Introduction

Telling Stories About Race in an Era of Colorblindness

In 1989 on my first day as an ethnographer and a paralegal in BC's Legal Department, I spent two-and-a-half hours in Human Resources filling out the required paperwork, getting my picture taken for my photo identification badge, and reading the company's literature on affirmative action.[1] As part of my induction, the personnel director ushered me into an empty office and turned on a VCR for my "required" viewing of a twenty-minute video on the company's affirmative action program.[2] After she left the room, I sat in the semidarkened room watching the opening scene: a factory floor filled with the smiling faces of African American men and women operating heavy machinery as a white man in a wheelchair answered phones. In the background, a soft, cheerful female voice said, "At BC, we value diversity *and* excellence." The upbeat video continued by promoting the "great success" of the company's affirmative action program, showing more footage of more smiling faces of white women, Latinos, Asian Americans, and African Americans in what looked to be a variety of clerical and factory jobs.

The narrator proceeded to describe the beginning of the company's affirmative action program fifteen years earlier. In her description of BC's program, she failed to mention what I would soon learn from others—a federal court had ordered the corporation to create an affirmative action program in response to a lawsuit filed against the company in the early 1970s for race and sex discrimination. The court's ruling was based on a finding of a documented

pattern of differential treatment in the workplace. Both the video I watched and the affirmative action program were part of the corporation's effort to redress the very inequities their practices had created. When the video concluded, I went back to the personnel director's office to fill out more paperwork. I asked one of her assistants, "Isn't it true that courts don't mandate programs unless there's been a finding of 'egregious discrimination'?" I was taken aback when the white woman, who had been quite pleasant, began a verbal tirade against the company's affirmative action program and blamed it for the company's efforts, in her words, to "hire lots of unqualified minorities."[3]

Over the following nine months, I discovered that this white woman's comments were only one element of a broader undercurrent of hostility directed against affirmative action in this workplace. My field notes from that time are filled with negative comments about the alleged effects of the program. In the Legal Department, some of the white lawyers complained about "those unqualified clerks in the file room" who, as I observed, "just happened to be black or Latino." In fact, the adjective "unqualified" popped up time and time again in casual conversations as a code word for racial or ethnic minority identities. Job candidates with unremarkable previous job histories were "unqualified" when they were African American, but could use a "boost up" when they were white men. Jokes about affirmative action abounded. "It's our quota system for lazy people," quipped one attorney. For the most part, these kinds of jokes were told by one white professional to another in less public settings, like someone's office.

By the late 1980s, BC had improved the representation of racial and ethnic minorities as well as white women in the lower echelons of the corporate hierarchy in sales, clerical, and factory work. However, the corporation had been less successful in meeting goals and timetables for managerial positions at higher levels. In the litigation section of the Legal Department where I conducted my fieldwork, three attorneys were African American and forty were white or of European American ancestry. Of these forty-three, nine attorneys were women: eight white and one African American. None of the lawyers were Latino, Asian American, or Native American. These small numbers did not suggest a rapid demographic transformation of the department. Why such strong feelings against affirmative action? Most puzzling of all, the lawyers and supervisors who were most critical of the program were *not* the working-class white male victims depicted by media of the 1980s and 1990s who claimed to have lost jobs, educational opportunities, or promotions to "unqualified minorities."[4] The employees who complained to me were highly educated, white

professionals, mostly men and sometimes women, who had job tenure, good salaries, and who reported *no* lost opportunities because of affirmative action. Why was this remedial social policy such a threat to them?

When I initially began this study in 1989, a backlash against affirmative action was already under way across the United States. The backlash took place in an economic context dominated by neoliberal reforms: Federal assistance programs in welfare and education were dismantled under Presidents Reagan and Bush, while tax cuts for corporations and predatory lending deepened the divide between rich and poor. The backlash reached its zenith in the mid-1990s when the majority of California voters endorsed Proposition 209, an initiative designed to eliminate consideration of race and gender in public education and employment. These political and economic shifts, as well as my discovery that little empirical research had been conducted on people who work in organizations with affirmative action programs, compelled me to reenter the field in 1999. In light of the political and economic changes, a California corporation seemed to provide a timely window into American understandings of race and gender inequality in our post-civil-rights era.

