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Multiracials,' Racial Classification, and American Intermarriage: The Public's Interest

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"Multiracials," Racial Classification, and American Intermarriage --
The Public's Interest

by

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INTRODUCTION

If a child has a white mother and a black father, then the child is racially.... what?

Deciding how the next Census, to be held in the year 2000, should handle the 'multiracial' child will be a hot topic this summer. Not only the Census is at issue: every government agency counts races in roughly the same way, and it is the directions on how to count that are up for reconsideration. The current directions for counting races are found in Office of Management and Budget (OMB) Directive #15; decisions on how to change the Directive can't be put off for long because the Census forms for the year 2000 need to be finalized.

Presently, one must declare origins in one race only, and so multiracials must chose one race from the available list, or classify themselves as 'all other.' The OMB will soon suggest whether or not to revise this arrangement, and if so how; first the Office will present a draft, then hear reaction, and finally make a ruling in late October. Also, Congress may intervene in that process; there is a bill in Congress, some hearings were held in 1993, more were held this past May, and more still are scheduled. The President has declared a year of discussion on race, and stressed the changes coming in the racial composition of the country -- moves likely to focus yet more attention on how the government determines race and thinks about race mixing. The multi-racial issue (how to classify that mixed-race child) is only one of several issues in the review of OMB Directive #15. In many ways, however, it is the most important issue because it highlights so much about the treatment of race that all the other issues look different after one thinks through the multiracial issue.

Two major interest groups have lined up to debate how to classify the mixed-race

person.¹ On one side, are organizations claiming to represent the American multiracial population; these include (among others) articulate parents in mixed marriages who are concerned about the way their children are asked to identify themselves. These organizations demand equal recognition for multiracials in the government's racial classification system. Thus, alongside the four currently-defined specific racial categories -- 'white', 'black,' Native American and Asian/Pacific Islander -- these organizations demand that the government add a category 'multi-racial.' Those people who check the multi-racial category would go on to indicate from which two, three or four of these other races they were descended. The crucial demand here appears to be for recognition, rather more than for any specific political or economic advantage for multiracials. The advocates do not want to deny a part of their own, or their children's origins. I refer to this interest group as *the multiracial advocates*.²

The second major interest group in this debate opposes the addition of a multi-racial category on the race question, and indeed of permitting people to list more than one race. This group includes civil rights organizations and other representatives of blacks, Hispanics, Native Americans, and Asians/Pacific Islanders. At the core of their opposition is the concern that if

¹For a large sampling of views on this issue, see U. S. House of Representatives, *Review of Federal Measurements of Race and Ethnicity. Hearings before the Subcommittee on Census, Statistics and Postal Personnel of the Committee on Post Office and Civil Service... 103rd Congress, 1st Session ... 1993*, Washington, D. C., 1994. For the range of issue the OMB has raised for review, see U. S. Office of Management and Budget, "Standards for the Classification of Federal Data on Race and Ethnicity; Notice." *Federal Register*, August 28, 1995 (vol. 60, no. 166), 44673-93.

² In their proposal, the category 'other' would remain too. While the demand may be for recognition, it is worth noting that should the multi-racial population be defined as a distinct racial group, it might then become eligible for various benefits.

individuals are allowed to indicate origins in more than one racial group, the counting of races that undergirds so much civil rights legislation will be muddled and enforcement of civil rights thereby weakened. If, for example, who is black can be counted in various ways, it will be much harder to enforce laws promoting racial equality -- anti-discrimination efforts, affirmative action, and voting rights could all be affected. Moreover, some argue, in a society still plagued by strong racial inequality, the tendency of mixed-race people will be to 'head for the door,' as one spokesperson put it -- they will seek to be counted as something other than, for example, black -- because they will think it is to their advantage to do so. I refer to this interest group as *the civil rights advocates*.

Literally tens of thousands of public agency offices and private business enterprises (not to mention colleges and other sorts of private institutions) fill out reports on the racial composition of their employees and/or clients. Consequently, those with the slightest concern for orderly -- and equitable -- record keeping are also watching the debates carefully, often with a preference for changing as little as possible in order maintain consistency over time. In this sense, their outlook is in accord with that of the civil rights advocates.

It will not be possible, clearly, to satisfy both interest groups completely; and more to the point I do not think that we should accept either the multiracial advocates' position or the civil rights advocates position completely because both positions have merits and flaws. I think, however, that this is a case in which the most important demands of both sides can in fact be accepted -- and, more important, it is in the public interest that they should be accepted.

In a word, individuals should be allowed to report origins in more than one racial group, however, the counting of mixed-race individuals should be done in a way as consistent as

possible with present counting procedures, and probably with some guarantees that the changes in counting procedures will be pretty much 'race-count neutral' in the immediate future. The specifics we adopt in order to reach these goals might be formulated in somewhat different ways; some of the possible ways have already been elaborated by Census Bureau staff (presented "by them for illustrative purposes only," as explained in section 4, below). I will add some variants on their suggestions in this paper. This general line of the solution, to repeat, may well satisfy both interest groups; but it also serves a larger purpose.

For there is a public interest here, beyond the concerns of the most involved groups. That interest is bound up in the way race is treated in public life. There is a bizarre feature in the way the multiracial issue is being treated, both at the Census Bureau and in the wider media, and it tells us much about the state of American thinking about race. There has been virtually no discussion of the fact that racial intermarriage is a form of ethnic intermarriage. And we are very familiar with ethnic intermarriage, and with counting the offspring of such marriages. The Census Bureau has counted such people for over a century.

Using as a model the way we've counted ethnic intermarriage does not mean that we can mindlessly adopt that model to the multi-racial issue -- because racial categories, unlike other ethnic categories, are the basis of civil-rights legislation. And this is the key point to appreciate: with have a social reality that would not be hard for us to comprehend, were it not for the fact that we have trouble knowing how to deal with its legal (civil rights) implications. Nevertheless, using ethnic intermarriage as a model will point the way to guiding principles, and suggest the kind of modifications we need in order to handle racial intermarriage sensibly in counts and in law.

Section 1 of this paper reviews the realities of ethnic blending in America, mostly focussing on white immigrants and their descendants; how has the Census dealt with this ethnic blending? Section 2 contrasts the Census's treatment of ethnicity with its treatment of race. Section 3 provides information on rates of racial intermarriage today. These first three sections, then, explain the issues. Sections 4 and 5 are the practical core of the paper, where I argue for certain policies and against others. Section 4 contains the proposals for counting the multi-racial people. By contrast, section 5 is concerned with an issue rarely discussed in connection with OMB Directive #15, namely Census forecasts of the future racial composition of the United States. This issue too regularly makes its way to the front page, but in misleading and confused ways. What links sections 4 and 5 is the argument that evading discussion of racial intermarriage distorts our understanding of race data, whether we are discussing 1997 or 2050. I have called each of the last two sections, 6 and 7, an 'addendum' because these sections form extensions of the main argument; that argument can be understood even without these extensions. The first addendum, section 6, reviews the long-term history of racial blending in America, and its implications for the race data covered in present and proposed OMB Directives. Finally, the second addendum, section 7, offers some observations regarding another important change proposed for OMB Directive #15, namely making 'Hispanics' one of the race categories.

Section 1. ETHNIC INTERMARRIAGE

AMERICAN AS APPLE PIE. American history would be unrecognizable without ethnic intermarriage. From Colonial times to the present, immigrants typically married their own, the second generation did so much less consistently, and the third generation still less

consistently; probably a majority of third-generation members have married people of other ethnic origins than their own. And by the fourth and fifth generations -- who even kept track? The evidence for the history of ethnic intermarriage is about as overwhelming and unambiguous as any generalization about the American population can be: from Crèvecoeur in the eighteenth century noticing 'This new man, the American' arising out of various European immigrant stocks, to the data from census after census in the twentieth century.³

Intermarriage operated most fully among the descendants of European groups (Italians, Poles, Irish, English, Germans, Scandinavians, etc.); it was crucial to the making of 'Americans' out of the descendants of 'hyphenated Americans.' It was decidedly less prevalent between these 'whites' and others, a piece of the story to which I return in section 4. For now, however, notice that among European groups too the lines of division were often very firmly drawn in the immigrant generation. Moreover, at the turn of the century, many influential American thinkers discussed European immigrant groups in terms of different races -- 'Nordic' 'alpine' and 'Mediterranean' races, for example. Arguments for immigration restriction -- in Congressional debate and across the land -- turned in part on the notion that the 'racial composition' of the immigrant pool was changing. As late as 1920, had you told many influential Americans that members of all these 'races' were 'white', you would have elicited amused or heated rejoinders about how that was either untrue -- or how it missed the point about crucial 'inherent' divisions

³David M. Heer, "Intermarriage," in Stephan Thernstrom, ed., *Harvard Encyclopedia of American Ethnic Groups*, Cambridge, Mass., 1980, 513-21; Stanley Lieberson and Mary Waters, *From Many Strands: Ethnic and Racial Groups in Contemporary America*, New York, 1988.

among the whites.⁴

COUNTING 'MULTI-ETHNICS' How has the Census Bureau handled the offspring of ethnic intermarriages? The Census Bureau asks respondents for their country of birth, and often for their parents' countries of birth.⁵ When a native-born child of foreign-born parents tells the Bureau where his or her parents were born, the answer is often that they were born in two different countries. No problem; the Bureau records two countries of origin. Both parents born in Italy? Fine. One born in Italy, one in Poland? One in Italy, one in the U.S.? All fine.

