

From Protest to Incorporation: A Framework for Analysis of Civil Rights Movement Outcomes

In 1905 W.E.B. DuBois and his colleagues issued the Niagara Manifesto, initiating the modern civil rights movement. Four year later the NAACP was created as the movement's principal organizational vehicle. Fifty-nine years later the civil rights movement was over, its basic goals and objectives having been achieved with the passage of the Fair Housing Act of 1968. Two years before, in 1966, factionalism began to overtake the movement as the civil rights establishment was challenged, first by the advocates of black power and then by larger, more diverse factions of radicals, revolutionaries and black nationalists. For a brief period the center of gravity of the movement shifted sharply toward radicalism and nationalism. But by 1980 the radical wing of the movement was in disarray and retreat, and the historic black freedom struggle was largely coopted into routine institutions and processes of American political life. In this chapter I develop a framework and model to analyze these transformations in the nature and character of the modern black freedom struggle.

Although there is a substantial social science literature on social movements,¹ sadly, as one recent review concludes, "our models for understanding the emergence of new social movements and their spread and outcomes are woefully inadequate."² This is in part a function of the division of labor in the social sciences between sociologists who focus on movements and political scientists who focus on institutional politics (interest groups, parties, elections and legislatures), leaving relatively unexplored the nexus between these two processes of politics. As the sociologist McAdams puts it in his book on the origins of the civil rights movement, there is an "absence of any real dialogue between political scientists and sociologists. . . . political scientists have traditionally conceptualized power almost exclusively in institutional terms. Accordingly they have failed to adequately explain or take account of the impact of social movements on the institutionalized polit-

ical establishment."³ This absence of dialogue, McAdams suggests, may result from the generally negative view of social movements in the early social science research, where they were often viewed as irrational, fanatical expressions of individuals in groups alienated or disconnected from the society.⁴ Whatever the reason, McAdams is correct in saying, "It is time the links between institutionalized and insurgent politics were established and insights from both sociology and political science be brought to bear on a complete analysis of the topic of power in America."⁵ This is a principal objective of this study, to explain the outcome of the civil rights movement in terms of institutional politics in the United States.⁶

A Framework for Analysis of Social Movement Outcomes

My concern is with the outcomes of the civil rights movement, rather than its origins.⁷ First, an abstract model of system responses to social movements is developed and specified. This model is then applied to the civil rights movement from 1905 to 1968 and to its progeny, the black power movement from 1966 to 1972.

In the 1960s in three books David Easton developed a highly abstract model designed to unveil "the basic processes through which a political system, regardless of its generic or specific type, is able to persist as a system of behavior in a world of stability or change."⁸ In incomplete and unpublished work, the late Professor Harry Scoble of UCLA developed what he called a "process model" to analyze system responses to insurgent movements.⁹ Scoble's model is essentially a further specification and refinement of the output side of the Easton model. It is a modified version of this model that I employ as the framework to analyze the responses of the American political system to the civil rights movement, using it as a bridge or link between insurgent and institutional politics.

Easton's model or framework is simple and straightforward. It is principally concerned with system "persistence" and "maintenance." System persistence involves the "perpetuation of *any* means through which values may be allocated" or binding decisions made for a society.¹⁰ That is, all governments wish to be able to continue to govern in some fashion, that is, persist. Historically, however, Easton notes that system persistence is rarely at issue. Political systems may undergo revolutions or radical changes in values and structures but "seldom is there at stake the survival of any system at all."¹¹ Political systems may be thoroughly transformed or for a time anarchy may prevail, but government—some authoritative structure to make binding decisions for a

society—does not for long completely disappear.¹² Thus the relevant concept is system maintenance. Political systems wish not only to persist but to preserve or maintain a particular kind of system, usually the existing pattern of values, relationships and structures.¹³ That is, governments seek to maintain the basic values and relationships that characterize the society, economy and polity. This requires, for any given society at any given time, the identification of these basic or “system” values and relationships. I will do this for the United States shortly; but first Easton’s model calls attention to the notion that systems from time to time confront “stress” or “disturbances.” Stress is defined as “those conditions that challenge the capacity of a system to persist” while disturbances are those “activities in the environment or within a system that can be expected to or do displace a system from its current pattern of operation.”¹⁴ Like our understanding of the emergence of social movements, Easton writes that “At the outset it is necessary to recognize that the precise identification of a stressful condition in a system raises major problems some of which are not amenable to solution.”¹⁵ Which is to say that it is difficult beforehand to identify what conditions will give rise to system stress or disturbance. Rather, the model is most useful historically as one can look back and conclude that “Any time a disturbance leads to change of the essential characteristics of a type of system—those that best define the characteristic way in which a system operates—we can say that the system has been put under stress and succumbed.”¹⁶ This is essentially how I use the framework to explain the outcomes of the civil rights movement, except I modify it to say that any time a disturbance *threatens* or appears to the authorities to threaten the characteristic operation of a system, then it is under stress and may or may not succumb depending on how it responds.

Stresses or disturbances in the environments (social, economic, cultural, etc.) give rise to demands by individuals and groups on the political system: in the terminology of the system model, “inputs.” Theoretically, demands may be categorized as either systemic or nonsystemic. Systemic demands are those that do not challenge or threaten or appear to challenge or threaten the basic values or essential characteristics of the system, while nonsystemic demands are those that do challenge basic system values or characteristics. Typically, then, in the United States systemic demands are the routine inputs of organized interest groups, while nonsystemic demands are frequently the result of social movements. In addition to the substantive character of the demands, the method or methods employed to pursue them may be categorized as systemic and nonsystemic, depending on the nature of

the political system. In the United States systemic methods include elections, lobbying, litigation and nonviolent or peaceful protests, while nonsystemic methods include any form of violence, organized or spontaneous, and forms of nonviolent protest that threaten to disrupt the routine operations of the system.¹⁷ Systems, or more precisely the elites or authorities that manage systems, respond to demands on the basis of their substantive content and the methods employed in pursuit of them. Clearly, systemic demands pursued through systemic methods are easier to process than those that challenge basic system values and that are pursued through violence or other forms of disruption. But in addition, elites respond to demands on the basis of a calculus of the relative resources (size, money, status, solidarity, weapons, etc.) of the group (and its allies) making the demands in relationship to the group or groups that may be opposed to the group and/or its demands. Depending on the relationship of these input variables in terms of demand type, methods and the relative balance of power or resources between the proponents and the opposition, Scoble identified five logically possible systemic responses or outputs: neglect, symbolism, substantive policy, cooptation and political repression.