While this book focuses on how professionals in one particular workplace understood affirmative action, it also makes broader claims about how cultural memory about work, family, race, gender, and power operated in the United States in the late 1980s and the 1990s. In doing so, it makes important connections between personal forms of remembering and dominant cultural narratives surrounding the debate about affirmative action. More specifically, it tells a story about what elite white men who work as attorneys "remember" about race and gender at work. As I found in my research, though most of these men refrained from making overtly racist remarks and deny accountability for racism, many recalled a time when they could work in predominantly white and male segregated spaces, earn robust salaries, and have a little fun at work by telling off-color jokes. Their stories of benevolence are bolstered by a Hollywood film genre that I call "white racial progress." These movies tell stories about virtuous, elite white men who ultimately become saviors of people of color, while white working-class men are cast as villainous racists. At the same time, these elite white men also draw from accounts in the print news media that emphasize the victimization of white men under affirmative action. These media accounts not only highlight white men's "innocence" of racism and the "injuries" inflicted on them by affirmative action, but also tell stories about people of color as "unqualified" and, hence, "undeserving." As *Racing for Innocence* shows, this broader cultural memory becomes the means through which

these elite white men practice modern racism. At the same time that these men claimed to be innocent of racism, they resisted fully incorporating people of color and white women into their daily workplace lives. In doing so, they participated—wittingly or not—in the backlash against affirmative action.

What Is Affirmative Action?

As a number of scholars have argued, there is a lot of confusion about precisely what constitutes affirmative action policy.[5] In part, this is because there are many different kinds of affirmative action, and in part because the news media has not attended carefully to these distinctions. To avoid confusion, below I define three different kinds of affirmative action in employment as a means of clarifying these differences, as well as the kind of program that existed in the workplace I studied.

As sociologist Barbara Reskin reports in her study, *The Realities of Affirmative Action*, the vast majority of affirmative action programs in the United States are either voluntary or the result of federal contract compliance. In the first case, employers choose to use affirmative action guidelines in the recruitment, retention, and promotion of white women, people of color, and the disabled.[6] For example, in efforts to diversify their labor force, many large corporations have adopted affirmative action guidelines to help them broaden their pool of potential job applicants as well as their considerations in retention and promotion; they are *not compelled* by the federal government to do so. In the case of federal contract compliance, where the employer is either a federal governmental agency or is under a federal contract in excess of $50,000, organizations are required to practice what Faye Crosby and Diana Crosby term the "classical definition of affirmative action." This definition, which was created as part of President Lyndon Johnson's Great Society programs, and more specifically through his 1965 Executive Order 11246, maintains that

> [A]ffirmative action occurs whenever people go out of their way (take positive action) to increase the likelihood of true equality for individuals of differing categories. Whenever an organization expends energy to make sure that women and men, people of color and White people, or disabled and fully abled people have the same chances as each other to be hired, retained, or promoted, then the organization has a policy of affirmative in employment.[7]

In the case of federal contract compliance, organizations with more than fifty employees must also have a written plan that documents how closely the

utilization of certain categories of people (e.g., disabled people) matches the availability of qualified people in that category. When utilization falls short of availability (i.e., a corporation employs few disabled people in clerical positions when in fact there is a large pool of disabled people who are qualified for such jobs in the region), the organization must articulate its plan for improved performance. The Office of Federal Contract Compliance is the federal agency that enforces this policy. In such cases, it requires that contractors make a "good faith effort" in meeting goals for improved utilization. Significantly, failure to meet goals is *not* in itself punishable. For instance, if contractors can demonstrate that they made a good-faith effort to recruit disabled individuals, but were still unable increase their numbers in hiring, they will not be penalized. In other words, simply making a good-faith effort to increase the likelihood of equal opportunity for people of all categories is central to the practice of affirmative action.

In contrast to the popular perception that equates affirmative action with quotas, quotas are, in fact, *not* permissible under the law. This ruling was first made in 1978 in the United States Supreme Court *The Regents of the University of California vs. Bakke* decision, which found quotas unconstitutional both federally and in the state of California.[8] The only time that the Supreme Court has ruled that courts can order hiring and promotion quotas is as a remedy for "egregious discrimination." In other words, in lawsuits where the court makes a finding of egregious discrimination for race, gender, and/or disability, the court can order the employer to create an affirmative action plan with specific goals, timetables, and quotas. The actual number of workplaces with court-ordered affirmative action program in the United States is very small. The workplace organization I studied was subject to one of those unusual federally mandated programs. The opportunity to study an anomalous case is part of what inspired this book.