There is also another question about ethnicity that the Census Bureau asked in 1980 and in 1990, known as the ancestry question, and what we learn from the ancestry question opens a wide window on what we must learn about race and about the 'multiracial' counting problem. In these past two decennial Censuses, the Bureau asked each individual with which ancestry he or she identified. The Bureau introduced this ethnic ancestry question in order to allow Americans to state an ethnic affiliation even if a person was descended from immigrants who had

⁴John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925*, New Brunswick, 1955 [1992], chapters 6-11.

⁵The birthplace question has been asked in every decennial census beginning in 1850, and the parental birthplace questions were asked in every decennial census between 1880 and 1970. In 1980 and 1990, the parental birthplace questions were dropped in favor of the two other questions described in the next paragraphs. It is to be hoped (probably vainly) that the 2000 Census include the parental birthplace questions, without which we cannot, for example, know whether (for example) a 25-year old native-born individual of Chinese, or Mexican descent is the child of immigrants or the child of descendants who have been in this country since 1870 or before. In any event, the parental birthplace question continues to be asked regularly on other Census enumerations, such as monthly Current Population Surveys. For a convenient compendium of the Census Questions prior to 1990, see U. S. Bureau of the Census, *Twenty Censuses: Population and housing questions, 1790-1980*, Washington, 1979; for a discussion of the ancestry question, discussed below, see Lieberman and Waters, *From Many Strands*.

come to the United States many generations back. There are three features of the ancestry question that are crucially relevant to bear in mind when we turn to racial classification.

First, the ancestry question asks people to declare the ancestry or ancestries *with which they most closely identify*. Thus a strong subjective element is built into the question: it is not a question that calls for what might be called an objective answer, a question like 'where were you born?' or 'how many years of schooling have you had?' Rather, the ancestry question is a question that explicitly encourages a statement of preferences. The rationale for this sort of question leads us once more back to intermarriage: many people are able to trace their origins to numerous ancestries -- in fact far too many different ancestries for people to list them all or even to know them all. So they are asked to list the ancestries that are meaningful to them.⁶

The second relevant feature of the ancestry question is that (as already hinted) the Census Bureau instructs Americans explicitly that they can identify themselves with *more than one* ethnic ancestry. Many millions of Americans have taken the trouble to list two ethnic ancestries, millions more list three ancestries. The Bureau has taken the trouble to code first and second ancestry responses distinctly, and even to detail the most prevalent combinations of three responses distinctly.

The third relevant feature of the ancestry question is *how much the answers have varied* - among the same people over time. The question calls for subjective responses about loyalties from a population in which many have very weak loyalties. In 1980, 'English' was listed

⁶ Also, in the late 1970s, when the ancestry question was introduced, another rationale was thought to be that it would tap into putative ethnic loyalties related to the 'white ethnic revival.'

before 'German' in the Bureau's examples of ancestry; in 1990 the ordering was reversed. As a result, the percentage claiming identity with English ancestry declined by a large fraction, and the number claiming identity with German ancestry rose by a comparable amount; the extent of Italian ancestry flopped around to a comparable degree, and for the same reason. These examples of confusion in the responses tells us something terribly important, namely the long-term results of population mixing, and the attenuation of connections with the origins of ancestors. In short, keeping track of American ancestries at the Bureau eventually gets messy because of intermarriage patterns -- and that's as it should be. A simple answer would be a false answer. It would imply that people did not intermarry in American history, or that Americans kept careful track of the ethnic origin of distant ancestors, ancestors who probably died long before the respondents themselves were born.⁷

THE HISPANIC ORIGIN QUESTION This is the fourth, and final, kind of ethnic question in the Census (ignoring for the moment the race question itself). For the past two decades the Bureau has asked every respondent whether or not he or she was "of Hispanic Origin" (and if so, of which specific Hispanic group). Since the answer to this question can be cross-classified with the race question, we often read see the categories "non-Hispanic whites" "non-Hispanic blacks" and "Hispanics" (the last with the footnote that "Hispanics may be of any race"). One of the issues in the current review of OMB Directive #15 is whether the 'Hispanic origin' question and the race question should be combined into one question -- or put more crudely, whether Hispanics should be called a race (as discussed in section 7). The point for us here, however,

⁷Richard D. Alba, "Assimilation's Quiet Tide," *The Public Interest*, No. 119, Spring 1995, 5.

concerns the Hispanic question and intermarriage. Respondents are not told they have to be “entirely of Hispanic origin;” on the contrary, the question clearly permits them to indicate themselves as Hispanic if they are the products of mixed Hispanic and non-Hispanic origin. Indeed, like the ancestry question, the Hispanic origin question leaves it up to the mixed-origin individual whether or not the ‘Hispanic’ component in one’s background is large enough to answer the question about Hispanic origin in the affirmative (although unlike the ancestry question, the Hispanic origin question actually calls for a direct response on one specific ancestry and only on that one kind of origin, thus increasing the likelihood of a positive response).⁸

Section 2. THE RACE QUESTION AND RACIAL INTERMARRIAGE

THE RACE QUESTION On all the ethnicity questions -- questions about birthplaces, ancestry and Hispanic origin -- the Census Bureau allows for the possibility that the respondent is of mixed ethnic origin, and often tabulates the results of these ethnic intermarriages. On the race question, by contrast, there is an explicit instruction “mark one only.” What if a person demurs, and marks two or more? The Bureau recodes the response so that only one race is counted using certain rules for the recode (such as which is listed first).⁹

⁸Critics have argued that the information produced by the Hispanic question is already embedded in the ancestry question, and that the Hispanic origin question is a useless redundancy propelled by Hispanic interest groups. Defenders of the question note that the question explicitly asks the respondent for a yes/no answer on this *specific* ancestry, which is the only ancestry not covered by the race question that is relevant to legislation. See for example, Stanley Lieberson and Mary Waters, *From Many Strands*, New York, 1988, 16-18.

⁹Similarly in direct interviews (as opposed to mail-in forms that most people filled out), “If a person could not provide a single race response, the race of the mother was used. If a single race response could not be provided for the person’s mother, the first race reported by the

For our purposes, this is the most striking peculiarities about the race question.

However, there are others too. The question is not labeled as a question about race at all on the Census form. Rather, the respondent is simply asked to complete the sentence, "This person is..." There follow the four specific racial designations -- white, black, Native American, Asian/Pacific Islander -- and "other." Later the Bureau tabulates the answers under a heading of races. The Bureau documentation goes on to explain that these categories derive from the guidelines in OMB Directive #15. A third peculiarity is that under these races are listed heterogeneous subgroupings: for example, the countries of birth or origin in Asia, or specific Native American tribes.

The Bureau's description of the race question displays a certain discomfort about the social scientific standing of what it is collecting, and reveals yet another striking feature: the subjective nature of the racial data it collects. Here is the description.

The concept of race as used by the Census Bureau reflects self-identification; it does not denote any clear-cut scientific definition of biological stock. The data for race represent self-classification by people according to the race with which they most closely identify. Furthermore, it is recognized that the categories of the race item include both racial and national origin or sociocultural groups.¹⁰

This statement unequivocally rules out any need for government officials to believe that

person was used." U.S. Census Bureau, *Census of Population and Housing, 1990: Public Use Microdata Sample U.S. Technical Documentation*, Washington, 1992, Appendix B, "Definition of Subject Characteristics" page B-30: 'Race.'

¹⁰*Ibid.*

racial classification has a meaningful basis in biology; nor is there any need to define any objective meaning for a racial category at all: race is in popular usage and whatever it means, a person belongs to whatever category of race that person believes he or she belongs. The reference in the last sentence of the quotation to “national origin or sociocultural groups” refers, presumably to the countries in Asia, and tribes of American Indians (for example) listed as subheadings of the race question. But the use of those and their mention here heightens the fuzziness of race as a distinct concept.

What could the concept be if not fuzzy, when it must needs to be not a “clear cut scientific definition of biological stock” but rather on “self classification” in terms of groups with which they “most closely identify.” An interesting commentary on this self identification comes up in a recent joint study by the Census Bureau and the Bureau of Labor Statistics that asked, among other things, about just what Americans understood by race, and how race differs from ethnicity generally. Under the heading “Conceptual difficulties,” the authors of the study tell us that in early versions of the questionnaire they were developing, they tried to learn how respondents distinguished between

...such terms as race, ethnicity/ethnic origin, and ancestry. Despite several attempts to make these questions less abstract and easier to answer, the overwhelming majority of respondents found the questions too difficult. For all but a few, highly educated respondents, it appeared that the terms represented overlapping concepts which draw on a single semantic domain.¹¹

¹¹Clyde Tucker et al., *Testing Methods of Collecting Racial and Ethnic Information: Results of the Current Population Survey Supplement on Race and Ethnicity* (U. S. Bureau of

Thus the Bureau warns us that the term race is not used in a precise 'biological' way, that it is used subjectively (for self identification), and that its users do not clearly distinguish it from related terms. And we could add that the term race itself is not mentioned to respondents. Well, then, if the identification is based on subjective identity, like ancestry, why cannot the respondent chose two or more races with which to identify, as he or she does with ancestry? The answer is clear when one appreciates the current use and origin of the race categories. They emerge from the OMB Directive, and they are the used in the counts that lie at the heart of a great deal of civil rights legislation.