Scoble's five outputs in many ways simply specify or make explicit what is implicit in Easton's model. Easton notes that a system in response to demands has "the capacity to call up a variety of responses" or "repertoires of options."¹⁸ For example, Easton refers to the substantive policy output, or response, as when the system responds by "modifying the conditions so that the original circumstances that gave rise to the demands no longer exist," and to the symbolic option as when the system takes steps "to create this impression [of substantive policy] in the minds of the members, even though in fact nothing other than image has changed."¹⁹ In addition, neglect is possible. In response to demands the system may do nothing, act as if there is no input. This option is possible if the group's demands and its methods are such that they do not constitute any form of threat or pressure, or when a response to the demands of one group might result in opposition from other groups with greater resources or the capacities to impose counter-demands or pressures on the system. The authorities then may calculate that system maintenance requires ignoring one group's demands because of the opposition or potential opposition of others.

Cooptation is defined as the "process of absorbing new elements into the leadership-determining structure of an organization as a means of avoiding threats to its stability."²⁰ Two types are identified: formal and informal. Formal cooptation occurs when there is a need to publicly absorb new elements in response to mass discontent and a threat or

perceived threat to system maintenance or legitimacy. Thus, highly visible appointments are made, new organizations established, all with great fanfare in order to signify participation or inclusion within the system. Informal cooptation, on the other hand, occurs not as a result of mass movements or perceived threats to system legitimacy or maintenance but when powerful groups have sufficient resources to more or less impose their demands on the system. Here the problem is not a response to mass discontent but to organized power. Cooptation is, therefore, informal, nonpublic, because the group is interested in the substance of power, not its trappings. In addition, an open capitulation to organized power may itself undermine legitimacy since it may be perceived as an undemocratic bowing to powerful special interests.²¹ In dealing with system response to the civil rights movement my concern is with formal cooptation. First, because blacks, relatively speaking, were not a powerful group during the period under consideration and the movement in its final phase did pose or at least was perceived by the authorities to pose a threat to system stability, legitimacy or maintenance.

Formal cooptation often occurs simultaneously with political repression. Groups that pose a threat to system stability may be repressed, but since every system wishes to govern by consent rather than repression cooptation is usually the preferred alternative. That is, if drawing leadership elements of the dissident group into the system has the effect of restoring stability and legitimacy, then it is preferred. But, it may be that in some circumstances cooptation is not enough—necessary, but not sufficient—and therefore repression becomes necessary as well. Repression may also be employed prophylactically so as to prevent the emergence of ideas, groups or demands that might eventually pose a threat to the system. What is repression? Wolfe proposes that it be understood as “A process by which those in power try to keep themselves in power by attempting to destroy or render harmless organizations and ideologies that threaten their power,” while Goldstein writes that repression is “government action which grossly discriminates against persons or organizations viewed as presenting a fundamental challenge to existing power relationships or key government policies because of their perceived beliefs.”²² In a narrower vein Scoble defines it as simply the “negative sanctioning of political opinion and action.”²³ All these definitions call attention to the fact that elites seek to preserve the system (and their power within it) by imposing sanctions on ideas and organizations that may threaten it and this is done through sanctions, more or less severe, as the circumstances call for. In every system, certain ideas or ideologies are stigmatized and persons holding

them are considered “outside of the mainstream” and are ignored or are denied opportunities otherwise available to citizens. This has the effect of artificially foreshortening the range of permissible political thought and behavior within the system. The sanctions employed to achieve these objectives may range from denial of employment opportunities and access to the media, to attempts to infiltrate, subvert and disrupt political organizations; harass and discredit political leaders; legal or judicial repression; forced exile and, in extreme cases, death.

The ideas, ideologies or values that are nonsystemic, outside of the mainstream, vary by systems and by historical circumstances in a given system. It is important therefore to identify, for any given system at any given time, its systemic values, relationships or structures. Thus, at the outset, before using this framework in analysis of system responses to the civil rights movement, it is necessary to identify such values in the context of the American system. But first, of the five system responses, Scoble emphasizes that they seldom occur singularly or sequentially (except perhaps neglect); rather, they tend to occur in some combination, what Scoble calls a “judicious mix.” That is, depending on the nature of the demands, their methods of expression and the relative balance of forces between the group and its opposition, the system will respond with the full repertoire of options; some cooptation and symbolism with a bit of repression and a dash of substantive policy in order to arrive at the appropriate recipe for system stability and maintenance.

Systemic Responses to the Civil Rights Movement, 1905–1968

System response to the demands of a group are a function to a significant degree of the nature of the demand, particularly whether it is systemic or nonsystemic. A substantive policy response, other things being equal, is a much more likely response to systemic demands while repression, other things being equal, is the more likely response to non-systemic demands. The demand for civil rights was a challenge to racism. The question therefore is whether racism—the subordination of blacks on the basis of their color—was systemic. That is, was racism, like for examples democracy, constitutionalism and capitalism, a basic value or relationship essential to the characteristic operations of the system, its society, economy and polity? The answer is difficult. Hardly anyone would disagree that during the civil rights era and today that democracy, constitutionalism and capitalism are basic values or essential characteristics of the American system. Racism is more problematic. Some would argue that during the civil rights era (and today as well) racism was (is) a basic value or set of characteristics of the system.