Cultural Memory and Personal Memory

Amid widespread student and faculty protest, the Regents of the University of California voted fourteen to ten to strike down affirmative action in university admissions in July 1995. In doing so, they adopted a policy "ensuring equal treatment of admissions" that barred the consideration of race, sex, religion, or national origin as criterion for entrance to the university.[9] The following year, 55 percent of California voters endorsed Proposition 209, the California Civil Rights Initiative, the first initiative of its kind in the United States to ban race

and gender preferences in public education, employment, and contracting.[10] Emboldened by California's success, critics of affirmative action programs organized across the nation to create ballot initiatives, legislative proposals, and legal challenges in states such as Texas, Washington, Florida, Nebraska, and Michigan.[11]

Editorials and newspaper articles attended to this issue with dramatic flair: "Let Affirmative Action Die" declared the headline of an editorial in *The New York Times;* "Affirmative Action Showdown" another headline proclaimed.[12] In news stories in the *San Francisco Chronicle*, affirmative action opponents celebrated these events as the end of unfair "race-based preferences." At the same time, national surveys and opinion polls reported that the majority of white middle-class Americans considered affirmative action to be unfair because it relied on "racial preferences."[13] Drawing on meritocratic understandings of success, these Americans argued that individuals should be judged by their talents and accomplishments and not by the color of their skin. In doing so, they endorsed an ideal of colorblindness and told a story about living in a post-civil-rights era in which that ideal has largely been achieved.

Yet, in these white Americans' daily practices, it is clear that race did matter, and that it mattered to them. Studies demonstrate that the same Americans pressing for "colorblindness" chose to live in predominantly white neighborhoods, married spouses of their own racial and ethnic background, worked in racially segregated occupations, and, if given the opportunity, hired white employees rather than African Americans or Latinos.[14] The gap between their ideal of a race-neutral world and their day-to-day practices uncovers a fault line in American culture when it came to matters of race. Most middle-class Americans proclaim the virtues of a colorblind society at the same time that they do many things demonstrating a high degree of self-consciousness about race in their daily lives. How is it that recipients of white privilege come to deny the role they play in reproducing racial inequality?

Racing for Innocence addresses this question by focusing on cultural forms of memory in the late 1980s and throughout the 1990s in the United States. What does it mean for a culture to remember? In response to this question, communications scholar Marita Sturken argues that "collective remembering of a specific culture can often appear similar to the memory of an individual—it provides cultural identity and gives a sense of the importance of the past."[15] Moreover, cultural memory, like personal memory, is not always accurate. Just as individuals may forget or misremember details and events, groups' collective remembering does not always correspond to actual historical events. For

example, as Chapter 1 shows in highlighting the injuries that affirmative action inflicts on white men, the print news media does not mention the fact that only a very small number of claims about "reverse discrimination" could actually be documented. Part of this is because the process of cultural memory is bound up in political struggles about meaning; some groups may have more power than others to disseminate their version of events. As I show, despite the conventions of "fair and balanced reporting," most news stories about affirmative action tended to ignore the reality of racial and gendered forms of discrimination and to reproduce accounts of "angry white men" who had been "harmed" by affirmative action.

While memory helps to define a culture, it is also the means through which its divisions and conflicts become apparent. For instance, affirmative action may be understood by some as unfair because it relies on race-based preferences, while others see it as a remedy for contemporary and past forms of discrimination. As this example suggests, the process of cultural memory always involves interaction among individuals in the creation of meaning. But, as I show, some stories gain prominence, others are muffled, and still others are silenced altogether. Hence, memory is "a field of cultural negotiation through which different stories vie for a place in history."[16]

Racing for Innocence examines how both cultural memory *and* personal memory operated in the United States during the backlash against affirmative action. Cultural memory is produced through various means, including the news media, Hollywood films, fiction, political discourse, and activism. *Racing for Innocence* begins by looking at how cultural memories were produced by the news media in local and national newspapers through a trope I term "white male innocence and injury" and through Hollywood films in the genre of "white racial progress." While the media trope emphasizes white men's innocence of racism and the injuries that affirmative action inflicts upon them, cinematic narratives highlight the transformation of elite white men from racial innocents who through struggle and hardship ultimately become anti-racist advocates for people of color. After focusing on these dominant cultural themes in the first two chapters, I turn to personal narratives from upper-middle-class professionals who work in BC's Legal Department.[17] I first interviewed these attorneys in 1989 and then again ten years later in 1998 and 1999. Chapter 3 focuses on men and Chapter 4 on women. In these chapters, my intent is to understand how cultural memories about the affirmative action debate informed personal understandings and perceptions about race and gender inequality. Finally, Chapter 5 provides a fictional account—a short story—as a

means of apprehending the complexity of personhood that lies behind conflicts about racism in an era when many Americans profess "colorblindness."