The great irony in our present public discussions of race is that we gather our data on people's race through a more or less slippery and subjective procedure of self-identification; but at the same time, we use these counts as the basis of legal status in an important domain of law and administrative regulation, namely the civil rights domain. And in that domain we need legal statuses that are, in the words of the original mandate to the OMB, "complete and non-overlapping." And as a result, we have a subjective definition of race, but an unrealistic restriction on that subjectivity -- only one race can be chosen (whereas we routinely accept the listing of two parental birthplaces or multiple ethnic ancestries). In a sense, we could just as well refer to the race question as the "legally-protected minority groups question" rather than the "race question" (although we'd have to add in the responses to the Hispanic origin question too -- which is a possibility the OMB is in any case considering).

The problem with this state of affairs is not only that it may offend the sensibilities of the

multiracial advocates; there is something much deeper at work. In order to have clear-cut racial categories for legal purposes we have created a system of counting that ignores a widespread reality of intermarriage. Denying the concept that members of different races marry is like treating them as members of different biological species. And all the while, the Census is also acknowledging the stunningly high rates ethnic intermarriage in those ethnic groups not designated as racial groups. If we mean to break down racial barriers, we have an interest in racial intermarriage being treated in the same matter-of-fact a way that we treat any other form of ethnic intermarriage. We also have an interest in ensuring that civil rights legislation, which rests on clear counts of racial membership, not be hobbled by ambiguities.

A KIND OF ETHNIC INTERMARRIAGE. Whatever minimal meaning 'race' may (or may not) have for anthropologists or biologists today, for our purposes here it does have an important meaning, as a subset of ethnicity. Ethnic groupings refer to the origins of people in the different countries (or local areas) of the world from which they came during the five centuries since Columbus -- or to the fact that their ancestors were here prior to that time. And races refer are those ethnic groups that were treated in very distinct ways in the American past (and to some extent are still treated so today). This way of defining ethnicity and race may be crude and imprecise, but it drives home the two crucial points relevant to this discussion. The first point is that races form a special subset of ethnic groups, and that racial intermarriage forms a special subset of ethnic intermarriage. The second point is that a legitimate concern with racial classification arises from such legacies as slavery, the near-extinction of the American Indian groups, and state laws forbidding interracial marriage -- laws that survived in various states until 1967 (when the U. S. Supreme Court finally ruled them unconstitutional). And so, if we want to

understand problems like American economic inequality we cannot ignore people's racial origins; to blithely throw out race classifications in our present censuses would not be smart or fair.¹²

Section 3. HOW MANY MIXED-RACE MARRIAGES TODAY?

How to deal with the mixed-race person depends in part on how common mixed-race marriages are today in America. To understand these rates we need to appreciate first that immigration is rapidly increasing the number of non-whites who are Asian or Hispanic. And immigrants have always tended to marry their own (many indeed, arrived as married couples); but their children have been more likely to intermarry. Asians and Hispanics follow this same pattern. The native-born Asians and Hispanics often intermarry. We do not feel their impact yet as fully as we will in a few years, since the second generation of the recent, post-1965 immigration is only now reaching marriageable age. A much smaller number, but a high rate, of intermarriage also occurs among the American Indians.¹³ By contrast, black intermarriage rates are very low.

Consider for example, native-born, young, married people (25-34 years of age) in 1990. Some two fifths of these Hispanics were marrying non-Hispanics, and over half these Asians and

¹²A variant of the ancestry question could eventually do away with the race question, but that does not seem to be in the works any time soon.

¹³The reference is to those who consider themselves American Indian by race, not to the much larger group, nearly all of whom consider themselves white, who indicate that they have some American Indian ancestry. On the 1990 intermarriage rates for individuals 25-34 years old, see Reynolds Farley, *The New American Reality*, New York, 1996, 264-5.

American Indians were marrying non-Asians;¹⁴ yet more than nine out of ten among these blacks married other blacks. Nevertheless, even blacks have been out-marrying more than before; the rate for better-educated young black men from about 6% in 1980 to over 9% in 1990.¹⁵ So there are really two patterns of interracial marriage today: it is uncommon among blacks and common among other non-whites.

Both of these quite different patterns involve huge numbers of non-white Americans. Race has always meant first and foremost the black-white divide -- as well it should in a land where that divide distinguished slave from master, and in which (at least very recently), by far the greatest numbers of non-whites were blacks. And so, until recently when one thought of racial intermarriage, one thought first and foremost of black-white intermarriage. However, that way of thinking about interracial marriage is no longer adequate.¹⁶ The rising number of Asians and Hispanics has made that way of thinking about non-white America obsolete.

To appreciate the point, consider the shifting proportions of blacks and other non-whites in America. It is common to speak of the increasing share of non-whites in the American population generally. In 1970, 'non-whites' amounted to 16.5% of all Americans, and by 1990

¹⁴Of course, even those Hispanics and Asians marrying within their 'racial' group might well be marrying those from other countries than the country of their own origins (a descendant of Chinese immigrants might marry the descendants of Asian Indians for example).

¹⁵The reference here is to native-born black males, 20-29 years of age; reported by Zhenchao Qian, "Breaking the Racial Barriers: Variations in Interracial Marriage Between 1980 and 1990" paper presented at American Sociological Association, 1998. See also Douglas J. Besharov and Timothy S. Sullivan, "One Flesh: America is Experiencing an Unprecedented Increase in Black-white Intermarriage," *The New Democrat*, July/August, 1996, 19-21.

¹⁶By non-whites here I mean those not classified as non-Hispanic whites.

to 24.2%. In 2020, the Census Bureau tells us, the proportion of non-whites in the population should exceed a third and by 2050 it should reach a half. I will discuss some bizarre features of such racial forecasts in section 5; but certainly any forecast will show that the proportion of Americans who will have non-white ancestors in the next century will be much higher than it is today.

This much is now commonplace. But notice that the same trend (rising Asian and Hispanic immigration) transforms the composition of *non-white* America. The proportion of blacks in this non-white population is dropping sharply. If one met a non-white American before 1970, this non-white American was very likely to have been black; today the chances are better than even that a non-white American is not black. The percentage of blacks among all non-whites stood at 66% in 1970, and at 48% in 1990; by the same forecasts just mentioned, it is expected to decline to 36% in 2020 and to 30% in 2050.¹⁷

So the high intermarriage rates among the 'other' non-whites (those who are not blacks) is crucial, not peripheral. Moreover, a similar shifting of perspectives applies to the implications of all this for civil rights legislation and the need for unambiguous legal status. Here again, that legislation was originally designed for blacks, but much of it has come to be extended to other non-whites. The multiracial challenge to the clarity of civil rights law, then, may still be a

¹⁷The figures in the paragraph are taken from Roderick J. Harrison and Claudette Bennett, "Racial and Ethnic Diversity," in Reynolds Farley, editor, *State of the Union: America in the 1990s*, vol. 2, *Social Trends*, New York, 1995, 142. See also Reynolds Farley, *The New American Reality*, New York, 1996, 213. In 1960, the Census Bureau did not take account of 'Hispanics' in discussing race at all; among those it did count as non-white, some 9/10s were blacks. The 'chances of meeting' a black or other non-white obviously vary dramatically across the country; the example in the paragraph should be thought of as referring to randomly chosen non-whites selected from the American population.

relatively minor matter insofar as that legislation applies where it was intended first and foremost to apply. However, the multiracial challenge to the clarity of civil rights law is considerable and rapidly expanding insofar as that legislation also covers other non-whites.

What will the future pattern of black intermarriage be? Will it accelerate appreciably? That of course is impossible to judge with any certainty today. One source of change are the children of black-white marriages today; it is likely that such people will intermarry more than those whose parents and grandparents were all black. Even a modest increase in the number of these mixed-race children may increase considerably the number of people who had a black grandparent or parent and are married to a white person. If it seems hard to believe that large-scale intermarriage will ever occur between American blacks and white (or other non-white) Americans, consider the situation of blacks in states in which they are a tiny fraction of the population -- less than 5% and in many cases as little as 1-2%. In each of these dozen states, black intermarriage rates in the 1980s were well above the national norm -- and indeed in *ten states* with a very low black population, the rate of black-white intermarriage *exceeded 30%*. These rates, of course might be dismissed as irrelevant to the typical American black experience today, in which blacks as a large and concentrated minority, with many members of their own race to meet and marry. Nevertheless, it is well worth remembering that even in America today, black- white marriage is not so strange that it cannot become commonplace when the usual demographic constraint operates strongly -- namely, the absence of large numbers of potential mates from one's own group nearby.¹⁸

¹⁸Matthijs Kalmijn, "Trends in Black/White Intermarriage," *Social Forces*, September, 1993, 72(1), 127-129.