Others would disagree. No serious student would argue that racism historically was not systemic but some would contend that with ratification of the Civil War amendments racism became contrary to system values, unconstitutional, un-American. Although it was widely practiced and officially sanctioned in the southern region especially but to some extent throughout the country, it might be argued that this practice was contrary to principle, a violation of the nation's creed as Myrdal put it in *An American Dilemma*. Indeed, the principal thesis of Myrdal's famous study was this alleged conflict between the systemic values of democracy, equality and constitutionalism and the "group prejudices against particular persons or types of people and all sorts of miscellaneous wants, impulses and habits that dominate his outlook."²⁴ This was the view, at least the stated view, of Martin King as he invoked the Bible and the Constitution in support of his claim that the demands of the civil rights movement were systemic. President Kennedy invoked these same principles in his 1963 television address proposing the Civil Rights Act, declaring that the movement's demands were "as old as the scriptures and as clear as the American Constitution." But both King and Kennedy might have made these assertions because of their strategic efficacy rather than because they corresponded to systemic realities. For example, it might be argued, to put it colloquially, that actions speak louder than words, that behavior is a more relevant indicator of essential system characteristics than abstractly invoked principles. It is possible for systems, like individuals, to deny themselves, to live with contradiction and paradox. As Silberman put it in 1964 referring to Myrdal's alleged dilemma, "The tragedy of race relations in the United States is that there is no American dilemma. White Americans are not torn and tortured by the conflict between their devotion to the American creed and their actual behavior. They are upset by the current state of race relations, to be sure, but what troubles them is not justice being denied but that peace is being shattered and their business interrupted."²⁵ This problem does not lend itself to a neat conceptual or empirical resolution. To some extent, whether racism was systemic in the civil rights era or even today in the post-civil rights era is a matter of intellectual or ideological tastes. Perhaps all that can be said with certainty is that in the southern region of the country the elites of this subsystem viewed racism as systemic, as part of the "southern way of life." Thus, to the extent that the civil rights movement was targeted on and in the south, its demands were nonsystemic.

As I indicated at the outset of this chapter, contrary to much popular, journalistic and academic opinion the civil rights movement did not begin in the 1950s and 1960s; rather, it entered its final phase and

came to an end during this period. It is difficult to locate the origins of a social movement in any exact manner. My starting point is the early part of this century with the 1905 Niagara Conference, the formation of the NAACP in 1909 and the death of Booker Washington in 1915. It is during this period that the basic goals, strategies and organizational bases of the modern movement for civil rights were developed. At the conference at Niagara, DuBois, William Monroe Trotter and other Afro-American intellectuals and political activists challenged the dominant conservative, accommodationist, anti-civil rights philosophy of Booker Washington and laid out an alternative agenda of civil rights activism. The goals of the movement were summed up in the Niagara Manifesto: "We will not be satisfied to take one jot or tittle less than our manhood rights. We claim for ourselves every single right that belongs to free born Americans, political, civil and social; and until we get these rights we will never cease to protest and assail the ears of America."²⁶ The document raised specific demands for the right to vote, an end to discrimination in public accommodations, equal enforcement of the law and quality education. As for strategy or methods, the Manifesto declared, "These are some of the things we want. How shall we get them? By voting where we may vote; by persistent, unceasing agitation, by hammering at the truth; by sacrifice and hard work."²⁷

Although the influence of Booker Washington's accommodationist philosophy was to continue (in the rural south into the 1950s and early 1960s), in large part as a result of the "hammering" propaganda of DuBois in the NAACP's magazine *The Crisis* a consensus developed among the northern Afro-American intelligentsia and civic, church and fraternal leadership around the basic goals and strategies of the Afro-American freedom struggle as sketched out in the Niagara Manifesto. The formation of the interracial NAACP provided a centralized organizational vehicle for the struggle and by the time of Washington's death several years later, the civil rights leadership of DuBois and his NAACP colleagues were well on their way to displacing the accommodationist leadership of Washington's "Tuskegee Machine" in the eyes of the Afro-American leadership and the national structure of white power.²⁸ And despite sometimes vigorous challenges from the nationalist tendency (most effectively, the Garvey movement) and the socialist left in the Afro-American community, the liberal integrationist civil rights protest consensus endured, providing the intellectual and organizational groundwork for the coalition of white liberals, labor and religious groups that yielded the enactment of the basic items of the Niagara agenda in the mid-1960s civil rights laws.

For purposes of analyzing system responses to the civil rights movement (1905–68), the movement may usefully be divided into three relatively distinct phases—lobbying, litigation and protest—although there is of course overlap.²⁹ To be effective, a group that engages in lobbying must have certain resources: a degree of status, money, skills, organization, access to the media and government decision makers and the vote. Compared to its opposition—principally although not exclusively the white power structure of the south—the civil rights movement had relatively few resources. At a time when white supremacist thought was dominant in the culture, blacks had relatively low status; the group was disproportionately poor and uneducated; the NAACP was just getting off the ground organizationally in terms of staff and affiliates (a fully staffed Washington office was not established until the 1950s) and access to the mainstream media and key government decision makers in the Congress and the executive was seldom routine and frequently nonexistent. And finally, until the 1940s near 90 percent of the black electorate, concentrated in the southern region, was disenfranchised. The absence of the ballot is critical because effective lobbying in the United States depends on the ability of the group to threaten decision makers with the ultimate sanction—deprivation of office. Given this calculus of resources between the movement and its opponents, neglect or symbolism are the predictable systemic responses.

Simultaneous with and in a sense a precondition to the initiation of its lobbying strategy, the NAACP under DuBois's leadership launched a campaign of education and propaganda in order to alter the inferior status of blacks and to shape a favorable climate of public opinion on the Afro-American and his civil rights. White supremacist doctrine and propaganda was at its zenith; the historian Rayford Logan called this period at the turn of the century the "nadir" of the Negro in American life and thought.³⁰ Thus, DuBois and others used the pages of *The Crisis* (and the mainstream media where accessible) to "hammer at the truth" about the notions of black inferiority, about the democratic impulses of Reconstruction and generally about the moral and political imperative of civil rights and racial justice.³¹ It is difficult to gauge the effects of these efforts on elite and mass public opinion but they certainly provided reasoned and occasionally eloquent rebuttals to racist and white supremacist propaganda.

