Changing the Whiteness in the Public Sector: Hiring of Minorities and Conservative Resistance.

By

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Abstract

The Jacksonian spoils system, which persistently opposed the provision in the Pendleton Act for a proportionate representation of different states in appointments in Washington still drives conservatives that hiring practices now defer to race and gender. This paper argues that current civil service hiring protocol is an attempt or antidote to the discriminatory historical practice and legislative inadequacies, which for years have alienated a section of the population—minorities. It seeks to utilize the National labor Relations Act of 1935 to reform the current shaky dichotomy of policy-politics versus administrative practices. It concludes that hiring in the civil service must ensure race and gender representation.
Introduction

The social, political, and economic environments of America have unfortunately, historically, been dominated by one group: white males. As a result, the beliefs and behavior of this dominant group have become the status quo in American politics for centuries, and any attempt to challenge the norms of this group has faced political and social resistance. This masculine whiteness has, over time, affected the hiring protocol in the American public sector. An attempt by groups that have historically been in the minority to break this social injustice has unfortunately seen resistance from conservative ideologists who poignantly argue that the hiring practices of modern-day America is catering toward women and other races as against the whiteness tradition. In short, diversity in hiring, like affirmative-action policy, is facing white\(^1\) conservative resistance.

It is essential to discuss such a sensitive topic, but as public administrators, we must take care on how to implement policies dealing with controversial race and gender issues in America.

This paper argues that contemporary hiring protocols do not favor gender and race but, rather, there is an attempt by the federal government to legislate and provide a true reflection of the composition of the American population at public places of work. It is a courageous, though unpopular at times, and bold step by the federal government to, at least, ensure fairness to those groups who have been, for centuries, discriminated against in the public sector. For the purpose of this paper, minorities broadly include blacks, Hispanics, Asians, Native Americans, and women. Since a critical look at each of these

\(^1\) The author is by no means making a blanket statement that all whites are against diversity. It should also be noted that the term *conservative* as used here has nothing to do with political parties, but those who are still buried in the white-is-right ideology. It is, however, used here to refer to those who see the hiring of women and other minorities to higher positions in the public sector as a threat to American society.
groups may present a different form of discrimination in America, I am therefore inclined
to use any of these groups interchangeably. No one group is featured in this paper;
nevertheless, the use of the term *blacks* and women, in a broader sense, will represent the
other groups that have been mentioned, unless otherwise stated. The contemporary
policy on equal employment opportunity of hiring in the public sector is an effort or an
affirmative action by the federal and state governments to ensure fairness among the
American populace.

**The Politics of Race, Gender, and Affirmative Action**

In democratic societies, individuals, minorities, and interest groups look to the
political process for solutions through gradual and piecemeal remedies. Politics, in such
a situation, becomes a means for achieving compromise and coping with social change.
The political process, if properly legislated, works to redress social injustices to improve
the atmosphere in which people live and work. Unfortunately, for minorities to effect a
change in America, they have to organize themselves to draw political attention from the
majority political leadership which, in most cases, resists changing the status quo. Over
the years, especially during the 1960s and 1970s, the federal government paid greater
attention to some of the demands of these groups. These changes have come as a result
of legislations, court rulings, and executive orders in an attempt to redress discrimination
in America.

A revolutionary act to end discrimination against blacks, which is one of the
foremost goals of affirmative action, was the outlawing of slavery in 1865 by the
Thirteenth Amendment to the Constitution. This was a liberal political thought, which is
incorporated in the Bill of Rights. It was based on the liberalism of the seventeenth and
eighteenth centuries, as expounded by John Locke and others like Jean Jacques Rousseau and Thomas Jefferson. This liberal thought, however, implicitly accepted discrimination against minorities and women.

The impact of the Thirteenth Amendment was that it initiated the thinking of some Americans and changed how minorities and women were viewed. It could also be argued that, historically, the Fourteenth and Fifteenth Amendments prevented discrimination against blacks. Both the courts and the Congress reiterated their intent to decrease discrimination against blacks by passing civil rights laws in the 1860s, 1870s, 1950s, 1960s and 1970s. Although those laws had the appearance of bringing equality to blacks in areas such as making contracts, filing lawsuits, and even access to hotels, theaters, and railroads, much remains on the integrity of white America to accept these changes at heart. It is disappointing that a nation that preaches equality for all has problems with racism. According to Keith Oppenheim,² there are pockets of groups or individuals who do not want to accept minorities in mainstream America. Though the policy of affirmative action has faced resistance from conservative ideologists, we must revisit it for proper understanding of the hidden political environment of discrimination, which most people are not comfortable to openly discuss.