In any case, whatever the future of black out-marriage, interracial marriages among the native-born in the other legally designated 'non-white' groups is common. This is the context in which we must assess whether we can oblige people to claim origins in only one racial group.

Section 4. HOW TO COUNT THE MULTIRACIALS.

We must allow people to declare themselves as having origins in more than one race. To do otherwise is to deny that the interracial marriages just discussed exist. Instead of studying and treating them as commonplace we would ignore them, and by implication encourage the dishonest, and destructive message that members of different races do not 'normally' intermarry. We need, however, to think carefully about how to count for civil rights purposes the individuals who declare more than one racial origin. I return to the civil rights issue later in this section, first we should consider just how to handle the individual who lists more than one racial origin. NOT WITH A 'MULTIRACIAL' RACE CATEGORY. Recall that the 'race' question asks, 'this person is...' and gives five choices (four specific ones and 'other'); and these choices are accompanied by the instruction 'Mark one only.' One way to change this arrangement is simply to change the instruction -- either to the somewhat weaker 'Mark one or more' or to the somewhat stronger 'Mark all that apply.' Another way is to add a sixth racial category, called 'multiracial' and then to ask individuals to indicate to which of the four specific races the individual traces origins. The difference between these two approaches to counting individuals of mixed-race origin amounts to whether or not we add that multiracial category to the list of races.

Should we care about whether or not we list 'multiracial' as a distinct category? I think

we should in fact care and we should not list it. Learning that someone has black and white origins has meaning; learning *in addition* that the person is multiracial conveys no additional information. The added racial category should be opposed not only as redundant but because it sends the message that somehow something more *is* being communicated, that indicating multiraciality is equivalent to a new racial status, and in particular, it tends towards solidifying the significance of race, instead of simply allowing the statistics on racial intermarriage to show the how high or low the racial divide really is. It tends, finally, to suggest that describing a person as multiracial is to say something important about that person. For some people it may be very important, whether in a positive or negative sense. For many others, it may have no great valence; their origins are in two or more racial groups -- that's all.

Here the comparison to the way we treat other ethnic origins is very helpful. Americans may declare themselves to be, for example, 'Italian' or both 'Italian' and 'Irish' in their origins; nobody insists that the latter classify themselves into a special 'multiethnic' category first, nor that the children of immigrants answer questions on parents' birthplaces by first identifying themselves as 'native-born of mixed-foreign parentage.' For those who want to know how many people listed themselves as belonging to more than one race -- or more than one ancestry -- that information will be available every bit as fully from the questionnaire that does not have 'multiracial' listed as a race category.

The ancestry analogy is relevant in another way too. It is not too unrealistic to think that in time, in one to two generations, the descendants of several races may be as uninterested in their racial roots as many whites are about their ancestral roots today. While many people then may know that they are descendants of several races, which they chose to list may be as arbitrary

to them as listing 'English' or 'German' is to tens of millions today (those who seem to have shifted their ancestry based on the order of the examples that come with the Census ancestry question, mentioned in section 1). That time may seem far off, and the prospect I mention may seem improbable even then if one thinks about Americans of black origin. But it may not be so far off, or so improbable for other non-whites. While the analogy of the ancestry question may be piquant to the sociologist, it should be carefully considered by everyone concerned with civil rights, an issue to which I return to below. However, denying the current prevalence and very likely increase in the proportion of non-whites who intermarry will not do the trick.

What wording should replace that instruction on the race question? There are two possibilities being suggested: the somewhat weaker formulation 'Mark one or more' and the somewhat stronger 'Mark all that apply?' The analogy to ancestry would tend towards indicating the option of multiple origins, no more; people chose to list as many or as few as they identify with -- not the larger number of ancestries that a tireless genealogist would discover. The many agencies involved will also prefer this formulation ('one or more') as the less radical departure from the past. Finally, the danger of encouraging people to list their distant roots in any number of groups even if they do not feel any kinship with those groups is strengthened by the 'Mark all that apply' (a topic discussed further in section 6, below). The crucial point is to get rid of the instruction 'Mark one only' -- and to avoid having a multiracial race category as the alternative chosen.

IMPLICATIONS FOR CIVIL RIGHTS LEGISLATION. If we allow individuals to count themselves in more than one race, how will the outcomes affect civil rights legislation? The changes in the reporting system should not be undertaken in order to lower (or raise) the numbers

in any racial category, and insofar as possible the changes should not effect the numbers in those categories. And such an outcome does seem possible.

We need to distinguish among the numerous issues being raised by the civil rights advocates in this connection. One argument sometimes heard can be dismissed immediately, as it concerns the motives of the multiracial advocates: that these advocates seek to free multiracials from the burden and responsibility of minority racial status -- and thereby leaving their full-blooded minority brethren to cope with a still-larger burden. This concern need not be seriously addressed; quite apart from misstating the motivations of the multiracial advocates, the critique of motivations are not at issue. The effect of the proposed changes are what matter. Yet, there is something more that needs to be said on this matter. Once again, racial and broader ethnic concerns are very similar. Loyal members of ethnic groups -- Jews, Italians, Poles, Irish, Japanese -- have often seen the person who intermarries as a sort of traitor to a way of life. And so too when membership in a particular ethnic group member carried a potential of discrimination (as was often the case), loyal group members saw the intermarrying or assimilating member as not merely traitorous but also as displaying cowardice in the face of ethnic battle -- denying one's own identity to get ahead. The individual whose ties to his or her ethnic origins were less meaningful than those of the loyal group member saw the choices very differently. These sorts of intra-ethnic arguments -- with appeals to and dismissals of ethnic sentiments -- could not be more American. Nevertheless, each group and each individual must work them out; governmental policy cannot be enlisted to firm up the battlements against the erosions of intermarriage. And it is not a valid critique of government policy to point out that

those who propose it are judged less loyal to their group than others are.¹⁹

The true civil rights concerns lie elsewhere. Will permitting multiple responses to the race question dilute the numbers of minority group members, and thereby weaken the range of situations in which violations of civil rights can be tried? There are several sorts of legislation involved.

1) On the whole, legislation that is based on the status of a single individual such as eligibility for affirmative action should not be much affected (if at all), because people of multi-racial status have tested their eligibility in the past. That is, whatever was decided in the past as to the eligibility of multi-racial individuals for admission to educational institutions or to job-training programs, eligibility for employment or for set-aside contracts -- these decisions will continue to be relevant precedents.²⁰

2) Situations in which people are counted for determining employer discrimination within a firm may require more careful thought, but two considerations are relevant to the fears that civil-rights gains could be eroded. 2a) First of all, precedent may again be relevant: this issue may well have come up before in connection with specific legislation. In any case, even if it has not been discussed in the past, it is likely to come up in the near future even if Directive # 15 remains unchanged -- given the realities of racial intermarriage today, namely considerable prevalence and heightened public awareness. 2b) The second consideration is that the present

¹⁹For a revealing discussion of one critic's evolving perspective on this issue see Jon Michael Spencer, *The New Colored People: The Mixed-Race Movement in America*, New York, 1997.

²⁰Chris Ballentine, "'Who is a Negro?' Revisited: Determining Individual Racial Status for Purposes of Affirmative Action," *University of Florida Law Review*, 35, Fall, 1983.

situation is very slippery in this regard, because employers often classify workers. As multi-racial advocates have correctly noted, one can be hired as a black and fired as a white by an employer. Similarly, the most promising multiracial hires can be classified in the minority column, and the least promising in the white column -- all to help the image of an employer who discriminates. Thus, it is not so clear that the current situation (single-race classification only) in fact favors the civil-rights interest in this instance.

3) The most obvious area in which a change in the classification system could operate adversely is in connection with voting-rights legislation, and in other legislation that is directly dependent on the Census count of the racial mix in local areas (for example, knowing the local racial mix as a context for discussions of possible hires by local firms). The issue, by the way, is *not* that the new legislation will permit (for example) those with some white and some black ancestry to claim *only* white origins for themselves; that option, after all, is no less available with the present race question. Rather, the issue is that such multi-racial persons (of white and black descent for example) might now claim only black origins, and in the future might claim white and black origins. How then will they be counted?²¹

SO HOW TO COUNT? The critical point to notice is that the count -- the aggregation of answers -- is distinct from the 'race question' on the form. The form will tell us that some

²¹ Relevant too, but apparently not a subject of discussion, are individuals who think that there are *advantages* to be claiming partial minority status to obtain civil rights protections intended for racial minorities. Presumably, at the level of individual job or school applications, the point is the same as in situation #2 described in the text: such issues have already arisen or shortly will regardless of the changes to the Directive. In the Census, this individual has no personal material stake in claiming multiple racial origins, however a person may now chose to do so as a statement about his or her identity. Evidence about such motivations is discussed below in this section and in section 6.

people list themselves in more than one race category. The question of how we then aggregate those people to arrive at the total number of people in a racial group -- for purposes of civil rights law -- is the separate matter to which we now turn.