In 1909 the NAACP launched its fifty year campaign to secure passage of federal anti-lynching legislation.³² Lynching—the ritualistic murder of blacks who challenged or allegedly challenged their subordinate place in the southern social system—was an abomination. Thou-

sands of blacks were lynched from the 1870s through the 1950s as part of the southern strategy to use fear and intimidation to maintain the racist social system. It worked. Again, the purpose of lynching was political: to maintain the subordination of blacks by demonstrating the terrible things that might happen to anyone, man, woman or child, who challenged the system. Katznelson writes:

Most lynch victims were hanged or shot, but often other means, grotesque in their horror, were employed. The humiliations and tortures were often incredible. In Waco, Texas, in 1916, Jesse Washington, a retarded adolescent, was burned at the stake in the public square while thousands watched and cheered. In South Carolina in May 1918, after three innocent men had been hanged for murder, the lynch mob "strung up" the pregnant widow of one by the ankles, doused her clothing with gasoline, and after it burned away, cut out the unborn child and trampled it underfoot, then riddled her with bullets. Of the 416 blacks lynched between 1918 and 1927, forty-two were burned alive, sixteen burned after death and eight beaten to death and cut to pieces.³³

Although under the federal Constitution the punishment for murder is the responsibility of the states, the NAACP sought federal intervention since it was clear that state authorities were either unable or, more likely, unwilling to enforce the law. The response of the system from 1909 until the demand for this legislation was dropped in the 1960s was neglect. The legislation was twice passed in the House but died in the Senate as a result of southern filibusters. The role of President Franklin Roosevelt shows the limits of the lobbying strategy.³⁴ Roosevelt was not overtly hostile to the black demand for civil rights but in his long tenure as President he never supported a legislative civil rights demand. Rather, he argued, as did President Kennedy a generation later, that to support the anti-lynching bill or other civil rights legislation would antagonize the powerful white southerners who controlled important congressional committees and thereby jeopardize his social welfare legislation, which, he pointed out, disproportionately benefitted blacks. In addition, Roosevelt was aware that the white south played pivotal roles in the Democratic Party nominating process and constituted an important bloc of votes in the electoral college. By contrast, blacks had no comparable resources. They throughout this period had only one or two members of the House, no representation in the Senate, little representation or leverage in the Democratic nomination process and only marginal leverage on the electoral votes of the states

outside the southern region. Thus, the system's response was neglect.

Although blacks continued to press for anti-lynching legislation during the Truman and Eisenhower administrations, in the 1930s the NAACP began to shift from a strategy of lobbying to litigation. This was in part a result of the Association's recognition of the severe resource constraints it faced in trying to effectively lobby the Congress and the president.³⁵ President Truman proposed a major civil rights package in 1948 but it was rejected by the Congress, and it precipitated a third-party revolt by the party's southern wing and the loss of several deep-south states in the fall election. Thus, gradually, civil rights strategy shifted from the lobbies of Congress to the courts. The shift was gradual but by the late 1940s litigation had become the dominant method or strategy of the movement. Lobbying efforts continued but more resources were allocated to the legal effort than lobbying; for example more resources to the NAACP Legal Defense Fund under Thurgood Marshall than to the Association's Washington bureau under Clarence Mitchell.³⁶ The lobbying strategy continued and, in part as a result of the patient and skillful work of Mitchell, the Congress in 1957 and again in 1960 passed civil rights bills, the first since Reconstruction. These bills, however, represented a symbolic rather than substantive response to the civil rights demand, providing an image of action or change rather than any real modifications in the conditions of blacks in the United States.

In 1939, in recognition of the importance of the shift to litigation and to take advantage of new laws granting tax-exempt status to organizations that did not engage in lobbying, the NAACP created a separate organization—the NAACP Legal Defense Fund—to pursue exclusively the demand for civil rights through the courts. From this point until the protests of the 1960s, litigation was the dominant strategy of the movement and Thurgood Marshall the movement's preeminent leader. In terms of resource mobilization, this strategy shift was a rational response to the resource constraints of lobbying. Unlike lobbying, litigation requires comparatively few resources in terms of money (relatively speaking, since the series of cases consolidated as *Brown* probably cost in excess of \$100,000, not counting the free legal and other expertise provided) and votes. Rather, litigation requires only a skilled pool of legal talent, organized systematically. In the 1930s Charles Hamilton Houston transformed the Howard University Law School into a civil rights laboratory and clearinghouse.³⁷ The result was the training of a cadre of lawyers committed to using the courts to press the demand for civil rights. With the formation in 1939 of the Legal Defense Fund, this resource was mobilized in a systematic strategy to use the

due process and equal protection clauses of the Fourteenth Amendment, and the Fifteenth Amendment to restructure race relations in the south.

The use of litigation was not an entirely new strategy. The NAACP in fact won a major Court victory in 1917 when in *Buchanan v. Warley* the Supreme Court invalidated a Louisville, Kentucky ordinance requiring residential segregation.³⁸ What was new in the 1940s was the priority and systematic pursuit of the strategy in a series of test cases in the areas of voting and school segregation.³⁹ Simultaneously with the NAACP's strategy shift, the Supreme Court was in the process of shifting its jurisprudence away from the protection of property rights toward a concern with individual rights and the protection of the rights of insular and isolated minorities. This came about partly because of the Court's losing its bitter battle with Roosevelt over the constitutionality of several major New Deal programs. In addition, Roosevelt's several appointments gradually transformed the conservative court toward liberal activism. By the 1940s then, the NAACP and the Court were converging in their approaches to litigation.

In 1944 in *Smith v. Allwright* the NAACP won a major victory, when the Court invalidated the Texas Democratic Party's whites-only primary, a reversal of its decision in *Grovey v. Townsend* (1935) which had sanctioned such primaries. Ten years later in the *Brown* school desegregation cases the Court reversed the doctrine of separate but equal established in the 1896 *Plessy v. Ferguson* case. These were important victories but they were largely symbolic, providing an image of action and change but with little effect on the conditions of southern blacks in terms of voting or schools.⁴⁰ Southern schools were not effectively desegregated until the late 1960s, largely as a result of enforcement of Title VII of the 1964 Civil Rights Act; and blacks did not get the effective right to participate in Democratic primaries in the south until implementation of the 1965 Voting Rights Act. Symbolic responses, however, are not necessarily inconsequential in political life. The *Brown* case does not stand as a landmark in the Afro-American freedom struggle because of its impact on the education of blacks but precisely because of its symbolic value. What the unanimous decision of the Court in this case said was that racism and segregation were not systemic; they were unconstitutional and un-American. This symbolism of *Brown* probably gave impetus and inspiration to those who would launch the final, protest phase of the movement. In a sense it provided an additional resource to the movement, intangible but a resource nevertheless since for the first time since Reconstruction the Constitution could be said to be on the side of blacks rather than southern segrega-

tionists. Perhaps then it is no accident that the final and most effective phase of the movement was launched one year after *Brown*.