Colorblindness, Whiteness, and White Racism

A number of sociologists, historians, and communication studies scholars have described our post-civil-rights era as one in which visible forms of racism, such as jobs or neighborhoods advertised for "whites only," have disappeared, while stealth practices, such as predatory lending in the housing, education, and consumer credit markets, real estate steering, and more subtle forms of discrimination in employment, have taken their place. At the same time, a "new racial politics" has emerged that has incorporated the language of the civil rights movement and "repackaged itself as 'colorblind.'"[18] Sociologist Howard Winant, for example, describes these new politics as a "neoconservative white racial project." In his view, such a project, "seeks to preserve white advantage through the denial of racial difference."[19]

Other scholars, such as Roopali Mukherjee, locate these racial politics within the economic discourse of neoliberalism, one that celebrates the free market and individuals who are personally responsible for their choices. Neoliberalism is a set of dominant economic practices that emerged in the 1970s that include the dismantling of social welfare programs, deregulation, and the privatization of public services.[20] The underlying assumption of these practices is that a market unfettered by state intervention—Adam Smith's "free market"—will produce the greatest social good. As an ideology, neoliberalism reasserts a liberal individualism that is understood through the language of choice or, more specifically, consumer choice. Though neoliberalism and neoconservatism share many elements, especially in their emphasis on individualism and unconstrained choice, neoconservatives underscore the morality of social roles, such as women's traditional role as helpmates to their husbands and in assumptions about who is truly deserving of charity. Despite these differences, as I argue in the book, both neoliberalism and neoconservatism play important roles in supplying language and rhetoric in the debate about affirmative action in the time period addressed. More specifically, they provide the language of "choice" and "personal responsibility" as well as moral assessments of people of color as "undeserving" that all become central to anti-affirmative action rhetoric. While scholars of colorblindness have done important research in documenting and mapping the contours of this discourse in our post-civil-rights era, there has been less attention paid to how white Americans,

particularly professional elites, come to deny the role they play in reproducing racial inequality.[21] How is whiteness, as a structural privilege and a systematic blind spot to the fact of privilege, constituted and reconstituted in daily life?[22] As historian George Lipsitz eloquently reminds us in answering such questions, "The problem with white people is not our whiteness, but our possessive investment in it. Created by politics, culture, and consciousness, our possessiveness in whiteness can be altered by those same processes, but only if we face the hard facts open and honestly and admit that whiteness is a matter of interests as well as attitudes, that it has more to do with property than with pigment."[23] This book contributes to an understanding of our possessive investment in whiteness by looking at everyday practices through which it is created, sustained, and reproduced among legal professionals. Borrowing a phrase from Randall Kingsley, an African American attorney whom I interviewed, I term such practices "racing for innocence." More specifically, this term describes the white men I interviewed who disavow accountability for racist practices and, at the same, practice racially exclusionary behavior.

As I argue, racing for innocence is a historically specific discursive practice that draws from a broader American discourse: that of liberal individualism. In the United States, the language of liberal individualism enshrines the rights and efforts of individuals and defines social life as the sum total of conscious and deliberate individual activities. This language serves to recast long-standing, systematic racist practices, such as discrimination against African Americans and other people of color in employment and housing, into seemingly individual, isolated incidents of personal prejudice. "Collective exercise of power that relentlessly channels rewards, resources, and opportunities from one group to another will not appear 'racist' from this perspective because they rarely announce their intention to discriminate against others."[24] As my ethnographic research demonstrates, liberal individualism not only contributes to white lawyers' understanding of success and failure in their professional world, but also enables them to overlook how their practices maintain and reproduce whiteness as a structure of inequality.