Affirmative action is a phrase that has its roots in centuries of old English administrative practice to ensure justice for all (Skrentny, 1996). According to Skrentny, the English (British) administration, as the king at the time saw it, favored just a section of the masses and others who equally contributed to the upkeep of the king. Engelbert

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Ssekasozi (1999), who affirms this historical argument, says that the people in the empire began to complain to their immediate supervisors and the core of the British (Empire) administration got wind of the injustices. However, both authors failed to provide an in-depth analysis of this historical argument. In the United States, existing literature on affirmative action is unclear on its origin, and the precise date when affirmative action started is still a conundrum. Nevertheless, most of the literature pins the origin of affirmative action in the United States from 1935. Skrentny (1996) and Tomasson, Crosby, and Herzberger (2001) believe that this, affirmative action, basic legal English concept that opposes rigid legal rules that produce harsh results found its way into the American administrative system in 1935. The phrase affirmative action, they contend, appeared as part of the National Labor Relations Act of 1935 (See Dept. of Labor Fact Sheet, 9517). As they put it, affirmative action meant "that an employer who was found to be discriminating against union members or union organizers would have to stop discriminating, and also take Affirmative Action to place those victims where they would have been without the discrimination" (Skrentny 1996:6). Prior to the 1960s, affirmative action seemed to play well within labor organizations; white America never complained that affirmative action was bad public policy. It became a controversial policy when the Civil Rights Movement (CRM) used it to demand equal justice for minorities in America.

The CRM period in the 1960s also put a new twist on affirmative action, which came to mean much more than just justice for the poor, but a highly politically loaded term that got equal attention at the time, just like any other legislation. The term became a model and a policy paradigm; a way of seeing and constructing the world that specifies what is real and important (Kuhn, 1970). Few U.S presidents acted courageously to
eliminate or minimize racism in America through the affirmative action policy and executive orders. For example, President John F. Kennedy issued Executive Order 10925, which ensured a colorblind view of American society and the world but, as critics put it, these appeared on paper without getting to the heart of white America. Another U.S. President, Lyndon Johnson, revised this policy by issuing Executive Order 11246, which dealt specifically with firms under contract with the federal government not to discriminate (Raskin 1996; Sadler 1996; and Tomasson, Crosby, and Hertzberger 2001). The order says, in part, that any firm that receives money from the federal government must "take Affirmative Action to ensure that applicants are employed and that employees are treated during employment, without regard to their race, creed, color or national origin" (Skrentny, 1996:7). There were also efforts by presidents Nixon and Carter, who provided the uniform guidelines on employment-selection programs. These were all attempts from the executive to develop procedures to diversify the working and student populations through affirmative action.

Affirmative Action Defined

Given this brief historical background to affirmative action, it is appropriate to present the two common definitions provided in the literature. The definition, like abortion, is controversial. One school of thought, in favor of affirmative action, defines it as "goals" to achieve equality as a result of historical discrimination against minorities, while another school, opponents, sees it as a “quota" system (Reed, 1983).

Affirmative action is arguably one aspect of the federal government's effort to ensure equal employment opportunity for all its citizenry, but the policy has spilled from the employment arena to other sectors of the economy, including education. Taylor
(1991) defines it as specific steps beyond ending discriminatory practices taken to promote equal opportunity and ensure the end of discrimination. Swain (1996) posits that affirmative action is a range of government and private initiatives that offer preferential treatment to members of designated racial and ethnic minority groups as a means of compensation for the efforts of the past and present discrimination. He goes on to argue that it is a policy that advocates special efforts to hire people in disadvantaged groups as a means of compensation for past discriminatory practices. Mead and Kliener (1981) are precise and judicious about their definition of affirmative action: it is a policy, they maintain, designed to reverse past discriminatory patterns and practices. Slack (1987) and Reccucci (1997) contend that affirmative action is a policy to correct historical discrimination and prevent the occurrence of such discrimination in the future. Thus, the literature provides ambiguous definitions of this policy.