Protest in the form of boycotts, sit-ins and mass demonstrations had been employed before in the civil rights struggle. The significance of the year-long Montgomery bus boycott in 1955 was that it resulted in the emergence of a charismatic leader, an organization and a systematic strategy of protest. After the success at Montgomery, Martin Luther King, Jr. and his colleagues in the Southern Christian Leadership Conference, CORE and the Student Nonviolent Coordinating Committee began thinking through and testing out the strategic use of protest as a means to press the movement's demands. The demonstrations at Birmingham in 1963 and at Selma in 1965 were the fruits of this decade of systematic planning.

The strategy of nonviolent protest as a means to "demonstrate" to the nation and its leadership the nature of southern racism was rooted in the philosophy and strategy of Mohandas Gandhi but also in the thesis of Myrdal that most Americans, if forced to choose, would repudiate racism rather than democratic principles. The purpose of the demonstrations was to force Americans and their leaders to choose. Although nonviolence was the guiding principle and practice of King and his colleagues, the strategy depended on a violent response by southern authorities in order to be effective. In effect, the strategy employed systemic methods of peaceful protests as a means to invoke a nonsystemic or violent reaction on the part of the opposition.⁴¹ Racist violence—transmitted to the nation and the world through television—would elicit sympathy, support and allies who would then use their resources to pressure national authorities to enact and implement policies that would alter the racist values and operating practices of the southern subsystem.⁴² This is essentially what happened in the decade between Montgomery in 1955 and Selma in 1965.

In 1962 Dr. King led a series of demonstrations in Albany, Georgia. They failed, having no effect on segregation practices locally and, more importantly, on national decision makers in Washington. They failed because Albany's police chief apparently understood that King's strategy of protest required a violent response on the part of the authorities. Therefore, throughout the several weeks of the Albany campaign, the police not only did not themselves respond violently but also protected the demonstrators from the threat of violence from white citizens. Albany was important, however, in the lessons learned. As the next target of the movement, King in 1963 chose Birmingham, in large part because of its police commissioner's reputation for violent repression of the local civil rights movement. Commissioner Eugene "Bull" Connor

acted like a bull, unleashing a wave of violent assaults on peaceful demonstrators including school children. The Birmingham campaign received worldwide television coverage and the desired strategic consequence.

Despite the demands of the civil rights lobby and the pivotal role blacks had played in his narrow election, President Kennedy in 1963 had tentatively decided to postpone sending comprehensive civil rights legislation to Congress until after 1964. First, because he had other domestic legislative priorities—tax cuts, medicare, trade—that would (so he thought) be held hostage by the southerners who controlled key committees of the Congress if he proposed a civil rights bill. Second, the President, while generally sympathetic to the aspirations of blacks, was not passionately committed to the cause and judged that even if he proposed legislation it would not pass. From this perspective, his proposing such legislation would be a useless symbolic exercise that might damage his entire legislative agenda and perhaps his prospects for reelection. Calculating that he would be reelected by a substantial margin in 1964, Kennedy had tentatively decided to delay any civil rights legislation until his second term, when he thought the chances of passage would be greater and he would not have to worry about the impact on his political future. The demonstrations at Birmingham dramatically changed these calculations and forced the reluctant president to reorder his priorities and make civil rights the principal item on his domestic agenda. First, because Birmingham resulted in the activation of powerful elements of the Democratic coalition—labor, liberals and religious groups—in support of the black demands. These forces served to counterbalance the influence of the white south on Kennedy's political calculations. Second, and most critically, Kennedy judged that the demonstrations at Birmingham and elsewhere represented what, in his June 1963 nationwide television address, he called a "rising tide of discontent" that threatened system stability. Thus, he said it was time for the system to respond and take the issue from the streets into the Congress. Shortly thereafter he proposed what was to become the Civil Rights Act of 1964, the first substantive response to the demands of the civil rights movement since its inception in 1905.

This pattern of national policy elites responding to protests and disorders in the streets rather than routine lobbying or litigation also characterized the enactment of the other major civil rights bills of the 1960s. Although President Johnson had in 1965 instructed the Justice Department to begin drafting voting rights legislation, the violence and brutality of the authorities at Selma during the demonstrations led by King resulted in earlier-than-planned submission of the legislation, a

stronger bill and its speedier passage by the Congress. Similarly, the 1968 Fair Housing Act appeared stalled in Congress until the violent rebellions in the aftermath of Dr. King's murder resulted in its unexpected quick passage.

The principal theoretical points to be made about the system's response to the demands of the civil rights movement are that it was slow and when there was a response it was most often symbolic. Further, it responded substantively *only* when protests, violence and disorders threatened or at least were perceived by national elites to threaten system maintenance or stability. Finally, it should be noted that even as the system was responding in the 1960s with substantive policies, there was also what Scoble describes as the "judicious mix" of other responses including cooptation and repression. Both cooptation and repression became more pronounced as the decade progressed and the civil rights movement turned toward radical, nonsystemic demands and strategies, but they were present throughout the decade. Indeed, repression as a systemic response was more or less a response to the movement from its inception at the beginning of the century.⁴³

In any event, the civil rights movement came to an end in the middle 1960s. After more than a half century of lobbying, litigation and protest, the basic goals of the Afro-American freedom struggle as articulated in the 1905 Niagara Manifesto had been achieved. The focus of this book is on what happened next. Tarrow writes:

Protest cycles can either end suddenly, through repression, or more slowly, through a combination of features: the institutionalization of the most successful movements, factionalization within them and between them and new groups which rise on the crest of the wave and the exhaustion of mass political involvement. The combination of institutionalization and factionalization often produce determined minorities, who respond to the decline of popular involvement by turning upon themselves and—in some cases—using organized violence.⁴⁴

These combination of features characterized the end of the civil rights movement. With the passage of the basic civil rights laws the movement was at a crossroads; A. Phillip Randolph, its elder statesman, said it suffered from a "crisis of victory." Simply put, although the movement had achieved its fundamental goal of equal rights under law, blacks still were not equal in fact, as the long-standing problems of racism and poverty in the big city ghettos (dramatically manifested two weeks after signing of the Voting Rights Act by the Watts riot) now became the principal con-

cern of the civil rights leadership. As Dr. King put it in the title of his last book, "Where do we go from here?" was the question of the moment. Answers to this question sparked more than a decade of intense internal debate and factionalism in the movement (see Chapter 2).