While there have been excellent historical studies on whiteness as well as ethnographic studies that focus on the development of white supremacist discourses and white racial identities, little attention has been paid to how whiteness operates among elites. In fact, working-class whites are overrepresented in sociological studies of racial prejudice.[25] Among historians who study the 1970s and 1980s, working-class whites are often blamed for the resurgence of the New Right and backlash politics. Thomas Sugrue's *The Origins of the Urban*

Crisis, Lisa McGirr's *Suburban Warriors*, and Thomas Frank's *What's the Matter with Kansas?* all contend that the Republican Party wooed these formerly Democratic voters through appeals to racially divisive issues, such as housing, crime, and school desegregation.[26] By contrast, *Racing for Innocence* shows how whiteness takes on new meaning in this time period, through neoliberal forms of economic redistribution and dispossession, by focusing on elites who benefit most from that very dispossession.[27] Thus, elite professionals, and specifically lawyers, are the ethnographic focus of this study.

As a profession, attorneys have considerable power and influence in the United States. Lawyers predominate in Congress and in state legislatures, and lawyers in large corporate firms and lawyers who work as lobbyists represent "the interests of big business before Congress, federal courts and regulatory agencies."[28] Historically, lawyers have also played a central role in constructing laws and social policy aimed at maintaining white supremacy: the Jim Crow laws in the South, anti-miscegenation legislation in the nineteenth and twentieth centuries, and the legal and de facto segregation of housing, education, and employment before the Civil Rights Act of 1964.[29] This is not to say that attorneys as a group have accepted these laws; indeed, many civil rights lawyers have fought against them. Rather, my point is that lawyers are elites with enormous political clout in this country. Collectively, their perceptions and actions have far greater consequences than do those of workers in other occupations; thus, they are worthy of sustained critical attention.

The Intersection of Race and Gender

As it elucidates race, this book also necessarily attends to the varied understandings of gender in the affirmative action debate. For example, gender not only infuses news media tropes such as "white male innocence and injury," but also appears in the small number of newspaper articles attending to women and this policy. In fact, as I show, the news media typically discussed affirmative action as if it were solely concerned with race, despite the fact that this policy was also designed to protect white women from discrimination (see Chapter 1). Of course, this doesn't mean that white women were not engaged with or unaffected by these debates. One of my central arguments is that assumptions about gender are always implicated within seemingly racial debates about affirmative action. As I show in Chapter 4, neoconservative groups such as the Independent Women's Forum (IWF) joined forces with affirmative action

opponents, arguing that the policy was "injurious" to their husbands and sons. In their view, the doors of economic opportunity were wide open to women and the "glass ceiling" was a myth. Women who didn't work hard enough or long enough had only themselves to blame if they weren't successful. The IWF called for women to stand by their men and oppose affirmative action. At the same time, feminist groups such as the National Organization for Women also worked to support affirmative action policy.

While these debates and their rhetoric informed the personal narratives of the white women attorneys interviewed, the women also told, for the most part, a very different story about their workplace lives than did their male counterparts—one that highlighted opportunities but also pointed to the exclusionary practices of the "good-old-boy" network. The women's most common complaint lay in their difficulty in getting additional family leaves from work and their mostly male colleagues' perception that women were less committed to professional obligations than men were. The one black woman professional in this workplace told yet another story, providing insight into how racism and sexism operated together to the disadvantage of women of color. As Chapter 4 shows, the exclusionary and derisive practices women attorneys faced (many of whom eventually left the Legal Department) reproduced whiteness as well as masculinity as structures of inequality in this workplace.[30] In other words, those practices sustained a professional workplace that was predominantly white and male.

Chapter 5, my short story "Small Talk," continues to examine the intersections of race and gender by focusing on Robin Healy, an African American trial attorney, who is having dinner with two white men following an interview at their law firm. While this fictional account explores interracial and cross-gender dynamics, it also illuminates the thoughts and feelings behind the discomfort provoked by such interactions. In my commentary following the story, I develop the concept of "ambivalent racism" to make sense of what *might* lie behind the silence and discomfort that I found in the white male attorneys' personal narratives in Chapter 3. As I argue, this ambivalent racism is intended to conceptualize the feelings, thoughts, and practices of an individual who is simultaneously racist and not racist. Put another way, an individual's racist talk, feelings, and actions may exist simultaneously with other talk, thoughts, and behavior that may be construed as not racist. This not only provides some insight into why many of the white male lawyers I interviewed might deny racism as they practiced exclusionary behavior—their ambivalent racism makes it

difficult for them to fully elaborate their position—but also points to problems with sociological theories that do not fully embrace contradiction and ambivalence within their theoretical frameworks.

