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## INTRODUCTION

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**B**ITTERLY fought controversies surrounded the late-twentieth century censuses in the United States, and in particular the 1990 census, over the issue of population undercounts and possible adjustments. Such controversies drew attention again in connection with Census 2000. Yet Kenneth Prewitt, the director of the Census Bureau during the 2000 enumeration, writes in this volume that when historians look back on the history of the census, the debates over the undercount will get only a footnote; the change in the race question will get a chapter. Indeed, the 2000 census race question has opened the door to a new way of measuring and thinking about race. By allowing individuals to report identification with more than one race, the census challenges long-held fictions and strongly defended beliefs about the very nature and definition of race in our society. This volume examines these monumental changes from a multidisciplinary perspective.

Under the old formulation of the race question, the respondent was instructed to select his or her race from a list and to mark one category only; under the new formulation, which was introduced in Census 2000 and will be used by all federal agencies by 2003, the respondent may mark one or more races. The Census Bureau (and other government data collectors) must now decide how people who mark more than one race will be counted and how the counts of races will be aggregated from the raw data.

At first sight the issue seems technical and marginal; but behind it lie at least two important features of American life and American thinking about race. The first is the growing prevalence and recognition of racial intermarriage. Not so long ago, according to the typical pattern, interracial sex and marriage were officially forbidden, and offspring of unions that violated these norms were ignored or defined away. The mechanism by which this was usually accomplished was the “one-drop rule,” which defined anyone with any African ancestors as black. Under these circumstances, “race” distinguished social groups in important ways.

By contrast, if members of different “races” are allowed to intermingle and their mixed status is not ignored (no one-drop rule placing them in one race category only), and if racial groups do in fact intermingle to a great extent, then racial origins begin to look like ethnic origins—that is, as origins that are often mixed. Tens, if not hundreds, of millions of Americans have ancestors from three or more places, such as England, Germany, and Italy.

Second, the development of the strong antidiscrimination and voting rights laws of the 1960s, and affirmative action policies, came at great social and political costs, first for African Americans and later for other groups as well. These laws need simple and clear race categories into which to place individuals for the purposes of documenting and redressing discrimination. Yet the social reality of racial intermarriage is increasingly at odds with this requirement for simplicity.

Race counts are used in connection with legislative and judicial actions involving civil rights and voting rights, as well as in educational and health statistics. They are also the basis for Census Bureau projections about the future racial composition of the U.S. population. In addition, researchers across the social sciences use race data to analyze the experiences of racial and ethnic groups. How, then, will racial combinations be aggregated under the new race question? Who will decide, for example, whether a respondent who self-identifies as black and white, or an Asian category and white, will be counted as a member of the minority or as a white? At present, the Office of Management and Budget (OMB) has been handed the politically hot potato. That agency has ruled that, for purposes of civil rights enforcement, people who identify themselves as members of more than one race should be counted in the minority category. For all other purposes guidelines have been slower to emerge and are looser.

As many of the chapters in this volume make clear, there is more than one reasonable way in which these classificatory decisions might be made. This is the context for the conference held at the Levy Economics Institute on September 22 and 23, 2000, which considered these issues under several rubrics. The conference brought together scholars from sociology, demography, political science, history, and American studies and government officials from several important federal agencies—the Office of Management and Budget, the Department of Justice, the Bureau of Labor Statistics, and the National Center for Health Statistics, as well as the Census Bureau. These experts came together to debate the past and future of counting and classifying Americans by race and to assess the implications of the new question that allows more than one race to be reported.

This volume brings to light the many ways in which a seemingly small change in the way race data is solicited and reported can have far-reaching effects and expose deep fissures in our society. Before turning to

the individual contributions, however, we want to bring a broader background into view—on the American experience with ethnic and racial blending and on the ways in which American data collection have related, on the one hand, to that experience of blending and, on the other hand, to the data collection needs of a government that monitors racial discrimination and the nature of racial inequality.