Dr. King sought to continue the movement style of politics, with a focus on economic rights (and the Vietnam war) and the problems of poverty and ghettoization, conducting demonstrations in Chicago while planning a national poor peoples campaign to end with a march on Washington for economic justice (specifically a full employment and guaranteed income program). This approach, a continuation of movement style protests—although not the substantive demand for full employment—was opposed by the other major leaders in the civil rights establishment (Roy Wilkins of the NAACP and Whitney Young of the Urban League), the young Jesse Jackson and most vigorously by Bayard Rustin, the movement's principal strategic planner. Rustin in his writings and in internal debates sharply criticized the idea of the poor peoples campaign and when he did not prevail refused, despite continued pleading from King, to assist in any way with the campaign's planning (see Chapter 7). Instead of protest Rustin argued for a strategy shift from protest to institutional or systemic politics in the form of a progressive electoral coalition as the most effective way to achieve King's economic justice agenda. Rustin's position as to the movement's new direction was to eventually prevail, but not without much debate, turmoil and violence sparked by the black power revolt, the ghetto rebellions and a turn toward radical and revolutionary activism by elements of the movement's more radical wing.

The Student Nonviolent Coordinating Committee (SNCC), the most self-consciously radical of movement organizations, started the black power debate on the 1966 Meredith March in Mississippi.⁴⁵ For several years the more nationalist SNCC staffers had been attempting to bring more separatist principles into the movement, principles drawn from Frantz Fanon, Malcolm X and the Nation of Islam. Under the leadership of Bill Ware, a small group of SNCC Atlanta staffers, organized to mobilize support for ousted Georgia State Representative and former SNCC worker Julian Bond, began to develop ideas around these more nationalist themes.⁴⁶ In 1966 the group prepared a position paper that set forth the fundamental themes and a rudimentary proposal that constituted the basic manifesto of black power. Although Stokely Carmichael initially joined with a majority of the staff in rejecting the separatist themes of the position paper, after his defeat of the incumbent Chairman John Lewis in a bitter and divisive election he embraced the principles and rhetoric of black power. Carmichael's victory was widely

interpreted in the press as a triumph of black radicalism and nationalism. Carmichael then persuaded SNCC to join the Meredith March in order to use it as a forum to articulate and build support for black power.⁴⁷ As a result of the Mississippi march, black power immediately became the focus of widespread debate (elite and mass, black and white) and controversy regarding the future of the freedom struggle.⁴⁸

Although black power ultimately came to represent the employment of systemic interest or pressure group strategies to pursue post-civil rights era objectives,⁴⁹ in its first several years it was interpreted as a radical, violence-prone revolutionary break with the civil rights status quo and the established political order. That is, in its demands and its methods black power came to represent a system-challenging movement. Simultaneous with the growing radicalism of the movement, the urban black lower class revolted in a series of riots from 1965 to 1968. And in 1967 the Black Panther Party "picked up the gun" and became an explicitly nationalist, Marxist-Leninist political formation, posing a direct violent challenge to basic system values and procedures.⁵⁰ This threatening symbolism of black power, its clear break with systemic rhetoric and routines, was made emphatic for the authorities by Carmichael's attendance as guest of honor at the Organization of Latin-American Solidarity (OLAS) in Havana in August 1967. At this meeting of communists, socialists and revolutionaries from throughout the hemisphere, Carmichael declared, "America is going to fall and I only hope I live long enough to see it."⁵¹ In this situation an intensification of repression as a systemic response was predictable; there was a perceived threat to system stability, and in the minds of army intelligence and the head of the nation's police/domestic intelligence apparatus—J. Edgar Hoover—there was a real danger that the Afro-American freedom struggle might be transformed into a genuine revolution.

Political repression may take any number of forms, from denial of employment opportunities and access to the media, to attempts to infiltrate, subvert and disrupt political organizations, harass and discredit movement leaders, legal repression and murder. All of these forms of repression were used against the black movement in the late 1960s and early 1970s.⁵² The major goal of this campaign of repression was, as Hoover wrote, to "prevent the coalition of militant black nationalist groups . . . which might be the first step toward a real mau mau in America, the beginning of true black revolution."⁵³ It is unlikely that Hoover's musings about revolution were well founded, but in any event the government was by and large successful in its campaign to "expose, disrupt and otherwise neutralize" the movement's radical wing, rendering it near impotent by the early 1970s.

Simultaneous with this pattern of repression the system responded with cooptation, a systematic and highly visible effort to absorb blacks into the system as a means of system maintenance and stability. Again, cooptation in the formal sense occurs when there is a need to publicly absorb new elements in response to mass discontent and the loss or perceived loss of legitimacy. Thus, while the radical wing of the movement was being repressed, more moderate elements were being drawn into highly visible systemic offices. This has the purpose over time of restoring confidence in the system in the eyes of the movement's mass base.⁵⁴ Since the early 1970s, while repression has abated the process of cooptation is ongoing, so that today we have only marginalized remnants of movement-style politics as the phenomenon is now nearly wholly encapsulated in the routines of systemic institutions and processes.

In ordinary discourse cooptation is a pejorative term. However, as Selznick writes, cooptation is often the "realistic core of avowedly democratic procedures."⁵⁵ In other words, it is part of the structural adjustment of democratic systems to the claims of new groups for inclusion, integration or incorporation. Integration in this sense was certainly high on the list of the priorities of the traditional civil rights establishment with its emphasis on the right to vote and participate in the political process. As Dr. King said, "Give us the ballot" and we will transform the social structure of oppression. Thus, from the perspective of the movement's radical wing cooptation is pejorative, a negative response or output; but from the perspective of the movement's center or establishment it is viewed, as Rustin argued, as the fulfillment of a long-held movement goal, akin to ending segregation in public facilities. This is also the view of virtually all students of protest and social movements in the United States: that protest is not enough; that social movements inevitably exhaust themselves; that if the causes represented by mass movements are to be sustained and advanced it must be through institutional structures and processes or not at all. Whatever the reasons for this outcome of the movement, it is clear that since the death of Dr. King, the Afro-American freedom struggle has become incorporated into systemic institutions and processes.