Methods

In researching this book, I drew upon three different methods—participant observation and interviews, discourse analysis of print news media and Hollywood films, and short fiction—as a means of apprehending different epistemological perspectives on the affirmative action debate in the 1980s and 1990s. Each method yields distinct perspectives on affirmative action, white male innocence, and racial and gendered forms of inequality in the United States. Together they provide a multi-layered historical account of the backlash against affirmative action.

The methodological strategies I used in conducting my research acquired their roots over twenty years ago, when I worked as a litigation paralegal and covert ethnographer in the in-house legal department of a large corporation in the San Francisco Bay Area that I have given the pseudonym "BC."[31] Evidence for my research was collected through three means: nine months of fieldwork as a participant observer in the corporation's Legal Department; informal interviews and formal in-depth interviews with lawyers; and an analysis of corporate documents, such as records about the affirmative action program and attorney résumés. Over the past forty years, BC has been and continues to be one of the largest and most successful businesses in northern California. Positions within its corporate hierarchy range from entry-level factory, sales, and clerical work to jobs at higher levels requiring college and professional degrees, such as an MBA or a law degree. BC's Legal Department housed over 150 lawyers, and in this regard its size was comparable to many of the Bay Area's large law firms. What made this workplace unique was its federally mandated affirmative action program, which was created in the early 1970s in response to a discrimination lawsuit.

In the next phase of my ethnographic work in the late 1990s, I attempted to contact the forty-three lawyers who had worked in the litigation section of BC's Legal Department in 1989. I conducted work-history interviews with thirty-three of the original forty-three. The turnover rates for both African Americans and white women were higher compared to those of white men: 100 percent, 75 percent, and 60 percent, respectively. Of the three African American lawyers who had worked there in 1989, all three had left the firm.

Table I.1 Interviews with lawyers who stayed or left (N = 43)

	White women	*White men*	*Black women*	*Black men*
Original number	8	32	1	2
Stayed	2	13	0	0
Left	6	19	1	2
Interviewed	7	23	1	2
Unable to interview	1	9	0	0

I eventually located these individuals and interviewed them (see Table I.1.). Of the eight white women who had been there, six had left. I interviewed the two who remained in the Legal Department as well as five of the six who had resigned. Of the thirty-two white men, thirteen were still employed there. Nine of the thirteen agreed to be interviewed, and I located and interviewed fourteen of the nineteen who had departed for other positions. Among the ten people I was unable to interview, one had retired and moved away from the area, several others claimed to be too busy, and another canceled interview after interview. I was unable to locate six individuals who had moved on to other jobs.

Interviews drew from a general guideline and followed the same format, but were open-ended enough to allow flexibility. Some of the questions I included were: What has your professional trajectory been since I last interviewed you in 1989? How would you characterize your current practice? Why did you stay in (or leave) BC's Legal Department? How would you characterize BC's policies for women and minorities? Throughout, I changed names of individuals and the workplace organization to protect confidentiality.

Typically, I transcribed the interviews immediately afterward. In editing the stories to make them fit into the book, I often worried about how much would be cut out, because I wanted to tell the story as fully as it had been told to me. However, it was simply not possible to include everyone's full personal narrative in one book. Consequently, in some chapters, I use lengthy quotes from one work history, particularly when I am writing about attorneys outside the dominant groups, and in others, I do not. I also present quoted material with my prompts or queries so that readers can understand specifically what the speaker was responding to in their narrative. In addition, when editing interviews, I tried to be faithful to language, but I also found some of my narrators repeated phrases such as "you know" or utterances such as "um" in every other sentence. When this seemed to distract from content, I deleted the excessive use of qualifiers. In this respect, the work life histories that appear in

these pages are not transparent, unmediated accounts, but translations. In reading and editing these personal narratives, much like Ruth Behar who wrote in *Translated Women*, "I have tried to make clear that what I am reading is a story, or set of stories, that have been told to me, so that I, in turn, can tell them again, transforming myself from a listener to a storyteller."[32]

Editing aside, I consider my interviews to be joint productions between the analyst (the researcher) and the narrator (the person who tells their work history). The knowledge produced through such an encounter is always influenced by the relationship between analyst and narrator.[33] As I discussed in my first book, *Gender Trials: Emotional Lives in Contemporary Law Firms*, my position as a white woman, a UC Berkeley graduate student, and a former paralegal not only influenced my relationships with paralegals and attorneys, but also evoked particular kinds of stories about their workplace lives.[34] For instance, paralegals were often much more forthcoming in my first set of interviews than male attorneys were. This may have reflected our shared occupational status, since I had worked as a paralegal for many years. In Appendix A: Reflections on Methodology, I revisit this issue, focusing on my second set of interviews. Significantly, I not only conducted these interviews at a different historical moment than my first interviews, but also my own professional status had changed. Instead of being a graduate student, I was a tenured professor. As I discuss in more detail in Appendix A, I often found that white women and people of color were more forthcoming in their interviews than white men were.

