 237). While he did not attempt to do so at first, Obama was ultimately compelled to distance himself completely from Wright and his race-based theology for the sake of political expediency. Yet despite the momentary national focus placed on race issues, the race-neutral nature of the Obama campaign did not change. “Barack’s candidacy,” as David Axelrod later explained, “while he spoke to those issues, it was pitched in a much broader way” (Ifill, 2009, 62). Still, the Reverend Wright debacle demonstrated that the campaign was anything but immune to racial conflict.

Throughout the campaign, Obama sought to solidify his support among a key voting demographic: conservative white voters who were unsure whether a black president would be favorable to them. To demonstrate that he could be the president of all of America, Obama took black America to task. He did this by emphasizing the need for more personal responsibility and self-sufficiency within the black community, just as Clinton had done during the 1992 campaign.
At a small campaign stop in Beaumont, Texas, Obama spoke before a black audience about the need to take responsibility for their children’s educational success, saying “It doesn’t matter how much money we put in if parents don’t parent” (Fowler, 2008). Later, he characterized the unhealthy eating habits that contribute to diabetes in black children as “Eight sodas a day…Popeye’s for breakfast” (Fowler, 2008). Yet in spite of Obama’s positive reception by this audience and many others, some took umbrage with his rhetoric. After giving a Father’s Day speech in Chicago in which he preached to a black church congregation “we need fathers to recognize that responsibility doesn’t just end at conception,” Obama was criticized by the Reverend Jesse Jackson for “talking down to black people” (Zeleny, 2008). In the words of another critic, “It’s obvious by now that Barack Obama is treating black Americans like one treats a demented uncle, brought out from his room to be ridiculed and scolded before company from time to time” (I. Reed, 2008). Still, the speech seemed to have its intended political effect. Obama’s lead over the Republican presidential nominee, Senator John McCain of Arizona, jumped to a 15-point margin, and he improved his poll numbers in battleground states like Ohio and Pennsylvania (I. Reed, 2008). By scorning irresponsible black parents, particularly absentee fathers, Obama showed white voters that his blackness did not make him uncritically receptive to particular identities and special interests. By not playing the race card in a way that would appear self-serving, he was able to effectively neutralize the potentially negative impact of race on his campaign.

In the end, the McCain campaign did not attempt to make race a central issue of the general election. With this controversial issue effectively laid to rest, the focus of the campaign became foreign policy, national security, and the looming economic crisis. Arguably, the 2008 election became a referendum on the presidency of George W. Bush. In November, Obama went
on to handily defeat his Republican opponent, becoming the first African American to be elected President of the United States.

Race and Governance

Having run a successful race-neutral campaign, Obama continued to deemphasize race in his first term as president. Although the Congressional Black Caucus urged him to address a black unemployment rate that was twice the national rate and well into the double digits, Obama instead emphasized the more universal goal of improving the economy for all Americans (Lee, 2014b). In general, he opted against using the presidency as a bully pulpit for explicitly targeting and advancing black interests through controversial race-specific policies. His legislative agenda instead focused on reaching consensus and finding common ground (Harvey & Belk, 2010). Yet in spite of his best efforts, Obama was not able to insulate his presidency from the contentious nature of race. From the start, conservative whites, especially Tea Party members in the House of Representatives, vehemently opposed the president and nearly all aspects of his policy agenda (Harwood, 2013). Consequently, Obama’s proactive race efforts in the first term were in large part limited to two executive orders, one “Promoting Excellence, Innovation, and Sustainability at Historically Black Colleges and Universities” and another creating the White House Initiative for Educational Excellence for African Americans (The White House, 2010; Lee, 2014b).

Race and Symbolic Politics

Although Obama deserves credit for appointing the first black attorney general, he has still been criticized for his Cabinet’s lack of diversity. Since taking office, he has appointed only five high-ranking African Americans, including Ron Kirk as U.S. Trade Representative, Anthony Foxx as Secretary of Transportation, Susan Rice as Ambassador to the United Nations, Eric Holder, Jr. as Attorney General, and Lisa Jackson as Administrator of the Environmental Protection Agency (Burke, 2012; Cottman, 2013). Obama’s inner circle of advisors, like his
Cabinet, is also less diverse than that of Clinton, and has even been criticized by some whites for being too white, especially in the second term (Simpson, 2013). While Obama has appointed a greater proportion of African Americans to the federal bench than any of his predecessors, with blacks accounting for 18.7 percent of his picks so far compared to Clinton’s 16.4 percent, these appointments did not extend to the U.S. Supreme Court (Allen, 2013; Allen, 2014). Obama has had two opportunities to make Supreme Court nominations, a rarity in the realm of presidential politics. Yet despite having more than one chance to put a liberal African American on the Court, a move that would counterbalance the staunch conservatism of Clarence Thomas, the only sitting black justice, Obama choose to nominate two non-black women instead. Many Africans Americans understood the political calculation underlying the nomination of Justice Sonia Sotomayor, who ultimately became the first Supreme Court justice of Latin American descent, but they were less forgiving of the second. Frustrated by his failure to choose one of any number of eminently qualified black judges who had been seeded by President Clinton and others to eventually assume a position on the Court, African Americans considered Obama’s nomination of Justice Elena Kagan nothing short of a missed opportunity (Wilder, 2011).