A recent Census Bureau report points the way.²² Most of that report is devoted to the empirical question, how would people respond to various formulations of the race question; but the authors of the report also considered how these responses might be aggregated. The authors give three 'illustrative approaches to racial classification,' which vary from the least to the most inclusive ways of treating people in more than one racial category.

-- The least inclusive strategy, the *'single race approach'* arrives at the total number in a racial group by counting those people who listed themselves in that race category only. For example, a person declaring origins in the white and Asian races would not be count toward the number of Asians or whites -- but only in a category 'multiple,' rather like the present category 'other.'

-- A more inclusive strategy is the *'historical series approach.'* With this approach some of those who declare themselves of mixed racial background would be counted with racial minority groups -- specifically, those respondents who listed only two races, and only one of those a minority group would be counted with the minority.²³ In other words, if the second category chosen was

²²Claudette Bennett et al, *Results of the 1996 Race and Ethnic Targeted Test* (Population Division Working Paper No. 18), Washington, D. C., May, 1997, 1-11 - 1-15.

²³I.e.: Black, Native American, or Asian/Pacific Islander (or Hispanic if that category is included in the race question).

'white' (or 'other'), the individual would be classified with the specified racial minority.²⁴ If three or more racial categories were specified, or if two minority races were specified, the individual would be counted under 'multiple race.'

-- In the '*all-inclusive approach*,' people are counted into whatever categories they checked off -- permitting, in other words, overlapping category counts that would add to more than 100%. A person who checked off white, black and American Indian, for example, would be counted three times.

The 'single-race' approach has the potential to be punitive to civil rights counts, in the sense that people of mixed racial descent who currently listed themselves as members of a minority group race would not be counted as members of that group if in they added their other racial origin in the future. It is likely that the effect would be small, at present, but it would exist. The 'historical series' and 'all-inclusive' approaches do not have that limitation and are thus much more likely to be taken seriously.

Indeed, in connection with the 'historical series' approach, the Bureau authors comment that, "it might be useful to ... federal agencies that use data on race and ethnicity to monitor civil rights legislation because it emphasizes classification into the race categories that have been used to monitor changes under extant legislation."²⁵ This approach also seems to have the attractive feature of preserving the concept of non-overlapping races whose total number equals 100% of

²⁴If white and other were the two listed races, the individual would be counted as white.

²⁵Bennett et al, *Results of the 1996 Race and Ethnic Targeted Test*, 1-12.

the population.²⁶

Whether that last advantage is really so valuable is debatable; it reenforces the myth that people of mixed descent can in fact be neatly placed in one place. In this case, it does so by ignoring their 'white' (or 'other') descent. That may not matter for civil rights law at the moment, but it is worth remembering anyway, especially when it comes to long-term changes. Moreover, the 'historical series' approach does appear to exclude one type of person who would be counted today as a member of a minority group -- those people who are descended from more than one minority group. A person who today lists himself as black but who, given the chance, would list himself as black and American Indian, for example, would not be counted as black or as American Indian, for example.

The 'all-inclusive' approach may seem bizarre at first glance, and it may be problematic in the legal arena, but we should appreciate that it is in fact a sensible way to think about group origins in the context of intermarriage --which is why ethnic ancestries are treated this way. When many people trace their descent to more than one origin, the total of proportions descended from all origins will of necessity add up to more than 100%, and origins will of necessity overlap. That the relevant mixed-race people are counted as white as well as minority group

²⁶The authors stress that the specific individual might not end up being classified in the same category as under current enumerations (since given the choice of one race only, an individual might mark white rather than Asian, but under the historical series, someone who marked white and Asian would be classified Asian. But in aggregates the numbers come out very similar. Note also that my discussion is based on the premise that the instruction to respondents on the race question should be 'Mark one or more' or 'Mark all that apply.' The Bureau authors also consider the possibility that race category 'multiracial' might be added (the option which I earlier criticized). They suggest that a person who marked only one of the indicated minority groups and 'Multiracial' would be classified with the marked minority group.

members, or as members of more than one minority group are advantages as well.

If ethnic ancestries are treated this way, why not racial origins? The answer, of course, is that legal status is not determined by ethnic ancestry, but it is determined by answers to the race question; can the needs for legal status permit overlap and totals of over 100%?²⁷ I suspect they can; in any case this is the question that needs to be confronted in aggregating responses for civil rights law.²⁸ Either the 'historical series' or the 'all-inclusive' approach should quite fully protect civil rights interests in the short run. I take up some the longer-term concerns in a moment; first, some more about the proposed immediate changes.

HOW WILL THE CHANGES AFFECT THE COUNTS OF NON-WHITES? In order to answer that question, the Census Bureau carried out detailed surveys over the past year. In the most important of these surveys, areas with high concentrations of racial minorities were targeted. In each target area, samples of people responded to one or another variant of the race question. These variants of the race question included 1) listing a 'multiracial' category; 2a) not listing the category but giving the instructions to "mark one or more" categories of race, or 2b) to "mark all that apply." Also included were variant ways of listing Hispanics (discussed in section 7). The Bureau tabulated these results in accord with the three 'illustrative approaches' already described -- that is by the 'single race', 'historical series' and 'all-inclusive' approaches.

²⁷At the individual level, in fact, this strategy is probably the one in effect now: the triracial person in our example might be able to claim federal benefits as a member of an American Indian tribe, and file suit against an employer suspected of discrimination against blacks. However, presumably in a suit against an employer accused of discriminating against blacks and American Indians our triracial example would not be counted as two people.

²⁸In addition to the problems already raised, the treatment of situations in which, for example, Hispanics sue over voting domination by blacks should be considered.

The results of these intensive tests showed relatively little change in the counts of racial minority groups. Even using the 'single race' method, there was no statistically significant impact on the number of those who said they were white, blacks, or American Indian. There was a statistically significant difference in the number claiming to be Asian/Pacific Islander (as well as among Alaskan natives). However, even that difference was modest, and in any case it only showed up when the 'single race approach' to counting was used, rather than the 'historical series' or 'all-inclusive' approaches.²⁹ These results of intensive testing in racial-minority target areas confirms the results of earlier, less detailed, queries in a national sample of the population. That earlier survey also showed minimal changes to the racial minority counts when multiraciality was provided as a race option.³⁰

²⁹Bennett et al, *Results of the 1996 Race and Ethnic Targeted Test*, 1-16 and 1-31. In the targeted areas for Asian/Pacific Islander, 58.3% of the respondents declared that they were Asian/Pacific Islander when given the instruction 'Mark all that apply' whereas given the instruction 'Mark one' the proportion was 65.0%. The fraction was virtually identical when the Bureau instructed 'Mark one or more': 64.8% (Panels A, C, and H, page 1-31). Moreover, even when the proportion sank to 58.3%, it only reduced the outcome over present counts in the 'single-race' approach to counting responses. In the two more inclusive illustrative approaches ('historical series' and 'all-inclusive').

³⁰As a supplement to the Current Population Survey (CPS) for May, 1995, the Bureau asked the race question with and without a multiracial category as well as with and without listing Hispanics as a racial category. When the race question included a multiracial category, the instruction was changed from 'Mark one only' to 'Mark one or more.' However, the option I am urging, of changing the instruction without including a multiracial category, was not administered in this national sample. Nor were 'illustrative approaches' to counting provided in reporting the results of this CPS supplement. Tucker et al, *Testing Methods of Collecting Racial and Ethnic Information*. In this survey, the major difference in racial counts (presumably using the 'single-race approach') was that the proportion of American Indians dropped from .97 to .73 of one percent when the multiracial category was included in the race question. The difference may seem trivial, but in relative terms, it is large for that small population. Nevertheless, it is not reflected in detailed, targeted counts of the second survey (Bennett et al, *Results of the 1996 Race and Ethnic Targeted Test*, 1-15 and 1-29), and it would presumably not

A CEILING FOR SHORT-TERM CHANGES? Thus we have some evidence about the minimal extent of immediate changes we can expect if we do change the instructions on the race question from 'Mark one only' to 'Mark one or more.' Nevertheless, predicting policy outcomes is not exactly a procedure we've perfected; nor are those concerned with the policy likely to feel fully reassured by any test of its expected effects. And so one other feature might be considered in connection with any 'approach' to counting for legislative purposes, namely a mechanism for restricting the impact of whatever change the numbers produce. For example, any change resulting from new counting procedures could be introduced in steps over three years, or the largest change due to procedures could be limited to 10% until 2005. While changes will probably not be large, the provision for a ceiling might be reassuring.

Comparisons between current and revised methods of classification also implies that the Census Bureau continue to use the current form of the race and Hispanic origin question for several more years -- in canvassing subsamples of the population. The Census Bureau has a long history of formulating question variants on the CPS (Current Population Survey) -- administered to some 50,000 households monthly. And there is also a solid precedent for asking different questions to subsamples of households who received the Bureau's 'long form' (detailed questionnaire) in the decennial Census: in 1970, the Bureau used two different long forms of the Census.