## Interethnic Union in American History

American history would be unrecognizable without ethnic blending among the descendants of immigrants, especially (though not exclusively) immigrants from Europe. 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 so, with probably a majority by then marrying members of other ethnic groups. By the fourth and fifth generations, few kept track of all the origins. Although we have many sociological studies of intermarriage among the first and second generations, studies examining intermarriage in later generations have been few, no doubt because of the limitations of evidence. Nevertheless, the basic pattern is clear enough. Ethnic intermarriage is about as overwhelming and unambiguous as any generalization about the American population. From Michel (J. Hector St. John) de Crèvecoeur's eighteenth-century observations on "the American, this new man," arising out of various European immigrant stocks to the data from census after census in the twentieth century, intermarriage among the descendants of European groups has been crucial to the making of "Americans" out of the descendants of "hyphenated Americans" (Heer 1980, 512–21; Lieberman and Waters 1988).

Even among Europeans, the immigrant generation often drew firm lines of division between groups. 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, the suggestion that members of all these "races" were "white" would have elicited amused or heated rejoinders from many influential Americans that the statement was untrue or that it missed crucial "inherent" divisions among whites (Higham 1994 [1955], chapters 6–11).

Ethnic groupings can be loosely thought of as classifications relating people's origins in the different countries or local areas of the world from which they or their ancestors came (including American Indians, who trace their ancestries to pre-Columbian America). The meanings of "race" are painfully woven into the texture of American life. We need not try to exhaust either past or present meanings to make a simple observation. Races are usually discussed, in demographic terms, as a special subset of ethnicity, in that race relates to classifications of ancestral origins for groups

treated in especially distinct ways in the American past. Typically, when we use the term “race” we mean to denote a group that is still treated in some specially distinct ways. For example, a concern with racial classification arises from such legacies as slavery, the near extermination 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.

Moreover, even if none of these forces are directly operating today, the groups in question remain distinct in American life for a host of reasons, suggesting the need to monitor their well-being by collecting evidence about them.<sup>1</sup> Since 1978 the federal government has officially designated certain racial and ethnic groups—whites, African Americans, American Indians, Asians, and Hispanics. The OMB’s Directive 15 codified American ideas about race into statistical categories that every federal agency was to use in its record keeping. However, the directive gave special status to Hispanics, designating them as a group but stating that they could be of any race.

How much racial blending, then, has there been in America, and how much is occurring now? In some sense, everyone is the product of mixed racial origins. In terms of one or another of the differing definitions of race that have operated in this country since 1900, most Americans are of mixed racial origin; at the turn of the century, “Nordic,” “alpine,” and “Mediterranean” groups were often classified as races. However, the situation is similar even if we restrict ourselves to the current common meanings of race—black, white, Native American, Asian, and the added “ethnic minority group,” Hispanic. Never mind that all humanity appears to have emerged from African ancestors; a shorter “long view” will suffice to make the point, especially for blacks, Native Americans, and Hispanics.<sup>2</sup>

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 and unambiguously drawn. From early colonial times, for example, black-white marriages were illegal. However, notwithstanding the law and the ideology of race, black-white sexual unions occurred in a wide variety of social circumstances, often, of course, involving the sexual exploitation of the enslaved. An extensive mulatto population was documented when the census of 1850 first explored their prevalence nationally. Over the long course of slavery, these mixed-race people came to be defined as black in law and custom, according to the “one-drop” 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. Melissa Nobles, in her contribution to this volume, traces the differ-

ences in classification of mixed black-white people in Brazil and the United States. In the United States, 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 because these people typically married into white America, a nontrivial proportion of “white Americans”—amounting to tens of millions of “white” people—have some black ancestry. Thus until recently, the black-white line was preserved in law and race theory, and in much of popular culture, but not in the true genealogical legacies of the population.<sup>3</sup>

Among Native Americans, a somewhat different pattern emerged; there are many reasons for the difference, but certainly a crucial one is the absence of institutionalized slavery for the Native American. In general, as Matthew Snipp notes in chapter 7, by the early twentieth century many people who said they were Native Americans by race also noted that they were of mixed descent, with some white or black ancestors as well. Consequently, when government dealt with tribal communities in the twentieth century for numerous purposes, tribal membership was defined in terms of the proportion of an individual’s ancestors who had been tribal members. The required proportion differed from tribe to tribe: a quarter, an eighth, or less. In addition, the individual had to be recognized by the tribe as a part of the community. That is, the criteria of membership include both a “blood quantum” (a specific fraction of Native American ancestry) and a subjective element of communal recognition; there was no “one-drop rule” for them.