When confronted by racialized incidents that he could not avoid, Obama consistently errs on the side of caution. In the first 100 days, Attorney General Eric Holder made a speech at the Department of Justice’s Black History Month program in which he stated that “Though this nation has proudly thought of itself as an ethnic melting pot, in things racial we have always been and continue to be, in too many ways, essentially a nation of cowards” (Holder, 2009). The response of the public and conservative political pundits to the comment was fierce, prompting Obama to temper Holder’s provocative remarks in a way that revealed his personal philosophy on race. “I think it’s fair to say that if I had been advising my attorney general, we would have
used different language….I’m not somebody who believes that constantly talking about race somehow solves racial tensions” (Cooper, 2009). This philosophy was evidenced a few months later. On July 16, 2009, Harvard University professor Henry Louis “Skip” Gates, a friend of the president, was arrested outside of his home in Cambridge as he and his driver attempted to force open his jammed front door. The arresting officer, Sgt. James Crowley, had responded to a 9-1-1 call about a potential break-in and after a confrontation with Gates arrested him on his front porch for disorderly conduct. Obama weighed in on the incident a few days later, publicly stating during a press conference that the Cambridge police had “acted stupidly,” drawing the scorn of law enforcement personnel from across the country (Khan, McPhee, & Goldman, 2009). While he was quick to acknowledge later that his choice of words had been “unfortunate,” expressing his hope that the incident could become a “teachable moment,” his acknowledgement did not temper the growing national debate over racial profiling (Khan, et al., 2009). Much like the Reverend Wright controversy, it was decided that the president could not afford to ignore the incident’s racial overtones. Rather than speak again on the issue of race as he did during his campaign, Obama instead invited Sgt. Crowley and Professor Gates to the White House to reflect on the incident over beers, which the media dubbed “the Beer Summit” (Khan, et al., 2009). While this attempt at racial reconciliation was an entirely symbolic one, it demonstrated a belief on the part of the Obama administration that there was still a place for race in symbolic politics. More importantly perhaps, the Beer Summit succeeded in sufficiently putting the incident to bed so that Obama would not have to engage with the race issue further. Over the next two years, he would mention race less often than any Democratic president since 1961 (Glastris, 2013).

In May 2012, the cover of Newsweek heralded Obama as “the first gay president,” harkening back to a 1998 commentary in the New Yorker in which Toni Morrison anointed Bill
Clinton “the first black president.” In the feature article, Andrew Sullivan wrote, “in four years Obama went from being JFK on civil rights to being LBJ: from giving uplifting speeches to acting in ways to make the inspiring words a reality” (Sullivan, 2012). Unlike the headway that Obama has made with gay rights by “leading from behind and playing the long game,” his progress toward advancing black interests during the first term had been less inspiring and noteworthy (Sullivan, 2012). Although Obama is certainly the first African American president, it seems only recently that he has made an attempt to assume the mantle of his Democratic predecessor and become the advocate for blacks that he has been for gays and lesbians.

By all accounts, President Obama’s decision in the second term to engage more actively in issues of race from which he had previously abstained is the result of a singular moment that shocked his conscience as well as that of the nation (Lee, 2014b). On February 26, 2012, an unarmed black teenager was fatally shot by a neighborhood watch volunteer. For many African Americans, the death of 17-year-old Trayvon Martin was a painful reminder of the enduring risk associated with being young, black, and male in America. In his first public statement on of the tragedy, Obama expressed that “if I had a son, he’d look like Trayvon” (Thompson & Wilson, 2012). In the summer of 2013, after a high-profile trial, George Zimmerman, Martin’s shooter, was found not guilty of second-degree murder. In the midst of the national uproar that followed, the president gave the most direct statement on race since his 2008 campaign speech. Speaking to the nation and members of the press from the White House briefing room, Obama spoke personally about his experience being racially profiled and the importance of the Trayvon Martin case to black America, asking “is there more that we can do to give them [African American boys] the sense that their country cares about them and values them and is willing to invest in them?” (Office of the Press Secretary, 2013) Although Obama did not use the incident as an
opportunity to substantively address the practice of racial profiling and was fiercely criticized by conservatives for playing the race card, it would later prove to be a watershed moment in his presidency (Shahid, 2012).