The Changing Faces of Congress and the Civil Service

The physical geography of the United States and Great Britain are in no way identical, but as Mosher (1982) puts it, the ideology and practices of the civil service in America is clearly identical to that of the British. He identified five periods in which public service evolved in America. These periods (see Mosher p. 57), which are not discussed here, brought a unique personnel system based on equality, but the colonists could not relegate the traditional masculine white–is-right attitude to the new country. The conservative ideology of the civil service, in theory, ought to be like the First Congress, which in 1789 included only sixty-five representatives and twenty-six senators, all from the most elite families in America. The face of Congress during this period was
all rich white male. It is the changing face of white masculinity in the top-level civil service positions that are been resisted by individuals with the old-school white conservative ideology. Though the Congress of today differs from the First Congress, one could argue that it is still disproportionately a rich white male institution, just like the presidency\(^3\). To change the male whiteness of Congress, it took court decisions and redistricting at the state level to pave way for minorities and women to become part of the white male Congress of America. Today, the lawmaking branch of government is becoming more diverse than centuries ago.

Similarly, public service has gone through stages, which led to the creation of the civil service and its current hiring practices. According to Berman and Murphy (2006), the political and civil service history of America show that before the presidency of Andrew Jackson in 1828, an elite group of wealthy, well-educated white males dominated every sector of the political environment. This means all the supervisory, managerial, and other high-level positions in the civil service were conspicuously reserved for the few individuals in the all-white dominant group, and not the masses at large. The President tried to eliminate favoritism in the system and introduced a new approach in hiring in the public sector.

Jackson, therefore, instituted a new system: the spoils system. This approach favored only those loyal to the ruling party in securing positions in the public sector. The spoils system worked until the assassination of President James Garfield, in 1881 who failed to find a job for a party loyalist, Charles Guiteau. Congress responded immediately to this unfortunate assassination by passing the Pendleton Act of 1883,

\(^3\) Over two hundreds years all persons that have held the position are white male.
which created the civil service. Those who opposed the spoils system wanted to reform the system by dealing with a widespread evil, which defrauds the country of taxes, while skilled individuals are prevented from working in the public system. The Pendleton Act was meant to cure this evil. There was the Grant Commission, as Hays and Kearney (1983) put it, before the Civil Service Commission, which “did not limit itself to the task of protecting the public services from the… evils of the spoil system” (25) emphasis added. However, the civil service provided a system of fairness in hiring and promotion based on qualification, regardless of party affiliation. An attempt to erode partisanship in the system also focused on efficiency through diversity. Thus, the Pendleton Act brought an iota of fairness in theory, but its implementation was questionable, since the shadow of the spoils system continued to eclipse the good intention of Congress’s response to Garfield’s assassination. This version of civil service survived until 1978 when the Civil Service Act was replaced with two agencies\(^4\) to create and improve the involvement of minorities in the system, but the focus of eliminating corruption and cronyism in the system never evaporated. The civil service, at large seeks to encourage hiring or incorporating highly skilled individuals in the public sector, irrespective of race or gender.

However, the literature on civil service and its hiring policy of inclusiveness and fairness does not favor gender (Hughes and Tuch, 2003) and race, but reflects the reality of historical discrimination against minority groups, who have found themselves only severing the interests of a dominant group: white male. Contemporary policies, including affirmative action, equal employment opportunity commission proposals, and preferential

\(^4\) See Frederick Mosher (1982), chapter 5, which discusses the full functions of the two agencies.
hiring, are not only an admission by the federal and state governments of injustices to minority groups, but an effort by these governments to minimize white male supremacy in the public sector. The federal and state governments’ actions to redress discrimination in the public sector are in line to creating a political environment where all citizens are treated equally, without any favoritism by any one particular group within the American populace.

To Judith Jaruis Thomson (1973), it is difficult to hire an individual without being biased. She discusses hiring in the academia, especially colleges and universities, and argues that race and gender have become part of the qualification to secure a good job in the civil service. Thomson maintains that in the universities, a department where one works is a working unit, not just a collection of individuals. She sees the affirmative action concept as an attempt to bring diversity in civil service but argues that the individuals already in a department have the right to decide who should join that department where they work as a team. But hiring women and other minorities helps improve the academic standards of minority students. Konrad and Pfeffer (1991) noted that “minority students…benefit from an academic environment in which minority authority figures are present” (141).