Hispanic Americans present a third variant. The intermingling of Africans, Europeans, and native peoples in the societies of Latin America occurred under a variety of circumstances, 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. At the same time, they also learn that in the United States black and white are sharply divided. The treatment of Hispanics in the statistical system was shaped by early attempts to measure this population in the Southwest. In 1930, the Census Bureau added “Mexican” to the list of “races” or colors on the census schedule. The Mexican government responded with an official protest to the effect that all Mexicans are white. Since that time the census has gathered data on the Hispanic population separately from that of other races—since 1970 through the use of a separate Spanish-origin question. Officially, the OMB states that Hispanics can be of any race. However, even in 2000 the Census Bureau and the federal government did not recognize intermixing among Hispanics. The national origin question still does not allow multiple responses.

Thus a person who is Cuban and Mexican cannot report both but must choose just one identity.

Against this historical background, consider the present-day intermarriage patterns of the groups we commonly designate as races. Two of these groups, Asians and Hispanics, dominate the great wave of contemporary American immigration; and conversely, contemporary immigrants dominate the populations of these two groups. Consequently, it should not be surprising that the intermarriage patterns among these groups are similar to those noted among other descendants of immigrant groups: the first generation have tended to marry their own (many, indeed, arrived as married couples); but their children have been more likely to intermarry. We do not yet sense the full impact of these intermarried couples and their children in social patterns and social statistics because the second generation of the post-1965 immigration is only now reaching marriageable age. Yet as these groups age generationally, intermarriage is sure to increase from already high levels. A high rate of intermarriage also occurs among American Indians (although the numbers involved are relatively small compared with Asians, Hispanics, or African Americans).<sup>4</sup> By contrast, the black intermarriage rate is very low.

Consider for example, native-born, young (between twenty-four and thirty-five years of age) married people in 1990. Some two-fifths of this cohort of Hispanics and more than half of these Asians and American Indians married members of other groups.<sup>5</sup> Yet more than nine out of ten blacks in the group married other blacks. Nevertheless, even blacks have been out-marrying more than before; the rate for better-educated young black men rose from about 6 percent in 1980 to more than 9 percent in 1990 (Qian 1997; Besharov and Sullivan 1996, 19–21).<sup>6</sup> So there are really two patterns of interracial marriage today: it is still relatively uncommon among blacks and increasingly common among other nonwhites.

Both of these patterns involve huge numbers of nonwhite Americans. Race in America has always meant first and foremost the black-white divide—hardly a surprise given that that divide once distinguished slave from master and that by far the greatest numbers of nonwhites have in the past been blacks. Thus until recently racial intermarriage meant first and foremost black-white intermarriage. However, that way of thinking about interracial marriage has been rendered inadequate by the rising number of Asians and Hispanics and their rising proportion among all nonwhite groups.

The proportion of blacks in this nonwhite population is dropping sharply. If one met a nonwhite American before 1970, he or she was very likely to have been black; today the chances are better than even that the nonwhite American will not be black. The percentage of blacks among all nonwhites stood at 66 percent in 1970, 48 percent in 1990, and 43 percent in 2000 and can be expected to continue declining in coming decades (Harrison and

Bennett 1995, 142; Farley 1996, 213; U.S. Census Bureau 2001, 8, 10).<sup>7</sup> The high intermarriage rates among the other nonwhites (those who are not blacks) is therefore crucial.

Will black intermarriage be much more prevalent in the future? We cannot judge with any certainty today. One source of change is the children of today's black-white marriages; these children may be more likely to intermarry than children of two black parents. Moreover, the impact of relatively small increases in black intermarriage generally should be appreciated: if over the next generation, for example, the out-marriage rate for blacks rose from roughly 6 percent overall to roughly 10 percent overall, that would be glacial progress by any standard except the black-white standard of the past. Yet even at a 6 percent out-marriage rate, the proportion of new interracial *marriages* amounts to 11 percent of all new marriages involving a black member—because each intraracial marriage involving a black includes two blacks, and each interracial marriage involving a black includes only one black; and a 10 percent out-marriage rate for individuals implies that the proportion of new interracial marriages would rise to 18 percent of all marriages involving a black member. Generally, it is the rate of new interracial marriages, not the rate of out-marrying individuals, that determines the rate of interracial offspring.<sup>8</sup> In any case, whatever the future of black out-marriage, interracial marriage among the native born in the other legally designated nonwhite groups is common today.