Less than a year later, Obama announced the launch of “My Brother’s Keeper,” his first major race initiative since taking office. This results-based initiative is a collaborative effort between foundations, for-profit companies, non-profits, philanthropists, the federal government, and state and local officials to assist young men and boys of color stay and excel in school, escape the cycle of poverty, and avoid incarceration. Although $150 million in private money has already been allocated and $200 million has been pledged over the next five years to achieve the initiative’s aims, no new federal money has been budgeted for My Brother’s Keeper (Feldmann, 2014). According to Pedro Noguera, Executive Director of the Metropolitan Center for Urban Education at New York University, there is reason for skepticism and concern (Hudson, 2014). “What worries me is that it will be symbolic and not substantive and anything that does not address the real structural barriers to opportunity for young men of color is going to be meaningless” (Lee, 2014b). Robert C. Smith, a leading scholar of black politics, agrees. “It’s symbolic, in the sense that it says, ‘I know and I care and I’m going to do something about it within the limited means that I have’” (Feldmann, 2014). Yet Noguera sees an even greater role for the Obama administration beyond making vague promises and simply throwing money at the problem. “We’ve got to look at jobs, job training, education and something different from what they’ve been doing, because what they’ve been doing hasn’t been working” (Lee, 2014b).

Race-Neutral Policymaking

Given the urgency and severity of the challenges that Obama faced as soon as he took office, there was no room for race to be a facet of his policy agenda. Early on in his presidency,
nearly all of Obama’s major policy initiatives represented race-neutral responses to pressing issues of national concern. Most of the major programmatic efforts on his legislative agenda were those that intended to pull the United States back from the brink of the global financial crisis, such as the economic stimulus, financial reform, and the automotive bailout. However, Obama’s signature legislative accomplishment to date is the Patient Protection and Affordable Care Act, known eponymously as “Obamacare.” Only a month after his inauguration, Obama announced his intention to pursue health care reform. The administration’s initial plan was to provide universal coverage through a single-payer system, which would enable more than 45 million uninsured Americans to finally get coverage. Under the proposed law, Americans with pre-existing medical conditions could not be denied coverage. After two years of intense negotiations in which several provisions within the bill were stripped away for the sake of its continued movement through the legislative process, it eventually passed and was signed into law on March 23, 2010. Almost immediately, the Republican-led House voted to repeal the law, the first attempt of fifty similar attempts to date (Deirdre, 2014). Two years after the passage of the bill, after hearing a challenge to the ACA’s individual mandate, the U.S. Supreme Court upheld the constitutionality of the mandate on June 28, 2012. Although the health care roll-out was initially plagued by technical glitches that became fodder for conservative critics, it ultimately reached and surpassed its targeted goal of 7 million enrollees needed to ensure the cost structure of the program (Goldstein & Eilperin, 2014). By passing health care reform, Obama achieved what had eluded Clinton in his own first term, but it left him with virtually no political capital to take with him into a second term.

In Double Down, John Heilemann and Mark Halperin’s insider account of the 2012 presidential election, the authors reveal the depth of President Obama’s commitment to race-
neutral policymaking throughout his first term. “In a meeting with civil rights leaders in 2010, he [Obama] had answered a question about black unemployment by saying ‘a rising tide lifts all boats,’ and since then the reply had been thrown back in his face frequently to question his commitment to his race” (Heilemann & Halperin, 2013, 39). In a similar anecdote, the authors show how Obama pushed back cynically against the notion that his first-term legislative agenda had been of little benefit to African Americans:

One day in the spring of 2011, as he sat with some staffers preparing for a speech to Al Sharpton’s National Action Network, Obama rattled off a list of his policies. Cracking down on predatory lending. Education reform. Student loan reform. Most important, health care reform. All with an outsize impact on African Americans. All achieved at a time when half of the GOP believed he’d been born in Kenya. Obama threw up his hands. After all that, he said, “[A]m I still not black enough?” (Heilemann & Halperin, 2013, 39).

Obama’s words reveal the extent to which he subscribed – at least in his first term – to the use of broad-based, race-neutral policies as a policymaking ideal, as well as his own belief in the good that he had done for African Americans. In his view, race-neutral policymaking had more than sufficiently advanced black interests in the absence of race-specific policies explicitly designed to be responsive to their needs.

Race-Specific Policymaking (2009-2013)