Incorporation and Coalition Formation: Afro-American Political Strategy in the Post-Civil Rights Era

A variety of concepts—cooptation, integration, incorporation and institutionalization—have been employed to describe the system-oriented character of the Afro-American freedom struggle since the end of

the civil rights era. There is in the social science literature no clear-cut distinctions between these concepts. They are all used by scholars to describe the same phenomenon. A group previously excluded from systemic institutions and processes is brought into those institutions and processes, either because it poses a threat to system stability or maintenance or because it is part of the normal, evolutionary adjustments of a democratic society to the claims of new groups for inclusion, incorporation or integration. If the group is incorporated in response to its perceived threats to system stability, legitimacy or maintenance, then Selznick describes it as cooptation; however, it has also been labeled by some scholars as institutionalization.⁵⁶ In addition to distinguishing the phenomenon on the basis of why it occurred—as a natural adjustment of democratic societies to the claims of new groups for inclusion or in response to disruptions and instability—the concepts may be distinguished on the basis of their substantive outcomes, whether inclusion represents a gain or loss for the group. Inclusion may be viewed as cooptation, a “sellout,” when it results in relatively few substantive gains for the group and when it has the tendency to decrease or undermine the capacity of the group to press its demands for gains in the future.⁵⁷ Incorporation or integration, on the other hand, is viewed positively because it is believed to result in substantive gains for the group and, more importantly, by “working within the system” it increases the capacity of the group to press effectively for further gains. Thus, whether the inclusion of blacks since the 1960s into systemic institutions and processes is cooptation or integration/incorporation is an empirical question and a matter of interpretation. The empirical questions involve the extent to which blacks have made substantive gains since the 1960s and the extent to which their inclusion in the system has helped or hurt their capacities to press their demands on the system. The bulk of this book is devoted to answering these two questions. But the empirical data are not unambiguous; whether blacks in the post-civil rights era have enhanced their capacities to press their demands on the system and whether the system has responded substantively to those demands is also a matter of interpretation of the empirical data. Is the proverbial glass since the 1960s half full or half empty? The data and analysis presented in this book on the last twenty-five years of the black freedom struggle leads me to conclude that the results of incorporation are that blacks have lost the capacity to effectively press their demands on the system and that the system has consequentially responded to their demands with symbolism, neglect and an ongoing pattern of cooptation. Consequently, black politics has become largely irrelevant in terms of a politics and policies that would

address effectively the problems of the race in the post-civil rights era.

Whatever the concept used, no one disputes that since the 1960s the black movement has shifted from protest to politics. Bayard Rustin was a key figure in this strategy shift. Rustin had vigorously opposed Dr. King's planned poor peoples campaign, arguing that while its goal of full employment was appropriate, protest as a strategy to achieve it was counterproductive. Instead, he argued that full employment and other major social reforms could only be achieved through what he called "political power." In his seminal article "From Protest to Politics: The Future of the Civil Rights Movement" published in *Commentary* in 1965, Rustin laid out the strategic rationale for the movement's transformation as well as a rudimentary post-civil rights era agenda. First, Rustin argued that the movement could not be "victorious in the absence of radical programs for full employment, the abolition of slums, the reconstruction of our educational system, new definitions of work and leisure. . . . How are these radical objectives to be achieved? The answer is simple, deceptively so: through political power."⁵⁸ More specifically, Rustin maintained that the 1964 Civil Rights Act had destroyed the legal foundations of racism; that the Economic Opportunity Act of 1964 and the war on poverty furnished the means for attacking the cumulative effects of racism; and that the Voting Rights Act of 1965 provided the tools for the enfranchisement of millions of potential progressive voters. Thus, he argued, the movement should turn to electoral activism in an effort to build a "coalition of progressive forces which becomes the effective political majority in the United States . . . Negroes, trade unions, liberals and religious groups."⁵⁹ By the early 1970s Rustin's position as to the movement's new direction had become dominant, displacing strategies of protest and violent rebellion.

What Rustin called for was a strategy of incorporation. Political incorporation, Stinchcombe writes, is "The capability [of a group] of influencing elections so that one's party has a chance to enter a majority coalition on at least some issues of most importance to it, and that majority is able to control the government."⁶⁰ According to Stinchcombe, an empirical index of a group's incorporation includes (1) the proportion of the group with the vote, (2) the chances that the parties the group votes for have of getting into a majority coalition and (3) the powers of the parliament, legislature or the government generally.⁶¹ Browning, Marshall and Tabb, in a study dealing specifically with the incorporation of blacks in local politics, identify three necessary steps if excluded groups are to move toward political incorporation. Following Stinchcombe, these steps include (1) the mobilization of the black electorate, (2) the development and maintenance of a multiethnic coalition of other

minorities and progressive whites and (3) winning elections and becoming the governing majority.⁶² These, stated simply, are the essential components of post-civil rights era black politics. It is a politics that has largely failed, resulting in either neglect of the black agenda or symbolic responses as in the case of the Humphrey-Hawkins Act. The remainder of this book details this failure; but to summarize briefly here in terms of the Stinchcombe index or the steps in the Browning, Marshall and Tabb theory: the strategy of incorporation has failed because (1) the black community has not been effectively mobilized; (2) the progressive coalition of whites and other ethnic minorities envisioned by Rustin has not materialized, (3) the party supported by blacks has not had a good chance of controlling the national government and when it has controlled the government—as in the case of the Carter Administration—it has tended to ignore black demands or respond with symbols.