Similarly, women and minorities feel comfortable and are more likely to perform better at work if they have their peers in a department. For example, Konrad and Pfeffer cited Ramirez and Soriano (1982) that when high schools have Hispanic counselors, Hispanic students are more prone to attending college than those schools without. The controversy surrounding hiring procedures in the civil service reflects the racial and
social divide of America. Hacker (1995) sees America as a nation politically divided because of historical injustices. This inequality, not surprisingly, has penetrated into the civil service; hence, the resistance from conservatives limiting females and other minorities is just a matter of time as the population of America continues to change with the increased growth of the minority population.

According to Gribbin and McCain (1999), the minority population in America has doubled since the 1950s, and the white population, which constituted 87 percent during this period, is expected to decrease to 53 percent by 2050 at the current population growth rate. Such a shift would not only affect how white America must deal with the reality of the changing face of American culture, but has to embrace the changing trend, instead of resisting those transformations. Population studies have shown that approximately 120 million people would be added to the current American population by 2050, with ethnic and racial minorities possibly comprising over 90 percent of these new Americans. Given this background, it is difficult for white America to hold on to its argument that the hiring protocol is catering toward race and gender. There is an unwritten hiring policy in the system, which I call the hybrid, where family members and friends are first contacted before vacancies in the civil services are made public. Though difficult to prove, it is a situation where individuals in a department inform their friends about vacancies before positions are even advertised. Thomson refers to such a practice as preferential hiring, which resembles the spoils system, but if such a situation is allowed to continue, then America is revisiting the pre-

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5 See more statistics on minority population growth in America from a Washington-based Population Reference Bureau (PRB), or go to Insight on the News (http://www.findarticles.com/p/articles/mi_m1571/is_42_15/ai_57770436/pg_3 Retrieved December 31, 2006).

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of 1954 where the Court ruled against segregation. The spoils system does not ensure transparency and accountability in the civil service.

After this ruling, the Civil Rights Movement of the 1950s and 1960s also fought for equal access to all public places for minority groups. Since then, the need for affirmative action became a key for minority groups to places previously seen and recognized as “white only” places or institutions. In fact, a critical look at the impact of affirmative action and minorities could provide the basis for an argument that race and gender have indirectly become one of the qualifications in the hiring protocol, just as some predominantly white schools have used it in admissions to diversify their white population (Asagba and Antwi-Boasiako, 2004). But without the adoption of an affirmative action policy, America may remain in the old Jacksonian ideology of the spoils system.

Hook (1996) notes that no amount of evidence in the literature could satisfy both supporters and opponents of affirmative action. He is of the opinion that, despite the views of the two schools of thought, the changing policies regarding hiring in the civil service promotes equal opportunity for all groups, especially those who have been historically ignored to hold positions of importance in the public sector. Campbell (1988) argues that the masculine all-white resistance is a mere hypocrisy from a group that has dominated and steered the affairs of this country for centuries. The hiring of minorities is seen as encroachment, which is more likely to reduce white-dominated influence on policy issues and legislations that do not support their interest in the foreseeable future. Campbell looked at how freed slaves were hired in the South, especially Texas. He
maintains that hiring blacks as slaves never posed any problem by white farm owners as long as they worked as a laborers or farm hands. He states that “the practice was also common on farms in small towns where most southerners\(^6\) lived” (108). Campbell’s observation is alive in the civil service today. For example, when Hispanic, blacks, Native Americans or other minorities are hired as janitors or on assemble lines, white America does not resist. The resistance only becomes a reality when positions of importance (supervisory, managerial, and above) in the civil service go to a minority. It is unfortunate that some positions are seen as traditionally reserved for white males.

**Women, Pay, and the Civil Service**

Blacks struggled with their lives to be part of mainstream America after white America legally abolished slavery. Other minorities, like Hispanics and Native Americans, have similar stories of discrimination in America, but social injustices against women are unique given the magnitude of the nature of discrimination against females in every part of the world. The literature on women’s right in America indicates that it took women at least hundred years before the white Congress amended the Constitution, which sent them to the polls\(^7\) for the first time in the early 1920s. One could argue that the United States, which preaches equality and fairness for all races and both genders, would have treated women as equals but study after study, Morley Gunderson (1989) and Bielby (2000) admit, have shown that women in America on the average still earn relatively less than men: 75 percent of what men make.