By an objective standard, race-specific policymaking in Obama’s first term was sparse at best, with much of the administration’s efforts focused on securing the passage of race-neutral policies. Even so, two years into Obama’s tenure, Congress passed the Fair Sentencing Act of 2010 with overwhelming bipartisan support. However, because of the political sea change that had taken place on the sentencing issue since the late 1980s and early 1990s, with an increasing number of legislators calling for reform, the president was not required to expend much in terms
of political capital to engender this support (Abrams, 2010). In this sense, the administration’s
criminal justice policy was entirely reactionary, focused on reversing decades-old tough-on-
crime policies that were seen as excessively punitive or discriminatory in their implementation.
The passage of Fair Sentencing Act marked the end of a 25-year battle by civil rights activists
and a 10-year fight by the Congressional Black Caucus to repeal drug statutes that unfairly
targeted and punished African Americans who represent 80 percent of the inmates serving time
in federal prisons for crack offenses (Berman & Protass, 2013; CNN Wire Staff, 2010). With the
new law, the Obama administration finally achieved the reduction in the disparity in crack and
powder cocaine penalties that had been left undone at the end of Clinton’s presidency. The Fair
Sentencing Act reduced the ratio from 100-to-1 to 18-to-1, and eliminated the mandatory
minimum sentence of five years for first time drug offenders. It also raised the amount of crack
cocaine needed to trigger a mandatory minimum sentence from five grams to 28 grams for repeat
offenders (CNN Wire Staff, 2010).

While the passage of the FSA was considered a success for the Obama administration,
compared to other bill signings it was signed into law quietly and with little fanfare. Almost
immediately, the Congressional Black Caucus sent a letter to the U.S. Sentencing Commission
requesting that the new law be applied retroactively to sentences assigned prior to its passage,
and in 2011 the Commission voted to have these sentences reviewed and possibly even reduced
by federal judges (American Civil Liberties Union, n.d.). However, the Justice Department,
acting even more discreetly than when Obama signed the law, went to court to argue against
having it applied retroactivity to federal prisoners and to prisoners in state penitentiaries. For
Douglas Berman, a professor at The Ohio State University, “President Obama’s Department of
Justice has adopted the advocacy policy that the unfair and now reformed old crack sentencing
statute should and must be applied for as long as possible to as many defendants as possible” (Dixon, 2013). In a July 2011 memo sent to federal prosecutors, the Department stated that the new sentencing guidelines would only apply to those crimes committed after the law’s passage, demonstrating that the ever-cautious Obama, who during the 2008 campaign said the sentencing disparity “cannot be justified and should be eliminated,” was only willing to go so far on his own to correct for the racial inequalities of the past (Abrams, 2010).

During this time period, the Obama administration did begin a truly administrative effort with respect to fair lending and housing policy. Much like what was done during the Clinton administration, it was initially pushed quietly and with little publicity. However, the impact of this policy initiative eventually grew too large and salient to be ignored. In a March 2012 interview with Black Enterprise magazine, President Obama described his administration’s efforts to protect minority homeowners and business owners from predatory lending practices:

Something that has disproportionally affected a lot of minority communities around the country, both African American and Hispanic, [is that] they were preyed upon when it came to predatory lending. What we have been able to do is to help those who have mortgages held by government-sponsored enterprises Fannie Mae and Freddie Mac. We have been able to help them refinance at historically low rates, which saves somebody as much as $2,500 a year. And that’s money in their pockets that they can either be spending at your local small business or [to] help them rebuild equity in their homes. My goal, not just leading up to the election but as long as I’m president of the United States, where we have the capacity to act on our own through the executive branch to widen opportunity or to give small businesses a fair shot, we are going to do it. (Dingle, 2012)

To this end, the Obama administration has widened the scope and authority of the Community Reinvestment Act even beyond what was accomplished during the Clinton administration. “The agencies have refocused on redlining because, in the wake of the subprime explosion and sudden implosion, they are looking at these disadvantaged neighborhoods and not seeing any credit
access” (Benson, 2011). For this reason, the federal government has used the CRA as a vehicle for stimulating mortgage lending to low-income borrowers and areas deemed blighted as a result of home foreclosures. The Obama administration has also instructed banks to expand into those urban communities that suffered the most during the Great Recession, even though they tend to be a higher credit risk and relatively unprofitable for banks (Sperry, 2012). According to one source, “DOJ wants banks to have a physical presence in the inner city…[so that] an appropriate volume of loan originations emanate from minority areas” (Sperry, 2013). In an effort to repair the harm done to minority communities in particular, the federal government has required some banks to “prominently display” in all marketing materials and branches that low-income and minority borrowers cannot be denied credit because they are on government assistance (Sperry, 2012). As a condition of their settlement, offending banks must also subsidize loans with more flexible underwriting criteria and discounted rates for African American and Latino borrowers, and forfeit unclaimed funds to community organizations approved by the government (Sperry, 2012; Sperry, 2013). For industry critics like Camden Fine, President of the Independent Community Bankers of America, these aggressive and “extortion[ist]” fair lending efforts represent an attempt by the Attorney General to “boost minority homeownership rather than just enforce civil rights laws” (Sperry, 2012).