A DILEMMA FOR THE LONG-TERM It is worth remembering that in the long term -- a generation or two -- the implications of the Census Bureau's illustrative approaches might be

have emerged given less exclusive 'approaches' to the count in the CPS supplement).

dramatically different than they appear today. That is because racial intermarriage might well become much more prevalent than it is today; if it does, then the number of people whose classification will depend on these rules (the children of racial intermarriage) will be much larger than today. Also, by that time it is possible that the responses to the race question will involve more instability than they do today -- as the responses to the ancestry question do today (given the weak affiliation to one or more origins by some people of mixed origins -- see section 1).

In such a situation, how will the race count serve as the basis for civil rights law? It is not only that the numbers may be much less stable than today. It is also that the relevance of membership in a group will become harder to judge. Will it then be meaningful, for example, to treat a person who had one black or Asian grandparent as black or Asian respectively for purposes of civil rights enforcement? The answer to that question surely turns on how we think people with one black or Asian grandparent will then be treated in American society. If they will suffer discrimination, they should probably be treated as members of the relevant minority race in the count. If they will not suffer discrimination as members of the group, should they still be counted as group members for civil rights purposes?

This is the long-term time bomb we leave in place with any of the Bureau's 'illustrative approaches,' and probably with any other approach. The 'single-race' approach excludes these mixed race people from minority counts altogether, the 'historical-series' approach includes most and the 'all-inclusive' approach includes all of them in the count. We must hope that the civil rights of those with origins in racial minorities will have evolved a great deal in a generation or two, and that civil rights law will have worked out better solutions for treating those of mixed descent by then. Nevertheless, it is well to remember that at least in our time changing the

arrangements for civil-rights-related counts has not been easy.

The Bureau authors did not discuss, even 'for illustrative purposes,' a variant of the 'all-inclusive' approach in which a person would be allocated to each racial category that he or she listed -- but would be counted in each racial category as a fraction of a person. Someone who listed white and black, for example, would be counted as an addition of half a person in both racial categories. Someone who listed white, black and American Indian could be counted as an addition of one third of a person to each of these three racial categories.

This fractional strategy has numerous disadvantages. It runs the risk of being too gimmicky to command legitimacy in civil rights law; it recalls the distasteful antebellum Congressional apportionment counting, in which each slave was tallied as three-fifths of a person; it may remind people of past racial laws in which a person was considered a member of a minority race by virtue of the fraction of 'blood' he or she had inherited from that race. And finally, like the 'single race' approach (but to a smaller extent), the fractional strategy runs the risk of slightly reducing the number of people counted today as members of a minority group. For example, if someone listed herself as black under current instruction and would list herself as black and white under new 'mark one or more' rules, she would currently be counted as one person in the black column, but would only be counted as a half under that new rule.³¹ While the effect would be very small at present, it would be hard to dispel the mistrust that a potential decline would engender.

On the other hand, fractional counting does have the other advantages of the all-inclusive

³¹It is also possible, of course, that some currently-listed whites might also list themselves as black and white, thereby increasing the number of blacks in the count.

approach, and at the same time it preserves the 100% total of non-overlapping categories (without ignoring the impact of intermarriage). And finally, fractional counting does deal, however imperfectly, with the long term danger of counting huge numbers of mixed-origin people as though they were only members of a minority group. Consequently, fractional counting should at least be discussed for heuristic reasons. Of the three approaches illustrated by the Census Bureau staff, the 'all-inclusive' strategy may be preferable to the 'historical series' in dealing with this long-term time bomb. While it will inflate the number of people counted as minority group members even more than the historical series approach does, the 'all-inclusive' approach will also count the mixed-race people in all relevant groups, whether or not racial minorities. And as the number of mixed-race responses increases, the amount by which the total number of responses exceeds 100% of the population will also increase. These counts should draw increasing attention then to the need to rethink the counting procedures -- if racial intermarriage really does become as prevalent in a generation or two as I suppose, and if racial status still determines legal status at that time.

RECOGNIZING RACIAL INTERMARRIAGE: LONG-TERM GAINS FOR RACIAL MINORITIES. Civil rights advocates are right to scrutinize very carefully the short-term implications of the proposed changes to OMB Directive #15. However, it would be a pity if the long-term potential advantage of these changes were ignored. Our present system of classifying races and other ethnic groups has been constructed on the principle that racial categories are immutable; this is no basis on which to end a racist legacy, and no way to think realistically about the society in which we live even now. As our present predicament shows, racial intermarriage inevitably confuses and distorts the racial divisions in the country. In the present

context, it is natural to discuss that confusion simply as a threat to civil rights' gains. However, if racial intermarriages comes to be treated analogously to ethnic intermarriage generally, the country should profit from the confusion of racial identity. If mixed-race people come to be numerous, and are treated like other people of mixed ethnic ancestry, it will be harder for racial divisions to remain strong. Surely we already find some of that happening in the *faux-pas* over Tiger Woods's racial origins.³² So too, the present debates over the race question, and the resolution of those debates also has the potential to contribute to the erosion, rather than the preservation of the racial divides.³³

Section 5. FORECASTING 'THE BROWNING OF AMERICA'

Public discussion about listing the multiracials goes on separately from discussions about the future racial composition of the American people. Yet both issues in fact turn on the same inadequate treatment of intermarriage by the Census Bureau and other government agencies. The projections on race were first brought to the attention of the American people in a big way some seven years ago in a *Time* magazine article that coined the phrase "The Browning of

³²*Time*, May 5, 1997, 32.

³³Some observers of racial patterns world-wide fear the flip-side of the scenario I've just outlined. In a society of strong racial divisions, they argue, multiracials may come to be defined as they are in apartheid South Africa, (and in other some societies) -- as the 'new colored people,' with a distinct legal status. Instead of preserving the firm race line by the 'one drop' rule, we will, these people argue, do so as South Africa did, by creating, instead of two sharply delineated races, one or two more, all with a standing in law. See Spencer, *The New Colored People*. This situation seems to me an an unrealistic scenario that ignores the difference between our moment in the evolution of race relations and that in South Africa in 1900 or 1950. It is true, however, that the legal recognition of 'multi-racial' race category is subject to criticism from this perspective more than the alternative of allowing people to indicate more than one racial origin.

America.”³⁴ *Time* followed the Census Bureau (and why not?) in telling Americans that their country will be more than half non-white by the middle of the next century. This message stimulates very different reactions. To some, the demographic forecast says that America had better wake up to the needs of its ‘minorities’: they are soon to be its majority. To others, the forecast says America had better restrict immigration to avoid reaching a ‘non-white majority.’ Whatever message one draws from the text is misguided, because the projections are misguided. They ignore intermarriage.

IN 2050 AMERICA WILL BE MORE THAN 50% NON-WHITE -- AND MORE THAN 50% WHITE. The branch of the Census Bureau that carries out some important projections -- of age, sex and total population in particular -- somehow got saddled doing racial projections; and as a result, dedicated and discerning demographers were linked to a sadly misguided effort. The racial projections are based on the bizarre assumption that there will be no further intermixing of peoples across racial lines. The Bureau’s projections assume that a child born to an interracial couple today will take the race of the mother, and that starting tomorrow (that is, in all projections about the future), no one will marry across racial lines in America. If an Asian-American woman and a non-Hispanic white man marry today, the Bureau projects that *all* their descendants in the year 2050 will be ‘Asian-American,’ and will *only* be ‘Asian-American.’ If two immigrants arrive from Guatemala today, the Bureau projects that *all* their descendants will marry *only* Hispanics -- through 2050 and beyond. Such assumptions are wonderfully simplifying and politically have some short-term use to a few interest groups. But they are

³⁴*Time*, April 9, 1990.

ludicrous -- or would be if they were not taken seriously and did not contort our view of where we are.

Ironically, any realistic assumption about intermarriage levels in the future implies both more and less ethnic transformation in America than the projections suggest. If the descendants of Guatemalans intermarry with non-Hispanics, it means that many more people will have some 'Hispanic origin' by 2050 than would be the case if the descendants of Guatemalans married only other Hispanics. And yet, at the same time, many of these descendants will no doubt be only be 1/4 or 1/8 'Hispanic'. They will also be part something else, and very likely in fact, they will be part 'non-Hispanic white' in their origins.

A recently completed study of immigration by a panel of the National Research Council takes a great step forward in confronting these limitations. The Council's panel went on to make their own painstaking projections -- building in assumptions about the extent of future intermarriage and its impact on future racial identification.³⁵ However, the panel's procedures are themselves problematic, in ways that link this issue of projections to our earlier discussion. In essence, the panel assumed that the 'Mark one only' instruction would remain in effect for the next six decades, that whatever the level of intermarriage, the children of the racially-intermarried would remain members of one race only. What, the panel asked, will our mixed-race descendants of 2050 mark when instructed to 'Mark one only?' The answer to that question, to put it gently, is a long way from an adequate statement about how our descendants will relate to their racial origins.