Finally, putting this discussion in the context of the system framework developed at the outset of this chapter: The strategy or methods employed by blacks to press their demands in the post-civil rights era have been wholly systemic—voting, elections, and efforts at multiethnic coalition formation. Protests and mass demonstrations are occasionally employed but without the strategic purposes of the 1960s demonstrations, that is, as a means to bring pressure on the system to respond with substantive policy outputs. Rather, protests in the post-civil rights era have become institutionalized and those that have occurred in the last twenty-five years have been largely symbolic or ceremonial.⁶³ Violence, of course, is eschewed by the post-civil rights era black establishment, as it was, in principle at least, by the civil rights establishment.⁶⁴ In terms of the substantive dimension of the post-civil rights era black agenda, although many of its elements are systemic there is underlying its principal item—full employment—a nonsystemic quality. In his 1965 essay Rustin wrote, “. . . while most Negroes in their hearts—unquestionably seek only to enjoy the fruits of American society as it now exists, their quest cannot be *objectively* satisfied within the framework of existing political and economic relations.”⁶⁵ Rather, Rustin said that adding up the costs of a full employment program and a program of ghetto reconstruction, “we can only conclude that we are talking about a refashioning of our political economy.”⁶⁶ Rustin, a democratic socialist, was probably correct; an effective full employment program would likely require some restructuring of the political economy. This was the evolving view of Dr. King and as will be shown in Chapter 7, it was also the view of both liberal and conservative critics of the 1976 Humphrey-Hawkins Act. This is the crux of the problem of post-civil rights era black politics: trying to achieve a nonsystemic

demand by routine, systemic methods. The predictable response is neglect, or at best, symbolism.

Blacks in the post-civil rights era have had a dual agenda that includes not only fundamental social and economic reforms around programs of full employment and ghetto reconstruction but also a narrower race-specific agenda that seeks to maintain and extend the civil rights gains of the 1960s. By and large they have been successful in this narrow area of civil rights, even in the face of hostile presidents, courts and public opinion (see Chapter 6). In this sense the glass is half full. That is, on civil rights, blacks have been effectively incorporated into the system. However, unlike the fairly narrow, race-specific agenda of the civil rights era, the new agenda of black politics is broad and multifaceted.

Since the late 1960s a bewildering series of conventions, meetings, leadership summits, assemblies, congresses, institutes and so forth have replaced rallies, marches and demonstrations and lawsuits as the principal routine activity of the black leadership establishment. These meetings and gatherings of the 1960s and 1970s have yielded an equally bewildering set of documents variously described as the black agenda (see Chapter 2). Out of this process, by the mid 1970s a consensus black agenda had emerged. It is best articulated in a document issued by the Joint Center for Political Studies in 1976. In that year the center brought together a bipartisan assembly of more than one thousand black elected and appointed officials. At its conclusion the group issued a "Seven Point Mandate" that it said represented a leadership consensus on the post-civil rights era black agenda. It included:

1. A full employment program that "guarantees the right to useful and meaningful jobs for those willing and able to work."
2. Welfare reform to include a "guaranteed annual income . . . not laden down with punitive counterproductive (forced) work requirements."
3. Comprehensive national health insurance.
4. Tax reform to remove loopholes that permit wealthy individuals and corporations to pay no taxes or less than fair rates.
5. Increased funding for higher education, elementary and secondary education, and vocational education, and support for busing as a "means to insure high quality education for children in integrated settings."
6. Minority business initiatives, including support for government set asides and a "one year moratorium on federal loan repayments."
7. Support for international sanctions on South Africa; repeal of the Byrd amendment allowing the importation of Rhodesian chrome in

violation of United Nations sanctions and support for the new International Economic Order, specifically assuring "just and stable prices for primary commodities."⁶⁷

With minor changes in emphasis and specifics (less concern with busing, more with affirmative action, successful repeal of the Byrd amendment, imposition of South African sanctions) these items remain the principal demands blacks have advanced in the post-civil rights era. And it is a consensus agenda, although like the agenda of the civil rights era it is sometimes challenged (vigorously throughout the 1970s) by the nationalist and radical tendencies in black America (see Chapter 2) and in the 1980s by a vocal but small group of new black conservatives. However, at both the mass level and among the leadership of blacks, the essentials of this agenda constitute the "mainstream" of post-civil rights era black politics. This means that in the post-civil rights era the black community, without respect to class, is strikingly more liberal on economic and social welfare issues than are whites.⁶⁸ Yet the mainstream in white politics during this twenty-five year period has moved toward the right, making it extraordinarily difficult for blacks to become a part of the dominant or governing coalition in Washington that exercises long-term control over policy issues of central concern to them. Blacks in the post-civil rights era are not just a racial minority then, but, perhaps more critically, an ideological one as well.

Finally, what is striking about the black agenda is that it is not really black. That is, relatively few items on it are race specific; rather, it is best described as a broadly liberal or social democratic agenda including progressive tax reform, national health insurance, increased education funding and full employment. This is no accident. At the outset of the post-civil rights era black leaders recognized that a racialized "black" agenda could not attract the necessary support to become a majority. Charles Hamilton articulated the analytic and strategic basis for the full employment priority in a paper prepared for the Urban League's first national conference to consider the post-civil rights black agenda. He argued that full employment should become the "new major focus" of the movement because of the obvious long-standing "crisis" of joblessness in black America and its correlation with other socioeconomic problems, but also because it would facilitate moving beyond the limits of 1960s-style protest toward more efficacious electoral activism. Hamilton also argued that this issue would create a consensus and thus "rise above the devastatingly divisive ideological debates now wracking traditional civil rights circles because it applies to the total society, not only to blacks and other traditionally stigmatized

minorities, who are seen as wanting only hand-outs. It would, in other words, recognize the critical factor of race and racism, but it offers a deracialized solution."⁶⁹

The problem with Hamilton's deracialized solution to the problems of race is that there is not in the United States a majority coalition that favors progressive social and economic policies and programs that would substantially meliorate the conditions of the so-called underclass. The long struggle for the civil rights agenda teaches two clear lessons. First, social change in the United States, especially where race is concerned, takes a long time. Second, such change occurs only in times of systemic crisis or when sufficient pressure is brought to bear on policy makers so they cannot engage in neglect. Blacks and their allies in the post-civil rights era have not found a way to bring such pressure to bear. If they cannot do so—and this study shows that it is not likely that they can—then the conditions of blacks and the nation's cities will continue their ominous decline. This decline in the long run, however, is likely itself to pose a threat to system stability. Perhaps then and only then will political authorities act, as Lincoln did during the Civil War, on its race problem. Act because it is necessary to try to maintain a system in crisis.