In addition to widening its scope, the Obama administration has also made enforcement of the CRA much stricter. Of all the agencies, the Justice Department has been the most active in enforcing fair lending protections. In early 2010, Attorney General Eric Holder established the Fair Lending Unit within the Civil Rights Division’s Housing and Civil Enforcement Section to address redlining (Civil Rights Division, 2012). The unit focuses on prosecuting banks whose housing policies, while not explicitly motivated by race, have been shown to have a “disparate
impact” on racial minorities and other protected classes under the Fair Housing Act of 1968 (Hannah-Jones, 2013). In the unit’s first two years, the Civil Rights Division filed or resolved 16 lending cases, compared to only 25 such cases from 1993 to 2000. From 2009 to 2011, as many as 109 lending matters were referred to the Civil Rights Division from HUD and the Consumer Financial Protection Bureau, about half of which involving suspected incidences of racial or nation origin discrimination (Civil Rights Division, 2012). As of July 2012, Holder had filed a record number of complaints against mortgage lenders suspected of discrimination. This legal action has resulted in over $550 million being awarded in settlements with offending banks, including a $335 million settlement against Countrywide Financial Corporation on behalf of over 200,000 black and Latino families, the largest fair housing discrimination settlement in U.S. history (Perez, 2012). The lawsuit that produced the settlement marked the first time that DOJ had accused a financial institution of systemic steering of creditworthy minority borrowers to subprime loans (Civil Rights Division, 2012). While he acknowledges the similarities between the strategies pursued by Eric Holder as Deputy Attorney General and now, Andrew Sandler – a lawyer who counsels banks on CRA compliance – concludes that Holder’s current push “is well beyond anything we saw during the Clinton administration,” especially with the increase in the number of banks receiving low and even failing grades on their CRA compliance exams (Sperry, 2012).

4 Although not explicitly referenced within the landmark civil rights case, disparate impact has been the de facto standard of fair housing and lending enforcement for over 40 years. Since the Obama administration codified it into a federal regulation in 2013, all 11 appellate courts that have heard challenges to the standard have upheld its legitimacy. As of now, the U.S. Supreme Court has yet to rule on a challenge to the administration’s disparate impact rule (Hannah-Jones, 2013).
Race-Specific Policymaking (2013-Present)

Although some considered the 2012 election to be a mandate for the president, effectively it has been anything but. Now in his second term, Obama has been forced to come to terms with the reality that partisan politics and petty obstructionism have decimated his ability to push the remaining parts of his legislative agenda. His political capital is effectively spent. Recognizing this and no longer constrained by the need to win re-election, he appears to have shifted his focus to his legacy as the first black president of the United States, indicating that he will make a more extensive use of his executive power (Joseph, 2014). Thus far, there have been some indications that the Obama administration perhaps intends to take a more substantive approach with respect to race in the second term. Most notably, Obama has decided not to reign in Attorney General Eric Holder as he did in the first, instead lauding his efforts to promote justice (Dovere, 2014). In June 2013, the U.S. Supreme Court invalidated Section 4 of the Voting Rights Act of 1965, a key provision of the civil rights law requiring certain jurisdictions to obtain federal approval before making changes to their voting laws. In response, Holder issued a strong warning to states that any attempt to suppress voting among minorities, the poor, and the elderly would be prosecuted by the Justice Department. Not long after making this statement, lawsuits were filed against North Carolina and Texas. The Obama administration has also focused on the efforts of Republican governors and state legislatures to enact strict voter ID laws in key swing states. To emphasize the point even more, President Obama made his first public condemnation of the GOP for attempting to restrict voting among African Americans and other Democratic constituent groups at a meeting of the Reverend Al Sharpton’s National Action Network in April 2014 (Dovere, 2014; Phelps, 2014a).

Crime policy in the second term has consisted of a renewed and far more public effort by the Obama administration to reform the criminal justice system by being smart rather than tough
on crime. In August 2013, the Justice Department announced changes to mandatory minimum sentencing guidelines as a feature of its “Smart on Crime” initiative, an administrative policy that focuses on improving the criminal justice system through more equitable enforcement of federal laws and more efficient use of federal resources. As recently as 2010, federal prosecutors were obligated to pursue the most serious charges in all cases, regardless of the circumstances of an individual case, rather than divert low-level drug offenders to community service or drug treatment programs. The announced changes gave U.S. attorneys more discretion in charging, prosecuting, and sentencing individuals who commit low-level, nonviolent crimes. By allowing federal prosecutors to take offender conduct, criminal history, gang affiliation, and other factors into account, only the most serious, violent, and high-level crimes will trigger mandatory minimum sentences. These changes – which are more fundamental and far-reaching than the reduction in the sentencing disparity that Obama signed into law in 2010 – attempt to address the overincarceration of low-level, nonviolent drug offenders, a consequence of a war on drugs that has contributed to the overcrowding of federal prisons with a disproportionate number of black inmates (Carter, 2013). For Holder, someone who believes that “equal justice is individualized justice” (Lemaitre, 2013), reducing the racial bias in prison populations as well as in state and federal sentencing has become his signature focus (Phelps, 2014a). In December 2013, in a public, symbolic acknowledgement of the unfairness of the sentencing disparity he quietly made defunct in his first term, President Obama commuted the sentences of eight inmates convicted of crack possession under the old mandatory minimum sentencing guidelines (Jackson, 2013). Still, these commutations did not address the more than 8,000 people serving long sentences in federal prisons as a result of the outdated laws. While Obama has the ability to pardon and grant
clemency, he has so far done so to a lesser extent than his most recent predecessors, including Ronald Reagan (Keller, 2014).