## Government Data Collection and Ethnic Blending

First, how does the U.S. Census Bureau gather information on ethnicity generally, and second, how does the bureau handle the offspring of ethnic intermarriages? Researchers and government bureaucrats have identified groups through the question on birthplace and birthplace of parents asked from 1850 to 1970, through a “native tongue” or language question, and, in the case of Hispanic Americans, through a classification based on having a Spanish surname and, after 1970, a separate Spanish-origin question. We stress the birthplace and birthplace of parents question in the discussion that follows. Birthplace has been the criteria used most continuously over the years for collecting ethnic information, and also the focus on birthplaces will allow us to highlight certain contrasts with the procedure for collecting race information.

Between 1850 and 1970, the Census Bureau collected information on the individual's birthplace. The parental birthplace question was added in 1880 and was included in every census through 1970. The parental birthplace question does not appear in the 1980, 1990, or 2000 decennial censuses—much to the chagrin of social scientists concerned with ethnicity.

The parental birthplace questions have, however, appeared fairly regularly during the past twenty years on the bureau's Current Population Survey (typically, of some fifty thousand sampled households) and on other census instruments. Insofar as birthplace is one criterion of ethnic origin, the issue of mixed ethnic origins arises in connection with the parental birthplace questions: each parent can be born in only one country, but of course it need not be the same country for each parent. Both parents born in Italy? One born in Italy, one in Poland? One in Italy, one in the United States? All acceptable responses. Thus parental birthplace is recognized as requiring two questions, each limited by definition to one country.<sup>9</sup>

In the censuses conducted from 1980 to 2000, the Census Bureau replaced the parental birthplace questions with a question inquiring into ethnic origins that could extend much further back in time than merely the two generations of information captured by respondent's and parents' birthplaces. This question was a response to claims from European ethnic groups that the first- and second-generation birthplace questions did not capture their membership (which was increasingly third and later generation in nature). The ancestry question asked each individual to state the ancestry or ancestries with which he or she identified.

The Census Bureau also added a Hispanic-origin question on the long form to a sample of respondents in 1970 and, in 1980, on the short form to the entire population. The Hispanic-origin question replaced the Spanish-origin question; the new question was designed to identify the Hispanic population of the country, including those who no longer spoke Spanish, and thus could not be identified through the language question, and those who did not have a Spanish surname. The Hispanic-origin question asks whether or not the respondent is of Hispanic origin, and if so from which of several specific countries of origin. Because the answer to the Hispanic origin question can be cross-classified with the race question, we often see the categories "non-Hispanic whites" "non-Hispanic blacks" and "Hispanics" (the last with the footnote that "Hispanics may be of any race"). Groups representing the Hispanic population strongly support inclusion of the Hispanic-origin question because asking specifically about Hispanic origin increases the number of people identifying as Hispanic (as compared with just counting those who give a Hispanic response to the ancestry question or who write in a Hispanic response to the race question). The ancestry question, by contrast, appears only on the census long form, reaching a huge sample but not most households.

Although both the ancestry question and the Hispanic-origin question ask respondents to report their ethnic origins, the two questions were stimulated by different political forces and are administered and coded separately at the bureau. They also have different purposes, because counts from the Hispanic-origin question can be used in legal cases involving civil and



voting rights of Hispanics. In the other major government survey—the Current Population Survey (the CPS, administered by the Bureau of Labor Statistics and the Census Bureau), the origin question reveals a strange outcome of the historical processes we have been discussing. For the past quarter century, CPS interviewers have asked, “What is the origin or descent of each person in this household?” The interviewers then show respondents a flashcard with some twenty ethnic categories; seven of these categories apply to Hispanic origin: Mexican American, Chicano, Mexican, Puerto Rican, Cuban, Central or South American, and Other Hispanic. The rest of the categories apply to other major American origin groups: German, Italian, Irish, Dutch, French, Swedish, Polish, Hungarian, Russian, English, Scottish, Afro-American (as well as “another group” and “don’t know”). However, though all this information is duly coded, for some two decades the CPS reports have published the counts only for the Hispanic-origin responses, and they have included only those counts in the data sets released to researchers.<sup>10</sup>

Three features of the ancestry question are crucially relevant to understanding 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. Unlike questions such as “Where were you born?” or “How many years of schooling have you had?” it does not ask for what might be called an objective answer; rather, it explicitly encourages a statement of preferences. The rationale for this formulation leads us back to intermarriage. Many people are able to trace their origins to numerous ancestries (too many to list) or may not even know about all of their ancestries. So they are asked to list the ancestries they consider most meaningful.<sup>11</sup>

The second relevant feature of the ancestry question is that 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, and millions more list three. The Census Bureau has taken the trouble to code first- and second-ancestry responses and, in 1980, even to detail the most prevalent combinations of three responses.