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\(^6\) The Southerners referred to here comprise the rich, white male plantation owners. For more information about how slaves were used in Texas, see Randolph B. Campbell. (1988). Research note: Slave hiring in Texas. *The American Historical Review*. 93 (1) 107-114

\(^7\) There are some states that allowed women to vote before 1920 but it was impossible for women to run for federal office until this date.
So in remunerations and securing jobs, minorities have little choice but sometimes accept what is available. Strober (1984) is more direct about pay disparities among genders and the races. He argues that first minorities work in poorly compensated occupations that whites would not do or have left behind. In another study four years later, Strober and Catanzarite (1988) concluded that minorities move to occupation left behind by whites. Affirmative action and equal employment opportunity policies may not elevate minorities to be at par with their white counterparts, but once the attempt is made to hire minorities, others in that same category may begin to see such a department, which accommodates minorities as a conducive environment to seek job opportunity. For example, it is most likely that a woman may not be comfortable working in a department where she happens to be the only minority out of hundreds of employees.

The literature is not clear on the reasons for the gender gap compared to other minorities, and this inequality toward women remains controversial, according to Ridgeway (1997) and Howell and Day (2000). Though the authors’ studies discussed political attitudes among whites, they concluded that the gender gap on issues is a “complex phenomenon produced by variety of social, economic, and psychological factors…which at [sic] times produce a conservatizing effects on men” (871). Such uncertainty has undeniably, I am inclined to argue, affected women’s political and social behavior, but no one variable in the literature tends to support the differences of the female/male dichotomy. Regardless of which variable one tries to use to justify the less pay women receive in a capitalist society like America the bottom line is each one of the variables is just a piece of the conundrum.
Sarcastically, some studies have used the Bible\textsuperscript{8} to justify this discrimination against women\textsuperscript{9} in the civil service. Studies on women in the workforce show a meaningful contribution by women to the national economy, especially in the area of health; nevertheless, a number of erroneous beliefs about women, black women in particular, exist in the civil service. Male conservative ideologists assume that females have made tremendous progress in the labor market as a result of legislation and affirmation, and their achievement must be envied but, as Spaights and Whitaker (1995) found, employers do not remunerate women as men for equal work. Though their studies specifically looked at black women, their data indicated that fewer black women held professional, technical and/or administrative positions. They concluded that despite the statistical progress shown by the labor-force data, the majority of women are “still forced into more menial, poorer jobs” (284). To the authors, the quest for equality for all as legislated has not been realized, and a better way to implement those legislations needs to be addressed. Women still receive less pay for equal work.

Other studies tend to support government legislation, which has shown progress for women’s and minorities’ career achievements in the civil service. Lewis (1996) used the U.S. Office of Personnel Management's Central Personnel Data File and found that from 1976 through 1992 females integration in the civil service proceeded more rapidly in the civil service but could not upheld the same conclusion for the general economy. He also found that more women moved into what is described as traditionally male

\textsuperscript{8} See Leviticus 27:1-4. Because of different versions of the Bible, the translations may change slightly in meaning, but the verses stipulate that for the same work done men should be paid 50 shekels of silver, while women receive 30 shekels of silver. This could also be linked to the argument that blacks produce $\frac{3}{5}$ths of what whites can produce given the same period of time: a racial historical argument in American history that a black is $\frac{3}{5}$ths of a human being.

\textsuperscript{9} See also J.R. Moroney (1979). Do women earn less under capitalism?: \textit{The Economic Journal} 89 (355) 601-613.
occupations, especially in professional and administrative work. He attributes the progress and changes to education or seniority.

Such upsurge by women means a decline for males who have occupied these positions for centuries. The increase in numbers of women also helps narrow the remuneration gap between the genders in the civil service. According to Lewis, the integration resulted from changing qualifications of female workers and occupational choices by individuals and changes in hiring and promotion decisions due to legislation to correct historical mistakes of the federal government. This legislation helped increase the number of women employed in mostly male-dominated, highly-paid occupations, with substantial progress in professional and administrative positions.