With a third of the Justice Department’s budget going to running prisons, Eric Holder has found unlikely new allies in libertarian-minded Republicans like Senator Rand Paul of Kentucky, generally an opponent of the Obama administration, who view long prison terms as costly and ineffective. The Smarter Sentencing Act, a bipartisan civil liberties bill that if passed would be the largest federal overhaul of drug sentencing laws in decades, is currently making its way through Congress alongside a similar bill (Apuzzo, 2014b). Compared to how mildly it pushed for incremental criminal justice reform at the administrative level, the Obama administration’s new legislative strategy is a noticeable change, one that is more urgent and highly visible than past efforts to target the disparate impact of drug laws. Given that there are no indications that Obama is attempting to restrain his Attorney General from making such a push, one could make a safe assumption that the president’s unwillingness in the first term to have his administration associated with such a racialized issue has since changed.

In the words of Shaun Donovan, the Secretary of the Department of Housing and Urban Development, “As President Obama recently made clear, this is an administration that believes in the importance of second chances – that people who have paid their debt to society deserve the opportunity to become productive citizens and caring parents, to set the past aside and embrace the future” (Federal Interagency Reentry Council, 2012). In an effort to create a path toward normalcy for formerly incarcerated individuals, the Attorney General recently appealed to states to repeal statutes that disenfranchise convicted felons, especially Florida, Kentucky, and Iowa, states that withhold the right to vote from ex-convicts even after the successful completion of their sentences (American Civil Liberties Union, 2014; Apuzzo, 2014a). Of the roughly 5.85
million Americans affected by these laws, as many as one in 13 is African American (Keller, 2014). To ease the transition from prisoner to productive citizen, the Obama administration created the Interagency Reentry Council, a federal government task force that facilitates the process of finding housing, education, and employment (Keller, 2014). In many ways, the motivation for these actions stems from the very personal realization of both the president and the Attorney General, the former having acknowledged publicly that he smoked marijuana as a youth. As Holder said before a group of ex-cons in Philadelphia, "I grew up in a neighborhood in Queens where guys like you would have been my boys, you know?" (Phelps, 2014a) Both men are painfully aware that incarceration and a less forgiving environment could have altered the trajectory of their own lives, expressing this sentiment in what has become more frequent media appearances with at-risk black youth in the second term.

In many ways, Attorney General Holder serves as a proxy for President Obama, enabling him to take a more aggressive stance on criminal justice reform than his politically-constrained boss. In 2014, the Attorney General has become increasingly vocal about civil rights issues, indicating that he feels particularly accountable to African Americans and other minorities (Phelps, 2014a). In an interview with Washington Bureau Justice Department reporter Timothy M. Phelps, Holder discussed his vision for the Obama administration in the second term:

What I have tried to do in this second term, after a conversation with, a memo that I shared with the president, is to really kind of put some attention on the areas that are of great interest to me and of great interest to him as well. Criminal justice reform, reformation of the voting rights act, works on financial fraud cases, I mean these are the kind of things that I've been interested in for a good amount of time but we have focused on as part of the second term agenda. (Phelps, 2014b)

The Obama administration has put a spotlight on a number of policies that have been shown to have an undue negative impact on racial minorities, especially the young. In light of the recent
legalization of marijuana in states like Colorado and Washington, President Obama has given more thought to the racial implications of its classification as a Schedule I drug, which as of now triggers mandatory minimum sentences. While has made no promise to decriminalize the drug at the federal level, Obama still expressed his dissatisfaction with the possession laws in their current form:

Middle-class kids don’t get locked up for smoking pot, and poor kids do, and African-American kids and Latino kids are more likely to be poor and less likely to have the resources and the support to avoid unduly harsh penalties. We should not be locking up kids or individual users for long stretches of jail time when some of the folks who are writing those laws have probably done the same thing. (Remnick, 2014)

In a similar way, the Obama administration called on public schools to curtail their extensive use of zero-tolerance policies and an in-school law enforcement presence to discipline students. In addition to offering guidance to schools on more equitable and effective ways to discipline their students, the Attorney General noted that existing practices have resulted in the disproportionate arrest of black, Latino, and special needs students for petty infractions that send other students to the principal’s office:

We’ve seen that severe discipline policies often increase the numbers of suspensions and expulsions without effectively making schools safer or creating better learning environments, and we’ve seen that the impacts of exclusionary policies are not felt equally in every segment of the population – with students of color and those with disabilities often receiving different and more severe punishments than their peers…increasing their likelihood of future contact with the juvenile and criminal justice system. (Lee, 2014a)

Thus, the Obama administration seems to be working more proactively and publicly in the second term to address sources of racial inequality, relying on the power of the executive branch
to pursue a “broad, ambitious, and unapologetically liberal agenda” that would not be possible under the 113th Congress (Phelps, 2014a).