The third relevant feature is how much the ancestry responses have varied among the same people over time. The question calls for a subjective response about loyalties that for many appear to be very weak. In 1980, “English” was given as one example in the question wording, whereas “German” was not. In 1990, “German” was present but “English” was not. As a result of this seemingly trivial change, the percentage listing English ancestry declined by a large fraction, and the percentage claiming German ancestry rose by a comparable amount. Moreover, as a result, in 1980, English was reported as the largest ancestry group in the United States, and

in 1990, Germans took the lead. Other ancestry groups also fluctuated widely depending on whether they were represented in the list of examples. This confusion in the responses tells us something important about the long-term results of population mixing and the attenuation of connections with the origins of relatively remote ancestors. Keeping track of American ancestries at the Census Bureau eventually gets messy because of intermarriage patterns; and that is as it should be. A simple answer would be a false answer. It would imply that people did not intermarry much in American history, or that Americans keep careful track of the ethnic origin of distant ancestors whom they never knew (Alba 1995, 5).

## The Old Race Question and Racial Blending

In sum, for the most important questions that have traditionally defined ethnicity—parental birthplace and ancestry—the Census Bureau allows for the possibility that the respondent is of multiple ethnic origins and often tabulates the results of these ethnic intermarriages (we return to Hispanic origins after considering the race question). On the race question, by contrast, there was an explicit instruction to mark only one category. What if a person demurred and marked two or more? Using certain rules (such as which race is listed first), the bureau recoded the response so that only one race was counted.<sup>12</sup>

For our purposes, this instruction to mark one race only is the most striking peculiarity of the census race question. However, there are others. A second is that in some years the question is labeled on the census form as a question about race and in other years it is not. In 1990 it was labeled, but in 1980 respondents were simply asked to complete the sentence, “This person is . . .” There followed the four specific racial designations—white, black, Native American, and Asian or Pacific Islander—and the designation “other.” Later, the bureau tabulated the answers under a heading of races. A third peculiarity is that the list of races includes heterogeneous subgroupings of peoples—for example, the countries of birth or origin in Asia or specific Native American tribes. The bureau’s description of the race question reveals the subjective nature of the racial data it was collecting and the general ambivalence, and touchiness, about the intellectual standing of the material. As described by the Census Bureau, “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” (U.S. Census Bureau 1992, B-30).

This statement unequivocally rules out any need for government officials to believe that racial classification has a meaningful basis in biology or to define any objective meaning for a racial category at all: “race” is a term in popular usage and whatever it may mean, a person belongs to whatever category of race that person believes he or she belongs. However, if the answer is based on subjective identification, as in the ancestry question, why can’t respondents choose two or more races with which to identify, as they can with ancestry? The answer is clear when one appreciates the current use and origin of the race categories. They emerge from the OMB Directive 15—used to classify people for federal statistical purposes into counts that lie at the heart of a great deal of civil rights legislation.

## Civil Rights Legislation, Government Directives, and the Debate over Changing the “Old” Race Question

The great irony is that the American government gathers data on people’s race through a more or less slippery and subjective procedure of self-identification and then must use these counts as the basis of legal status in an important domain of law and administrative regulation—namely, civil rights. That domain requires legal statuses that are, in the words of the original mandate to the OMB, “complete and non-overlapping.” In order to square this circle, the government, while relying on a subjective definition of race, also placed an unrealistic restriction on that subjectivity—only one race could be chosen (even as it routinely accepted multiple parental birthplaces and ethnic ancestries). In order to have clear-cut racial categories for legal purposes we have created a system of counting that ignores an increasingly widespread reality. Denying that members of different races marry is like treating them as members of different biological species. All the while, the Census Bureau is acknowledging the stunningly high rates of intermarriage among those ethnic groups not designated as racial groups, through its allowing and coding of multiple responses to the ancestry question. If we mean to break down racial barriers, we have an interest in seeing to it that racial intermarriage is treated in the same matter-of-fact way that any other form of ethnic intermarriage is treated. Yet we also have an interest in ensuring that civil rights legislation, which rests on clear counts of racial membership, is not hobbled by ambiguities. In this context, multiracial interest groups demanded that they not be obliged to mark themselves or their offspring as members of only one race. The success of this pressure group—in forcing the issue out of technical committees and into the broader public domain—helped trigger, during the late 1990s, a full review of the