As in most professional legal settings, the numbers of African Americans and white women in the BC's Legal Department were quite small. In 1989, racial/ethnic minorities represented 5 percent of attorneys, and women represented 18 percent. Given the considerable racial and ethnic diversity of the San Francisco Bay Area, these numbers are surprising. They are nonetheless similar to those found in national studies of the legal profession. According to an American Bar Association Study published in 2004, "African Americans are the best represented minority group among lawyers (3.9 percent), followed by Hispanics (3.3 percent)." Moreover, in large corporate law firms nationally, racial/ethnic minority representation among partners remains less than 4.0 percent in all but the very largest law firms.[35] By contrast, women began to enter the legal profession in increasing numbers after 1975. Barriers to law school admissions declined after the enactment of Title IX of the Education Amendments of 1972, which prohibited discrimination in graduate programs receiving federal funds. In 1972, women comprised only 2.2 percent of the legal profession, and by 1991 they constituted 20.0 percent.[36] Of course, this percentage is

still far below women's numbers in law schools across the nation at that time (40.0 percent).[37]

With such small numbers, I cannot generalize about the experiences of all white women or people of color who work as litigators. Rather, my intent is to critically analyze the evidence relative to my questions about how cultural memory about racial and gender inequality helps provide meaning to the stories these litigators told about their professional lives and about affirmative action. Moreover, in relying upon what Michael Burawoy calls "the extended case method," my objective is to extend and reconstruct existing theory about how whiteness as a discursive practice operates in this particular organizational context as well as in broader cultural narratives in print news media and Hollywood films.[38] In Burawoy's view, "anomalous cases" such as BC's Legal Department, are excellent sites for reconstructing social theory; they are more likely than representative cases to challenge or contradict existing theoretical frameworks. Consequently, my purpose throughout is at once interpretive and theoretical.

Because this project focuses on cultural memory in addition to fieldwork and interviews, I also conducted a discourse analysis of print news media and Hollywood films during the backlash against affirmative action. These forms of collective remembering are particularly relevant to my study for a number of reasons. As scholars have long recognized, the media is a powerful institution that influences how debates about social policy are likely to be understood by the general public.[39] Thus, in bringing the issue to national attention, the press played an important role in shaping the *meaning* of affirmative action. For the media portion of my research, I reviewed and analyzed newspaper articles, editorials, and letters to the editor about affirmative action in *The New York Times* and the *San Francisco Chronicle* between 1990 and 2000. I focused on these two papers not only because they were readily available to the lawyers in their law library, but they also provide a local and national snapshot of the period.

At the same time, movies are particularly important as forms of collective remembering, because they offer stories and points of view Americans might not otherwise get in their daily lives. Further, cinematic codes of realism provide viewers with the sense that they actually experience what they see in the movies, thereby contributing to a sense of an "authentic" personal memory.[40] In developing a sample of Hollywood films used for this study, Wendy Leo Moore and I began by searching for all movies made between 1987 and 1999 that explored issues of race and racism. (We chose these dates because they corresponded with the time between my first and second interviews with

lawyers.) We searched and analyzed plot summaries of movies and selected those in which the central storyline engaged issues of race, racism, or racial reconciliation. This search located 174 movies. Next we examined the earnings of these movies, and retained for study only those that made at least $3 million, thereby ensuring a substantial viewing audience. Sixty movies remained on our list (Appendix B).

After dividing films into different categories, such as historical drama, comedy, or romance, and determining whose perspective the story was told from (e.g., white male or black female), we conducted a discourse analysis of each one. At the outset, coding categories were generated from our theoretical questions about popular film representations of race and racism. As the research progressed, we noted important patterns that emerged, such as white male protagonists and innocence of racism as well as gendered and classed constructions of race. For each movie we produced a detailed plot summary with relevant quotes from dialogue and an analysis of six the discursive frames we found, including constructions of innocence; race in character development; gender in character development; conversion narratives by characters; whiteness; and the intersections of race, class, and gender. Of these sixty films, we identified 25 percent as falling into the category white racial progress.