Summary

Throughout his presidency, Obama has been forced to respond to the criticism that his administration has still not done enough to support African Americans, despite its race-neutral and even few race-specific efforts. In the interview with Black Enterprise, he emphasized the need to be the president of many rather than a select few:

My general view has been consistent throughout….I want all Americans to have opportunity. I’m not the president of black America. I’m the president of the United States of America, but the programs that we have put in place have been directed at those folks who…have been in the past locked out of opportunities that were available to everybody. So, I’ll put my track record up against anybody in terms of us putting in place broad-based programs that ultimately had a huge benefit for African American[s]. (Dingle, 2012)

CONCLUSION

At the core of this inquiry has been the central research question: what is the most effective means of advancing race-specific interests in a race-neutral political climate? Given the immediate historical considerations of politicians running for president – such as the key players, issues, and events that preceded their campaigns – these contextualizing agents directly impacted how Bill Clinton and Barack Obama chose to style their respective campaigns and make themselves attractive to their target constituencies. In 1992, Clinton was forced to contend with the past defection of moderate and conservative white voters from his Party. In light of this, he had to work harder to reconfigure a winning electoral coalition for the Democratic Party, thereby necessitating a move to the ideological center that required him to use actively use race opportunistically as a negative incentive for conservative whites to vote for him. Outside of this
context, Clinton had no reason to take the traditionally liberal stance on race issues. By contrast, the political landscape and electoral realities were far different for Obama and his campaign. The 2008 election was a referendum on the leadership of George W. Bush. By all accounts, the time was right for a liberal Democrat. However, Obama’s race required that he only address race in the event that it was made impossible for him to ignore. A more proactive stance on this front would have cost him too much politically, making a strictly race-neutral approach the only viable option for him. As a consequence of their political needs, both Clinton and Obama ran substantively different electoral campaigns with respect to their treatment of race, with Obama’s campaign showing more signs of being constrained into race-neutrality.

In their governing capacity, both Clinton and Obama demonstrated a preference for race-neutrality. However, the rationale for governing in this style was not the same for each. For Clinton, race-neutrality was a political necessity given the instability of his electoral coalition. To bolster support among white, middle-class, suburban voters, Clinton was compelled to make appeals to the racial fears and conservative sensibilities this constituency groups. Tough-love, seemingly race-neutral policies like welfare reform and the crime bill served this purpose. At the same time, however, Clinton netted this political gain on the backs of African Americans. In contrast to Clinton, Obama did not pursue any major policy initiatives simply to appeal to a constituency of white voters. His early policy initiatives were truly race-neutral – health care reform, the economic stimulus package, financial reform, and the automotive bailout – not going out of their way to help African Americans. However, even the most race-neutral of his policies could be said to have had an incidental, positive impact on blacks. At the very least, they did not go out of their way to harm them.
At the same time that they pursued race-neutral policies, both Clinton and Obama demonstrated a willingness engage in symbolic politics, increasing black representation within their Cabinets and administrations. However, given his renowned ability to relate to blacks, it is not all that surprising that Clinton did this to a greater extent than Obama, who is known to struggle with this kind of politics. Even so, Clinton’s ouster of Lani Guinier and Joycelyn Elders proved that even he had not quite perfected this. “Democrats have not perfected yet…what the right relationships ought to be between the Party and people of color. Barack Obama, his heart is certainly in the right place with regards to the relevance of the African American and poor communities. He just hasn’t developed much of a strong relationship with them himself” (J. Kearney, 2014). Clinton and Obama also demonstrated a willingness to pursue some, albeit rather limited race-specific initiatives like the “One America” and “My Brother’s Keeper” race initiatives. In addition to these more symbolic efforts, both Clinton and Obama pursued race-specific policies that had a significant impact on the black community, through aggressive efforts to eliminate disparities in the criminal justice system, provide resources to blacks coming off of welfare, and in both cases strengthening enforcement of the Community Reinvestment Act.

Yet even with the positive work being done in black communities, Clinton still did not tout his successes in this area during his presidency. In contrast to the race-neutral policies he pursued openly during his presidency, Clinton pursued race-specific initiatives quietly, with much of the work being done on these initiatives happening behind the scenes at the administrative level. This governance strategy is evidenced by his aggressive, albeit relatively unknown enforcement of the Community Reinvestment Act of 1977. Although the CRA proved to be one of Clinton’s most successful programmatic efforts, he refrained from calling attention to the positive impact that strengthening the law had made in low-income black neighborhoods.
Consequently, Clinton allowed his race-specific agenda in community reinvestment and welfare reform to go largely unacknowledged, but they did not go unnoticed by their intended beneficiaries. For Obama, this emphasis with race-specific administrative policies coincided with his second term, having secured his place in the White House for the next four years. As a result, there was a noticeably shift in his willingness to openly pursue race-specific initiatives beyond the administrative level such that these efforts could be observed in the open.