federal government's 1970s efforts (in Directive 15) to specify a straightforward racial classification scheme, with complete and unambiguous racial allocations.

In the context of this contrast between traditional measures of ethnicity, on the one hand, and the old race question, on the other, it is fascinating to consider, if only as an aside, the current nature of the Hispanic-origin question. The Hispanic-origin question is also a subjective one. How is a respondent with one Mexican-origin great-grandmother, no other Hispanic ancestors, and no knowledge of Spanish to answer this question? However he or she chooses. In this light the Hispanic question is more like the ancestry than the birthplace question; it calls for a subjective decision about identity—although the Hispanic question, unlike the ancestry question, does not explicitly appeal to subjective identity but, rather, implies that “Hispanic origin” is a more objectively definable category, like birthplace, age, or gender. On the other hand, the Hispanic-origin question also contains within it a more restrictive demand. If one responds to it in the affirmative, there is a follow-up question: to which particular Hispanic country does the respondent trace origins? Here, one must mark one country only: an individual whose mother is Cuban and father Puerto Rican must choose only one.<sup>13</sup> This feature of forced choice again reflects the legal and administrative purposes of the Hispanic-origin question: it may be important to detect specific origins for civil and voting rights cases, and the goal has been to keep categories for such purposes complete and non-overlapping.

Because there are now three questions on the census dealing with race and ethnicity—race, ancestry, and Hispanic origin—one can report multiple origins by reporting different things on these questions. Thus one can claim Puerto Rican identity in the Hispanic question, black identity in the race question, and write in Jamaican and Puerto Rican ancestry in the ancestry question. Researchers can then combine all three questions to learn about multiple-ancestry people. Indeed Joshua Goldstein and Ann Morning do exactly that in chapter 4 of this volume. Yet to the respondent faced with forced-choice questions, it looks as though one is being forced to deny one's heritage in the race and Hispanic-origin questions. Moreover, only one out of five people receive the long form with the ancestry question, but everyone receives the long form with the race and Hispanic-origin questions.

On purely intellectual grounds, one might imagine that a movement might have arisen to change the Hispanic question so that it no longer forced respondents with origins in two Hispanic countries to “mark one Hispanic country only.” However, the emotional and political forces that called forth the demand not to force respondents with origins in two or

more races to “mark one race only” are simply not the same in the Hispanic case, and no such movement seems to have been considered.

In any case, the debate about the classification of the mixed-race person inspired interest groups lined up on two sides (see U.S. House of Representatives 1994; OMB 1995, 44673–93). On one side are organizations claiming to represent the American multiracial population; these include among them articulate parents in mixed marriages who are concerned about the way they are asked to identify their children. These organizations demanded equal recognition for multiracials in the government’s racial classification system; they asked that the category “multiracial” be added to the specific racial categories—white, black, Native American and Asian–Pacific Islander—that currently appear on the census form. People who select the multiracial category would then indicate from which two, three, or four of these racial groups they are descended. The demand seems to have been more for recognition of multiraciality than for any specific political or economic advantage for multiracials. The advocates simply do not want to deny a part of their own or their children’s origins.<sup>14</sup>

The other side in this debate opposes adding a multiracial category and permitting people to list more than one race. This group includes civil rights organizations and representatives of African Americans, Hispanics, Native Americans, and Asians and Pacific Islanders. At the core of their opposition is the concern that if 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, a person who is black can be counted in various ways, it will be much harder to enforce laws promoting racial equality—antidiscrimination efforts, affirmative action, and voting rights could all be affected.

Extensive review and hearings by interagency governmental committees and by congressional committees followed. Eventually, the Office of Management and Budget concluded that a change in the form of the race question was required, such that the social reality of racial blending could not be ignored. The upshot was the present “mark one or more” form of the racial-origin question. With this historic change, the big issue shifted to the use of the responses, both for understanding American social patterns and for the enforcement of civil rights legislation.