Blackwelder (1997) argues that we must not be misled by the increasing number of women in the workforce since the structural transformation of the American economy demanded more workers. As a result, more women joined the workforce with little or no education as economic hardships forced them to help support their families. This commitment has made women remain in the workforce, but they are most likely to secure low-pay jobs. She concludes that the Now Hiring concept in America was broadly conceived to include women and minorities to provide them with on-the-job training. To her, the main reason why women and other minorities lag behind in the civil service appointments is education. But Darity, Jr., and Mason (1998) see it differently; they argue that racial and gender disparity in America is the result of discriminatory treatment in the civil service, which has also caused inequality in the American political environment. Studies have shown that various laws against discrimination, including the CRA, have played a major role in reducing discrimination against women and minorities.
They state, the CRA “alter[ed] the discriminatory climate in America …but did not eliminate either form of discrimination” (82).

Minorities and Education

I tried to define affirmative action earlier, but the exact meaning of my definition may depend on the reader: it is it a quota solely reserved for unqualified minorities, or spots reserved for qualified minorities whom, historically, political injustices have excluded from the civil service and other higher places in the political system? The answer to these questions is partly provided by Gilens (1996) who examined white opposition to other races on welfare. He posits that whites’ attitudes toward minorities influence the way the former views blacks and others. His article concludes that whites may have preconceived ideas about blacks that the later are lazy and, therefore, the former opposes any program or policy like affirmative action, which tends, in their minds, to favor minorities. His analysis found that historical stereotype of minorities and media reports tend to influence and shape public policy. Gilens states:

although blacks represent only 37 percent of welfare recipients, perceptions of black welfare mothers dominate whites’ evaluations of welfare and their preferences with regard to welfare spending. Thus, the “unspoken agenda” of racial imagery appears to be more important in shaping public understanding of welfare than are explicit debates over welfare reform that are cast in race-neutral language. (602)

Other studies using critical race theory also agree that minorities experience racism (discrimination) “in their everyday lives and that white elites shape race relations to serve their own interest” (254). Minorities’ struggle for equality does not rest only with political and social issues, but education has been of significant setback for
minorities, especially blacks. Studies confirm the achievements of blacks in education, but the history of black education in America was almost non-existent in the early days of America. According to Humphries (1995), from 1619-1850, it was a crime for a black (slave) to have education. Despite this initial white resistance to black education, in 1863, when Abraham Lincoln signed the Emancipation Proclamation, few blacks could read. Humphries maintains that educational discrimination in America is not a new phenomenon since the political system legally excluded blacks from attending white schools. He states, “black people… looked back south for their education because their children could not attend universities in the North” (50).

Because of this limitation, blacks settled for menial jobs as farm hands and industrial workers (laborers). Few blacks who graduated from Southern black colleges were not readily accepted into mainstream civil service, especially in higher positions in the public sector. Notwithstanding legislation to provide a diverse civil service environment, studies have shown that in higher education, segregation still exists as more black professors work in all-black institutions. In fact, black administrators find it almost impossible to break the glass ceiling to enter an all-white institution as administrators. But there is strong evidence also to show that there are not enough minority or black professionals to go round. For example, in 1998, although 64.6 percent of black women were awarded doctoral degrees compared to 35.4 black men, the 64.6 percent translates to 948 black women compared to 10,969 white women who received similar awards in the same time period. The argument for white conservatives who resist contemporary hiring protocol could be that since more whites attain higher degrees than minorities, the former

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is more likely to secure more jobs compared to blacks. The literature tends to support both sides of the argument; therefore, governmental intervention seems plausible to settle the never-ending political storm among the races.

Hands Up for the Conservative Argument: The Role of Public Policy

Issues concerning abortion, immigration, race, welfare, and religion tend to divide Americans into ideological compartments: Conservative/Liberal. Such a divide is sometimes so deep that opponents and supporters on any of the issues mentioned fail to critically analyze each other’s arguments. This unfortunate situation is not uncommon in Congress where lawmakers are sometimes divided along political party lines instead of evaluating the issues at stake. The debate on the Iraq War and immigration are classical recent examples. In this light, the author looks at the conservative white resistance to hiring in the civil service, which needs to be examined instead of assuming that the resisters’ argument is racist or based on a dislike of minorities. As Americans, the resisters are of the opinion the country thrives on equality for all, and any attempt to favor a section of the population is discriminatory.