Given what is known, there seem to be several other factors that may explain why a president would be more likely to pursue race-specific policies. First, congressional deadlock. In the face of blatant obstructionism or simply a divided Congress, executive power becomes an attractive alternative to the limitations of a do-nothing legislature. Second, timing. While the need to win re-election is alleviated during the second term, this pressure seems to be replaced by an amplified desire to cement one’s legacy prior to leaving office. Unlike the first term, “a second term offers the rare benefit of hindsight and course correction” (Lee, 2014b). Third, political capital. The election of Bill Clinton as president in 1992 represented the first time since 1980 that the same political party controlled both the White House and Congress. In light of this, one might argue that Clinton had far more political capital of which to avail himself. However, this would not remain the case for long. By the 1994 midterm elections, Republicans decisively took back control of the House of Representatives for the first time since 1952, and by then much of Clinton’s political capital had been spent in his unsuccessful attempt to pass health care reform. Although he still had relatively high approval ratings going into his second term and during the 1996 presidential election, he did not use them to push a more controversial policy agenda, even when the political risk associated with doing so would most likely not have threatened his electoral chances against the Republican challenger, Bob Dole (Klinkner, 1999).
By contrast, Obama did not have much political capital going into his second term, and was thus required to rely more heavily on administrative policy.

The fourth factor is pressure from interests groups, or the lack of such pressure. By all accounts, the relationship between the Congressional Black Caucus and the Clinton and Obama administrations was entirely different. The expectations that blacks, especially those within the Congressional Black Caucus, had for Obama going into his first term compared to those of Clinton simply cannot be compared. Even though Clinton’s affinity for blacks gave his African American supporters high expectations, these expectations were far and above exceeded by those for Barack Obama, despite having a less extensive governing history from which to extrapolate. In this sense, when it comes to candidly discussing issues of race, Barack Obama is both damned if he does and damned if he doesn’t. According to Luis Fuentes-Rohwer, a law professor at Indiana University, “given that the president campaigned on bringing Americans together over the racial divide, perhaps he felt constrained in pursuing race-conscious public policies” (Fuentes-Rohwer, 2013). He goes on to say:

[V]oters of color, particularly African American voters, are willing to give the president a lot of leeway in defining his racial policy. This leeway necessarily puts voters of color in a difficult and perhaps ironic position: They can ask less from the first black president when it comes to race than they could of other modern presidents. They understand that the president cannot be seen to cater to the African American community. (Fuentes-Rohwer, 2013)

However, this analysis does not provide enough insight into the extent to which these potential intermediate variables had a significant effect on Clinton and Obama’s approach to governance. Given more time, substantiating the connecting between these intermediate variables and the dependent variable would be an interesting study. Unfortunately, this will have to be the focus of future research by other scholars.
Under Bill Clinton, blacks believed that they finally had a friend in the White House. Although African Americans have historically voted overwhelmingly for Democratic presidents in the 20th century, Clinton may be the first among them to reciprocate and reward black voter loyalty (Kearney, 2006). Relative to the experience that blacks had had under previous administrations, their experience during the Clinton administration was markedly different. Because the bar had been set so low, there was much more for blacks to find favorable, both symbolically and substantively. Consequently, if blacks thought they had a friend in Clinton, a white Southern Democrat, they most certainly believed they had a champion in the form of Obama, the first man of African descent to be elected president of the United States. Despite the fact that Barack Obama had already far exceeded expectations by clinching the Democratic nomination and then going on to win in the general election, black expectations for an Obama presidency were still astronomically high. In contrast to Clinton, who was an established ally of the black community, Obama was in many ways still an outsider. Clinton’s ties within this community ran long and deep, while Obama was forced to prove himself. While Obama was phenotypically black, culturally-speaking Clinton had the upper hand among African Americans, albeit largely for symbolic reasons.

Substantively, Obama can be said to have modeled his administration after Clinton’s, doing what he did and then some. The impact of agency-level efforts on crime justice and fair lending policy, no matter how covert, has been even more aggressive and substantive that those first pioneered by Clinton. While blacks may not be aware enough of these efforts to give Obama his due, he is nonetheless deserving of credit for the work that has been done to advance black interests behind the scenes. Neutral may be the new black, but only out in the open.
Behind the scenes and in more politically secure times, such as the second term of a presidency, race-specific policies can be implemented to great effectiveness.

**BIBLIOGRAPHY**


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