Another important theme raised in the debates over the reform of the “old” race question involved Hispanic respondents. Here the issue was not the parallels between the “mark one only” features of the race and Hispanic-origin questions. Rather, the issue involved how Hispanics respond to the race question itself. They had not found it easy to place themselves within the American racial categories provided on the form—being asked,

in essence, to choose identification as either white or black, neither of which seemed to apply in a straightforward way. Consequently, large proportions of Hispanics had been marking “some other race”; and huge proportions of those marking “some other race” turned out to be Hispanics. Consequently, an additional group interested in changing the format of the race question was the Census Bureau demographers, and some Hispanics, who felt that a better arrangement would produce clearer responses. However, the “better arrangement” proved hard to find: could “Hispanic” be listed as a race, or could “the race question” be called something else? In the end, the Hispanic question was presented before the race question, in hopes that Hispanics would then view the race question as a cross-cutting inquiry. The results did not confirm these expectations, however; as the proportion of Hispanics marking “some other race” seems to have increased, despite these changes in format.

Finally, another issue, reflective of America’s long and complex history of race mingling, floated in the background of the discussions over multiraciality, census counts, and civil rights laws. Would respondents have in mind their parents or their distant ancestors in responding? Preliminary evidence suggested that they generally had the recent past in mind. For example, the ancestry data from the censuses of 1980 and 1990 show us that (as just mentioned) whites rarely identify with an African ancestry and blacks rarely identify with a European ancestry (Farley 1990).<sup>15</sup> Moreover, surveys conducted by the Census Bureau in connection with the OMB review of the late 1990s seemed to indicate small changes in group size when the multiple race responses were allowed. To put it differently, the subjective element in the way Americans have been determining racial membership allows demographers to bypass the complexity that is inherent in the long genealogical record; what we get, for the most part, is information about recent family history.<sup>16</sup> Nevertheless, as awareness of multiracial origins grows, and discussion of it becomes more acceptable, there is no guarantee that the subjective element in this response pattern will remain unchanged.

## Civil Rights Legislation and the “New” Race Question: The Issue of Tabulation

As already noted, the tension involved in the multirace issue is that American civil rights law requires clear and nonoverlapping categories of race, but self-identification produces complexity that erodes clear and nonoverlapping categories—when people select two or more races.<sup>17</sup> Because the “new” race question allows individuals to select more than one race, the distinctive feature in the present moment is that this tension involved in the multirace issue has moved to the tabulation procedures. There are now

a set of procedures, created by President Bill Clinton's executive branch and published by the Office of Management and Budget, that specify how mixed race individuals are to be counted for purposes of civil rights monitoring and enforcement. These procedures are discussed in detail in chapters 4, 5, and 6 of this volume; in effect, they specify that in most cases in which a person reports two races, of which one is white and the other is nonwhite, the respondent is counted for civil rights purposes as a member of the nonwhite race. The President's Office of Management and Budget has issued a "Guidance" covering the legal and voting rights contexts: "Federal agencies will use the following rules to allocate multiple race responses for use in civil rights monitoring and enforcement . . . Responses that combine one minority race and white are allocated to the minority race" (OMB 2000, Sect. II). A guidance does not offer a justification for its rules, and none has been provided.<sup>18</sup>

In some ways the situation was more explosive when the old race question was in use, because the tension involved in the multirace issue was presented to the entire population: everyone faced the old instruction to mark only one race. By contrast, the tabulation procedures are buried (for the moment anyway) deep within an OMB bulletin. On the other hand, the shift in the locus of the tension to the tabulation procedure means that the executive branch must state its tabulation rules explicitly—rather than (as before) allowing each of a quarter-billion respondents to "make the rule" about racial classification for themselves—without explanation and without possibility of review. Moreover, because the data needed to recalculate the tabulations using some set of tabulation rules other than the OMB rules are now available, there is an enormous potential for public scrutiny and debate about any tabulation procedure. The three branches of the federal government will be forced to confront the tension on this new terrain of debatable tabulation procedures.<sup>19</sup>

What is new today is not the effort to decide the legal standing of the mixed-race individual; that effort is as old as British North America. It was a staple of racist laws and court decisions from the colonial era until well into this century. More recently, the status of the mixed-race person has arisen at least implicitly in civil rights legislation since the 1960s; discrimination cases often concerned people of mixed black and white origins, for example. When it could be shown that the discriminator's perceptions operated to place the mixed-race person in the group discriminated against, presumably civil rights law applied.

