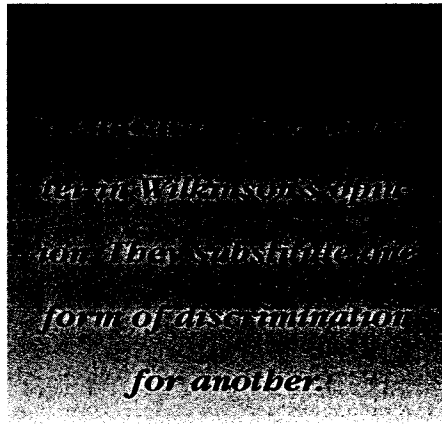


As an antidote, Wilkinson cites *Miller v. Johnson*,<sup>3</sup> where the Supreme Court struck down Georgia's congressional redistricting plan, which had drawn a district to ensure a majority black vote. The ruling left the black incumbent to run in a primary where African-Americans of voting age comprised only 33 percent of the district's population. Although predictions in the black community were dire, the incumbent was re-elected. Afterward she was quoted as saying, "We put together the kind of campaign that transcends race" (p. 111), something Wilkinson believes she would not have done if the majority of voters in the district were of her race, so the integrative ideal was served. He sees the *Miller* decision as groundbreaking for its prohibition of race as the predominant factor in redistricting. Race-based redistricting "is a far cry from the dream of *Brown*. State-sponsored electoral enclaves seem a species of segregation, which has more in common with *Brown's* predecessor, *Plessy*.<sup>4</sup> It is wrong for legislators to arrive in office as representatives of races rather than as champions of American citizens. In bestowing upon elected officials a racial power base, the law encourages political leaders to accentuate the role of racial differences in America and to maintain the racial solidarity of their followings. Thus it is a separatist political future that we face" (p. 117).

Affirmative action plans in education fare no better in Wilkinson's opinion. They substitute one form of discrimination for another. He cites the experience of Asian-American applicants to the University of California at Berkeley who were rejected in favor of less qualified blacks and Hispanics, and of Cheryl Hopwood, who was refused admission by the University of Texas Law School on the basis of a quota system, as examples of affirmative action run amok. He lauds the Fifth Circuit for reversing the law school's decision.<sup>5</sup>

Wilkinson is especially critical of affirmative action plans for their implicit class discrimination, since upper

class blacks benefit more from them than people from disadvantaged backgrounds. "Why has the class-based separatism of affirmative action not attracted more attention? Why should not efforts based on a race-neutral concept of disadvantage at-



tract greater support? Disadvantaged Americans who have overcome socioeconomic obstacles merit consideration not because of their race but because of, among other things, their determination and perseverance. An approach that concerns itself with disadvantaged *individuals* does not suffer the drawbacks of traditional race-based action such as injustice to dispreferred groups, stigmatization of preferred ones, and flagrant race-consciousness" (p. 135).

He considers laws making English the official language of government useful tools in the fight against separatism. Arizona enacted such a measure but went further than most, requiring state employees to use English in their official duties. A Spanish-speaking bilingual employee challenged the law, and the Ninth Circuit found the requirement unconstitutional.<sup>6</sup> Judge Wilkinson disagrees with the ruling for reasons articulated by dissenting Judge Ferdinand Fernandez, who said the court "had come perilously close to embracing three astonishing propositions: (1) that the state had no right to choose the language in which state business can be conducted; (2) that [the plaintiff's] use of 'a language of her choice to perform the State's business cannot be

restricted'; and (3) that a member of the general public has 'a constitutional right to have the State provide services in [a] particular language.' In short, the Ninth Circuit majority had set in motion deeply separatist tendencies" (p. 168).

Wilkinson also condemns the use of speech codes on college campuses, and asserts that they foreclose meaningful dialogue about race and ethnicity. "[T]hey reflect the understandable impulse to forcefully condemn the racists in our midst. But stifling speech has always been a chancy form of surgery. For every interracial insult that a speech code excises, it may cut short ten worthwhile interracial conversations" (p. 174). While "political correctness" may heighten sensitivity to unintended slurs, Wilkinson views it as ultimately negative. He would opt for a more open approach. "Achieving multiethnic understanding is a process of trial and error and entails misunderstandings along the way. Indeed, cultural interaction may be analogized to interpersonal communication, whose solidity is seldom enhanced by sweeping every sensitive issue out of sight" (p. 181).

Laws and policies that encourage separatism enshrine two principles dangerous to national unity: that "race is a premier civic credential, to be ranked right alongside the credential of American citizenship," and that "race should define the boundaries of representation in our democratic system" (p. 186). If we embrace those principles, Wilkinson asserts, we will cease to speak as a nation with one voice. As examples of the consequences of separatist politics, he invites our attention to Quebec's efforts to secede from Canada and to Europe's trouble-plagued path toward economic union.

Three 1995 U.S. Supreme Court decisions point the way out of the separatist abyss, in Wilkinson's view: *Miller v. Johnson*,<sup>7</sup> declaring unconstitutional Georgia's race-based congressional redistricting plan; *Adarand*

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