³⁵James P. Smith and Barry Edmonston, eds., *The New Americans: Economic, Demographic and Fiscal Effects of Immigration*, Washington, 1997, especially chapter 3.

Consider a fairly extreme, but not unreasonable case. In 1990, an child of an Asian-white marriage is listed under one race; in 2000 this person marries the offspring of an Hispanic-white marriage (who also chooses one race). Their own child, born in 2005, is listed under one race, and in 2030 marries the offspring of a black-white marriage. In 2050 that child marries the offspring of a white-American Indian marriage, and they have their own child in time to happily include the child when the 2050 Census long form arrives in the mail -- which instructs them to mark this newborn under one race only. Just how meaningful do we think their response will be? Notice that this example is only 'fairly' extreme -- on one side of the family there has been racial intermarriage in every generation since 1990. However, I have not even specified the racial background of the other side of the family, except for the newborn's parent.³⁶ The point is not whether the panel correctly projects which race these parents of 2050 will mark for their newborn; rather the point is that the result of a 'Mark one only' instruction cannot have a recognizable meaning in that society of 2050 -- any more than 'Mark one only' would have meaning on the ethnic ancestry question today.

There is also another kind of difficulty with such projections, and it would not go away even if the instruction were changed to 'Mark one or more.' Will Americans in 2050 perceive the major ethnic and racial groupings as they do today? Suppose that Census Bureau officials at the turn of this century (or even six decades back) had projected the racial composition of 1997 -- while ignoring the subjective element in racial identity, the reality of intermarriage, and the

³⁶Notice too that the panel is obliged to assume that the racial choice for mixed origin people will be made as it is today -- although the number of races from which parents, grandparents and great-grandparents may be larger on average than today.

coming shift in countries sending emigrants. Those officials would not have fared so splendidly. They might well have classified most of us as 'Nordic,' 'Alpine' and 'Mediterranean' for example. Suppose that over the coming decades we get many new Slavic immigrants from the evolving countries of eastern Europe; would we then be content to simply subsume these recent Slavic arrivals under the category 'white', along with those whose ancestors came from many lands eight or ten generations back? More likely we would subdivide into 'non-Slavic-White' (or would it be 'non-recent-Slavic-White'?). Or suppose that as a result of some political and economic developments in Asia, the number of Indian and Pakistani immigrants becomes much greater than today, while arrivals from China, Taiwan, Korea and the Philippines decline greatly. Will we still speak of 'Asians' or will we make some distinction between the Indian subcontinent and the countries to its east? Admittedly, the difficulty of predicting where the big 'racial' divides will be might be seen as analogous to other difficulties that arise with projections of the future. The problem of predicting identity with just one race is the fundamental objection to the racial projections, because it strikes at the goal of the endeavor -- strikes at the internal contradiction arising when we define race as 'one only' and stress the need for assumptions about racial intermarriage.

I do not mean to suggest that the National Research Council's panel was unaware of such issues; they mention caveats directly relevant to most of them; but caveats do not go into the model, and the public that hears the count the model produces, not the caveats. Moreover, while the panel is indeed aware of most of these issues, there is only the weakest of hints that the whole notion of estimating membership in one race only is not productive for a population that will include so many with multiple racial origins. The panel makes a great contribution in

drawing public attention to the fact that the current Bureau projections ignore intermarriage; but one cannot meaningfully incorporate intermarriage into the projections without incorporating mixed racial membership -- 'Mark one or more' -- into the projections as well. Intermarriage changes the salience, the meaning, of race.

DESIDERATUM: THE GENEALOGIST'S PROJECTION. There is another kind of projection that could be undertaken and it would serve a truly educational purpose. We could estimate the true racial origins of Americans in 2050 -- what the genealogist would discover. This exercise would turn away from the subjective responses people -- when faced with the instruction 'Mark one only' or even when faced with the instruction 'Mark one or more'. The ancestry data shows that even the latter instruction will be a simplification. The 'genealogist's forecast' would underscore for the public just how much intermarriage is expected, just how much blending of peoples will occur. It should also bring to center stage the uncertainties on the crucial issue of black-white intermarriage, which the National Research Council appears to have projected at 1970-1990 levels through 2050.³⁷ Moreover, I think, that this sort of 'genealogist's exercise is much closer to what the public thinks it is getting when it is fed projections about 'the future racial composition' of the country -- actual origins, rather than subjective simplifications

³⁷The panel estimates intermarriage rates in each racial group by distinguishing immigrants from natives, and distinguishing natives in terms of how many generations back the family's ancestors immigrated: one, two, three, four or more. Then they apply the rates of intermarriage based on data from our own time to these subcategories of the population. What then, of the descendants of blacks brought here in the seventeenth and eighteenth centuries, namely most American blacks? Since these blacks are already 'four or more' generations in America, the model assumes that they will intermarry in the future no more often than they intermarry today. See Smith and Edmonston, *The New Americans*, Chapter 3, section on "Exogamy Assumptions" and Table 3.B.3, "Exogamy Estimates."

of misguided instructions to 'Mark one only.' What the public may not expect is that actual origins will be blended origins (although awareness on this issue is rising, if media discussion of Tiger Woods is any measure). Whatever the precise numbers, our genealogist will surely find that by 2050, many more Americans than today will have 'non-white' parents, grandparents or great-grandparents; *and* that Americans with such non-white ancestors will also be more likely than today to have 'white' parents, grandparents or great-grandparents.

However, non-governmental researchers can run these simulations. Why, in fact, should the Census Bureau be in the business of making long-term racial projections at all, forecasts beyond the next decade or so? The Bureau's other population projections, notably of age and sex structure, and population size, are used in a variety of endeavors. But racial composition? Is the racial projection an atavism from a more racist era; or is it a misguided effort to forecast how many Americans in 2050 will be covered the legal statuses inherent in the civil rights legislation of today?

The low quality of racial projection data is not the most severe outcome we can expect if we deny that races mingle, and treat them differently than other ethnic groups in this regard. The greater danger is the perpetuation and strengthening of a barely-articulated sense underlying the present way of counting 'races': that races live their lives in isolation from each other, that they must be counted rather as members of different species might be counted. The Census Bureau does not just count; in choosing what to count and how to count, the Bureau is in danger of propping up barriers that would otherwise not be so high or so foolishly placed.

Section 6. FIRST ADDENDUM: RACE-MIXING IN THE AMERICAN PAST:

LEGACIES AND IMPLICATIONS FOR TODAY'S COUNTS.

WHO'S MULTIRACIAL? WHO'S NOT? THE LONG VIEW. In some sense, everyone is the product of mixed origins. Given the differing definitions of race that have operated in this country since 1900, the great majority of Americans are of mixed 'racial' origin by one or another of these definitions. Recall that at the turn of the century, 'Nordic' 'alpine' and 'Mediterranean' races, were often distinguished among whites (see section 2). Even if we restrict ourselves to the current OMB definitions of race (black, white, Native American, Asian), there is a good deal of mixed-race descent if one takes the long view. Will this long history of racial mixing distort responses to the race question when people are told they can fill in more than one race, just as they can fill in more than one ancestry? The answer in a word is no. First, not every conceivable ancestry gets listed on the ancestry question; rather, only those ancestries with which one identifies most (the choice of how many is left to the individual. And second, we have empirical evidence on what people would do with the new race question instructions, because the Census Bureau has tested the relevant variants of the question.

The long view is especially important in considering blacks, Native Americans, and Hispanics.³⁸ The importance of a clear-cut difference between free and slave, and later between subjugated blacks and subordinating whites, meant that the black-white color line was sharply

³⁸The historical discussion in the following paragraphs is based heavily upon Joel Williamson, *New People: Miscegenation and Mulattoes in the United States*, New York, 1980 [Baton Rouge, 1995]; F. James Davis, *Who is Black? One Nation's Definition*, University Park, Penn., 1991; and C. Matthew Snipp, *American Indians: The First of This Land*, New York, 1989, chapter 2. See also Gary B. Nash, "The Hidden History of Mestizo America," *Journal of American History*, Vol. 82, No. 3 (December, 1995), 941-64.

and unambiguously drawn. From early colonial times, for example, black-white marriages were illegal.

Yet notwithstanding the law and the ideology of race, people of different races interacted and an extensive mulatto population was already enumerated in the Census of 1850. These mulattoes were the descendants either of early colonial mixing among blacks and whites or of sexual exploitation of the enslaved. Over the long course of slavery, these mixed-race descendants came to be defined as black in law and custom -- defined by the 'one drop of blood' rule, by which membership in the white race was limited to those without any black ancestors. Not all societies built around a racial divide have been organized in this way; South Africa, for example, recognized the 'colored' population of mixed-race descent as a separate legal status. Here however, that pattern did not emerge: those in the middle were moved over the line to the black category.