In the final phase of my research, I took a number of fiction-writing classes and began work on my short story, "Small Talk." After years of academic writing, learning to write fiction was not easy. Appendix A: Reflections on Methodology describes my process in writing and revising the short story through a series of fiction workshops. Here, I discuss fiction as a method for apprehending subjectivity, feelings, longings, and innermost desires. While ethnography and fiction are often regarded as contrasting forms—realistic and imaginary—my book aims to bring them together by showing how each form complements the other and deepens our understanding of racism and sexism. As I argue, ethnography and fiction each provides unique epistemological insights. What might ethnography teach us that fiction does not? Conversely, what can fiction teach us that ethnographies cannot?

The limits of ethnographic methods became clear in my interviews with white male lawyers. As Chapter 3 shows, their upbeat narratives of determination, hard work, and success often stopped short with long uncomfortable silences when I posed questions about racial dynamics at work. In probing for details, I often came up against a reluctance to provide specific examples. What is striking in these interviews is how these otherwise articulate and highly educated middle-class men, whose very profession as trial attorneys requires that

they make forceful arguments, suddenly become hesitant and inarticulate. In fact, I often had the sense that the lawyers wanted to say much more but were afraid of saying the wrong thing, of saying something that might be construed as racist. Because ethnographers rely on what people tell them as well as what they are able to observe in the field, they often do not have access to inner feelings and thoughts that may lie behind these silences.[41]

To address this gap in knowledge, I used fiction as a method for apprehending the meaning of these silences and hesitations. While a number of ethnographers have also written fiction, the general tendency is to write academic monographs and fictional works as separate books.[42] One important exception is the anthropologist Marjorie Wolf whose 1992 volume, *A Thrice Told Tale*, presents the same set of facts from her fieldwork in Taiwan in three different forms: a short story, a set of field notes, and an academic article. Writing twenty years ago in response to the "crisis of representation" in anthropology, Wolf argued against blurring the line between ethnography and fiction. In her view, experimenting with form undermined the value and legitimacy of carefully conducted research and analysis.[43]

My argument for bringing fiction and ethnography together in the same volume is slightly different. Like Wolf, I recognize that ethnography and fiction take different forms and that the content of the former has a different kind of legitimacy than the latter. At the same time, however, I argue that each form provides distinct epistemological insights which can enhance and enrich one other. The expressive dimensions of fiction can provide insights into the feelings and thoughts that might lie behind the discomfort in conversations about race. In turn, ethnographies provide a way of reading characters and situations in fiction. Too often novels are treated as revealing generalizations about members of a particular race or ethnic group, whereas it is the work of anthropological research to document cultural patterns and variations. In this light, ethnography not only helps to provide a social and cultural context for interpreting a short story, but also serves as a caution against interpreting fictional characters as representative of a group.

This project also counters weaknesses in interdisciplinary work, where the frameworks and assumptions of one discipline are used to evaluate texts from another. For instance, when social science criteria are applied to fiction, novels are dismissed as evidence because they are not "true" or "verifiable" stories. However, a "faithful interdisciplinarity" requires not only that texts from different disciplines be read side by side, but also that we study the critical tools of each discipline.[44] This means clarifying the distinctive truth claims that fiction

and ethnography can make and their divergent strategies for assessment and critique. From this perspective, fiction writers are not guided by anthropology's rules of evidence, but rather aspire to verisimilitude in developing characters and settings. They write true stories in the sense that they draw from actual people and events to create believable fictional characters and plots.[45] Thus, truth has a different indexical claim in fiction.

Certainly, introducing fiction into a book based on ethnographic research and cultural analysis is an unusual methodological strategy. My point here is for readers to take seriously my argument about the epistemological value of fiction. Unlike my interviews and ethnography, the short story enables me both to move into a social situation that was not part of my fieldwork (i.e., a dinner following a job interview) and to consider what the characters might be feeling in addition to what they are saying and doing. By taking fiction seriously as an epistemological vantage point, I am hoping that readers will take the risk of entering the muddy terrain of human subjectivity in thinking about the complexity of interracial interactions.[46] In fully considering these issues, we can perhaps move beyond the gap between our ideals of colorblindness and the material reality of racial and gender inequality in the United States.