Conservative resisters are by no less means ignorant of the historical discrimination against blacks and other minorities including women. The historical white injustices meted out to minorities are abundant in the literature, and it would be myopic on the part of the resisters to argue otherwise. However, the group’s argument is that America as a nation has come a long way to end discrimination: the Constitution, its various amendments, the numerous court decisions against discrimination and

\[11\] See the Constitution: Amendments 13, 14, 15, 19, and 24, for example.
executive orders on equality in the system are all the necessary steps the government has already taken to ensure political, social, and economic equality for all Americans. It is therefore inconsistence with what the government had done by providing special treatment (favors) for minority groups. Such actions, if allowed to continue, would constitute favoritism and reverse discrimination (Asagba and Antwi-Boasiako, 2004).

To the conservative school of thought, America is a capitalist society where the individual must be competitive in his or her dealing. Such individualistic attitudes of capitalist societies help build a nation. It is difficult to characterize America politics (issues) into solely conservative or liberal ideology. The desire to dichotomize and explain issues on the basis of “we versus them” tends to eclipse the substance and outcome of a genuine debate on issues like discrimination and hiring practices, which are of national interest. It is unfortunate that the literature dichotomizes policy issues where such categorizations limits the voices of the other segments of the population, who may not want to identify themselves with either of the two major schools of thought but have valuable input to contribute on such issues.

The argument against hiring preference for women and other minorities needs a critical examination and in-depth analysis rather than the current assumption that those who resist the hiring protocol of favoring minorities are racists. The conservatives love integrations, but such a mix should be done on competitive basis. America would do better if political and social policy issues were analytically explored thoroughly for the benefit of the shaping the individual’s values in influencing public policy, rather than
conforming to the ideological complexities of the political theory dichotomy, which tends to set parameters for political and social debates.

How essential or anti-essential is this argument in the civil service or the public sector? From a public policy perspective, there will always be a conflict over who gets what and when. Scholars have presented different definitions regarding public policy; however, they affirm that public policy must distinguish between what government actions will accomplish and possible failures. In short, what government will do and will not do must be critically analyzed for the benefit of the greater good, without necessarily ignoring the minority segment of the population. The two schools have diverging and parallel arguments, which must have converging point if the government is serious about finding a lasting solution to this century-old argument. To minorities, it is essential that the government state a clear objective of unifying the two groups. The problem with the whiteness argument in civil service is that there is an increasing justification from both sides; therefore, for a pragmatic result, the government acts as a mediator.

For example, in ethics literature, the frustration with the one-sidedness of deontology and utilitarian ideology led to a third school called casuistry. This school is equipped to mediate the competing values of deontology and utilitarianism to effect trade offs between these schools. If the government adopts the casuistry approach, it will essentially eschew the abstract judgments of both schools and provide a practical, acceptable working environment for both sides. As Theodoulou and Cahn (1995) maintained, any policy must have “an intentional course of action with an accomplished end as its objective” (2). The historical injustices and racial inequality of America put the
political leadership at a crossroad as minorities’ demand for equal justices translates to a reduction in the status quo. Hence, there is a critical need to understand both sides of the hiring-protocol argument before legislation and policies are implemented.

Conclusion

American cannot escape from its historical, social, and racial injustices. These have created political landscapes that have made minorities continuously fighting for equality in the system. Both the political and civil service have for years been dominated by white males, and attempts by minority groups to change this domination have been subtly resisted by masculine white America. Fortunately, there have been several attempts by the state and federal governments through legislation and executive orders to affirmatively provide equal opportunities for all races and women. A policy like affirmative action, arguably has legally died in educational institutions though some law schools might consider race as part of its admission procedure, despite its earlier successes. The pressure from opponents of this policy, including the Bush Administration, has crippled the efforts of government and of the political leadership to aggressively pursue the intent of affirmative action, and one wonders if the civil service can stand up to the conservative resistance. The government, for its part, has used the political process to ensure legislation and executive orders to ensure the rights of minorities, but failure to fully achieve the goals of this legislation lieu of implementation of such policies.

America is politically divided on many issues, including hiring of minorities in the civil service. However, resistance to policies favoring minorities in the hiring format in the civil service should not be construed as a dislike of minorities. The resisters’
argument is sound and must be analyzed and debated instead of viewing their position on its face value. If the American political landscape ensures equality, freedom, and transparency, why should minorities be favored in the civil service? But the mere presence of this legislation and policies is an indicative that all is not well in America. Regardless of one’s political ideology and party affiliation, America, over time, is steadily but slowly exploring ways to end its historical discrimination against minorities in the civil service.