Because a substantial mulatto population intermarried into the rest of the black population, demographers estimate that extraordinarily high proportions of 'black Americans' in the United States in fact have some white ancestry (quite apart from any recent trends in interracial marriage). Moreover, some fraction of those mulattoes fair-skinned enough to 'pass for white' did so; and since these people typically married into white America, a non-trivial proportion of 'white Americans' have had some black ancestry. Thus until recently, the black-white line was preserved in law and race theory, and in much of popular culture, if not in the true genealogical legacies of the population. Until very recently indeed: laws against intermarriage were not ruled unconstitutional by the Supreme Court until 1967, and such laws were on the books in many states in the 1950s.

Among Native-Americans, a somewhat different pattern emerged; the reasons why the pattern differed are many, but surely a crucial one is that mixing with Europeans did not occur against the backdrop of a slave status for the Native American. In any case, by the early twentieth century many people who said they were American Indians by race also noted that they were of mixed descent, with some 'white' and/or 'black' ancestors as well. And during this century, when government dealt with tribal communities, as it did for numerous purposes, who would be considered a tribal member? Eligibility depended on the proportion of one's ancestors who had been tribal members. The required proportion differed from tribe to tribe: a quarter, an eighth, or less. In addition, one had to be recognized by the tribe as a part of the community. That is, the definition includes both a 'blood quantum', a specific fraction of Indian ancestry, as well as a subjective element of communal recognition. 'American Indians', then, were not defined as such (by themselves or by agencies of Federal or state government) as a result of 'one drop' of blood or even by a particular quantum of blood. The definition was more complex.

There is also another noteworthy difference between the black-white and red-white situations. American Indian is a category on the Census race question and on the Census ancestry question. When the Census Bureau began using the ancestry question in 1980, it found that millions of people classified themselves as having some Native American Ancestry -- but also listed themselves as 'white' on the 'race' question. By 1990, the number of such people had risen to nearly *nine million* -- while those who identified racially as Native American numbered about two million.³⁹ Why there are so many people claiming some Native- American ancestry,

³⁹Harrison and Bennett, "Racial and Ethnic Diversity," 209, n10.

but not native-American racial identity is a piquant question about American ethnic history. The point here, however, is that, by contrast, that very few who identified themselves as racially 'black' mentioned any European ancestry, and very few who identified themselves as racially 'white' mentioned any African ancestry. If people knew their family origins fully, and reported them fully, presumably tens of millions would be reporting both black and white ancestry, just as millions reported red and white ancestry.

Hispanic Americans present a third variant. The intermingling of Africans, Europeans and native peoples occurred under a variety of circumstances in the societies of Latin America, but the upshot was that many Hispanic immigrants arrive in this country knowing that they have origins in two or more of these different peoples. Yet at the same time, they also learn that in the United States 'black' and 'white' are sharply divided. Where do the Hispanics then belong? Which category of the race question -- if any -- should they mark? It can hardly be surprising, then that many Hispanics mark 'other' for their race today (see section 7 on this issue).

WHO SAY THEY ARE MULTIRACIAL? It is one thing to appreciate that a great number of Americans have remote genealogical origins in more than one of the categories we label as racial today. It is quite another thing to believe that people today will in fact change the way they answer the race question in order to capture that long-ago racial mixing. In fact, the evidence suggests that the reverse is the case. The ancestry data from the Censuses of 1980 and 1990 show us that 'whites' rarely identify with an African ancestry, and 'blacks' rarely identify with a European ancestry.⁴⁰

⁴⁰ See, for example, Reynolds Farley, *Race and Ethnicity in the U.S. Census: An Evaluation of the 1980 Ancestry Question* (Population Studies Center) February, 1990, 41-46.

In addition, we have the surveys conducted by the Census Bureau in connection with the current OMB review, already discussed in section 4. Areas with high concentrations of a each racial minority were targeted, and within these areas, responses to numerous variants of the race question were compared. To review, even when the results were tabulated using the 'single race approach' differences were not statistically significant in the white, black, and American Indian target areas. In the Asian/Pacific Islander group, these tabulations showed modest differences, but those too disappeared when the 'historical series approach' or the 'all-inclusive approach' were used in tabulations.

In sum, responses to the race question do not elicit an awareness of the high levels of multiraciality that in fact has been created over the long sweep of American history. To put it differently, the subjective element in the way we determine racial membership allows us to bypass the complexity that is actually inherent in the genealogical record; what we get for the most part is responses to recent family history.⁴¹

The picture is more mixed with regard to American Indians, as already noted. In 1980, for example, besides the large number of whites claiming some American Indian ancestry, about 22% of those claiming American Indian racial status claimed some European Ancestry. See Snipp, *American Indians*, p 51. However, the crucial point, discussed in the next paragraph of the text, is that the counts of American Indians do not change in statistically significant ways when the instructions to the race question change.

⁴¹In another test, the Census Bureau asked people who said that they were multiracial whether they said so because their parents were of different races, because more distant ancestors were, or because the nature of their group was multiracial. Some three quarters chose the first reason (Tucker et al, *Testing Methods of Collecting Racial and Ethnic Information*). But with regard to the second response, which concerns us here, the real point is that only a tiny fraction of those who could conceivably have declared a multiracial legacy did so. For example, in the 'black' population alone a very substantial majority would have had some rationale basis for 'marking more than one' if they were inclined to do so, and had they done so the number of 'multiracials' would have been many times as great as it in fact was. Similarly, Hispanics may

Section 7. SECOND ADDENDUM: ARE HISPANICS A RACE?

Remember: in the Census, race is subjectively defined, the available categories from which to choose are determined administratively (by the OMB Directive), and the whole arrangement is important for civil rights law (legislation that covers Hispanics too). This is the legal and administrative context. The social context is that Hispanics have a hard time knowing what to call themselves in those administratively-determined categories. For one thing the awareness, and feelings about a multiracial legacy varies from one society to another, and multi-racial immigrants do not necessarily relate to their origins as the native-born do. It may well be harder for these immigrants, then, to choose one category. But more important, the way Americans talk about race, neither the categories 'black' nor 'white' seem to include Hispanics (thus, 'non-Hispanic white'). With what race, then, is the Hispanic supposed to 'subjectively identify'? In the 1990 Census, 57% of those who identified as Hispanic selected one of the specific racial categories listed on the Census form -- and 43% did not do so. Many of these 43% placed themselves in the 'all other' race category, and they form the vast majority of the people who chose this category. When a major population group cannot meaningfully identify with an important question, it is natural to wonder whether the question is misstated. Would it help to classify Hispanics under the race question?⁴²

On the one hand, it seems bizarre to treat Hispanics as a race, given the history of that

be confused about whether to mark 'black' 'white' or 'other' but the confusion is not based on a hungering to resolve their problem by marking two or three of the available race choices instead of one; rather they are uncomfortable being labeled in any of the available race groups.

⁴²Reynolds Farley, *The New American Reality*, New York, 1996, 211; Smith and Edmonston, *The New Americans*, Chapter 3, n17.

term and the obvious connection of the term 'Hispanic' to ethnicity -- are 'Slavic-Americans' a race? Also, the racial count of 'others' does not much complicate legal issues, since 'Hispanics' are separated from whites and blacks by virtue of the Hispanic-origin question. On the other hand, one can argue that the race question is no longer meant to elicit what used to be called race, so that it makes little difference if it is extended to cover Hispanics. Indeed, the 'race question' nowhere mentions the word race, and the tabulation headings could easily be made to refer (as they already often do) to 'race and Hispanic origin.'

There is, however, another consideration. People tend to ignore the subtleties, and listing the 'Hispanic' category in the 'race question' may contribute to the willingness to call Hispanics a race. Consider the following examples, all taken from the two important technical reports recently produced on the race question changes -- both authored by the Census Bureau staff, in one case together with the staff of the Bureau of Labor Statistics.

'...when "Hispanic" was included as a racial category...'

'...where "Hispanic" was a racial category....'

'Preference for including Hispanic as a Racial Category' [section title]

'Hispanic origin is included in the list as though it is a race group.'⁴³

It is easily understandable why the terms are used in this way by responsible analysts; but the eliding of 'Hispanic' and 'race' is indeed well underway in these phrases and the rest of us generally will be less, not more, careful than Census Bureau officials in eliding race and

⁴³The first two examples are from page 5, and the third from page 41 of Tucker et al, *Testing Methods of Collecting Racial and Ethnic Information*; The fourth example is from page 1-13 of Bennett et al, *Results of the 1996 Race and Ethnic Targeted Test*.

Hispanic origin.

Finally, there is the question of precedents. The OMB tells us which groups will be listed as races; so it is understandable that other groups might also be considered for race status -- Arab-Americans for example.⁴⁴ If representatives of a group believe it is in their group's interest to have its progress scrutinized by government, then getting listed as one of the racial groups is a big step in that direction. In a word, the subjective nature of the list, the fact that the list is determined by administrators, and that the list is used to define legal status -- all this makes it hard to tell groups that they *cannot* be listed as a category in the 'race question.' Including Hispanics will make it harder still to do so.

⁴⁴See, for example, U. S. Office of Management and Budget, "Standards for the Classification of Federal Data on Race and Ethnicity," page 44681.