What is new today, then, is how to determine the count of an entire protected group when the size of the group is a factor in a decision about discrimination—in counting for voting rights, or the size of a relevant pool of minority group applicants, for example. Can the status of mixed-race individuals under civil rights legislation provide a clear guide for determin-

ing whom to include in the count of a protected group? One way of making this connection from the legal treatment of the individual to the count of the legally protected group has often been voiced, and it is bound to carry weight in the future. According to this argument, in the racist legal past, individuals with “one drop” of black blood (or some other very low fraction of black origins) were defined as black; therefore, means of redress in the civil rights era should tabulate by the same principle. Thus, individuals who select both black and white races today should be counted, for legal determinations of group size, as black.

Yet this argument will not carry the day unopposed. One problem with it is that it may appear to take unfair advantage of the single-race black. It may seem an advantage in voting rights legislation to include the mixed-race individual in the black column; but what are the implications for affirmative action counts and procedures? Does a person with one black parent and one white parent have the same claim to redress of past racial oppression as the person with two black parents? And what of the person with one black and three white grandparents?

A more general reason that this argument from the racist one-drop legal past will not carry the day unopposed is that it also seems to perpetuate rather than erode thinking in terms of the racist divisions: the law must continue to invoke the notion that someone with one drop of black blood is black and only black. The danger of perpetuation in this context may seem slight to many, compared with the claims for redress; but many others will not see it that way.

Of course, it is possible that the proportion of individuals who select more than one race will be too small to affect many contested outcomes. Nevertheless, the tabulation procedures could still cause debate if their impact is misperceived to be larger than it is or if litigants expect larger impacts in the future. In any case, if the impact is large even in a single congressional district, for example, it is far from improbable that the interested parties would take the issue to court and force legislators, the press, and the judiciary to confront the implications of procedures for the voting rights of all. The scholars who examine this issue in the pages that follow disagree about the impact of this formulation of the tabulation procedures. Roderick Harrison argues that it could undermine the entire federal statistical system on race, while Nathaniel Persily and Reynolds Farley speculate that it might not have much impact at all on legal cases.

We imagine that the impact of the tabulation procedure will vary—along several dimensions. First, differences in procedures are bound to have a greater impact on some groups than others. Present-day intermarriage between native-born Hispanics or Asians or American Indians and whites is much more common than between blacks and whites. Second, the individuals who mark both the black and white race categories may be



distributed very thinly across many voting districts and constitute a significant proportion of the voters in only a few districts or in none. Third, some branches of civil rights law are more likely to be affected than others in the short run. Because voting redistricting involves so many conflictual decisions soon after Census 2000 data are released, and because many such cases can work their way quickly to the Supreme Court, redistricting is probably the first front to watch.

Perhaps, however, the issue will not generate much conflict—either because differences in tabulation procedures will not matter much to outcomes or because all concerned find it in their interest to avoid the issue, and find ways to do so. The OMB's guidance was issued in March 2000; it drew precious little public attention during the remainder of the presidential term; and a year into the Bush presidency, there has been no public call for that guidance to be revoked, nor (so far as we know) any active reformulation of policy by the Bush team. This was true as of September 10, and since then public attention has been focused elsewhere. One reason the Bush team may not have acted before that date is that election law was a sore point with them, following the contested election results in Florida; the first uses of any reformulation would very likely have been in connection with election districts (we note later other reasons for not acting).

Federal officials are likely to insist that interested parties may tabulate the data however they want for any number of important purposes (for example, research on education, health or income levels); only for purposes of civil and voting rights law is the tabulation procedure fixed by the guidance. However, the emerging tabulations used for other topics have the potential to threaten the legitimacy of tabulation procedures used for civil and voting rights law; for this reason, federal authorities might be tempted to try to restrict the machine-readable raw data necessary to test various tabulation procedures or to be vague about tabulation procedures for civil and voting rights law. It is not likely, however, given the precedents for release of census data in recent years and given the directives and guidances on defining race and ethnicity, that it will be possible for officials to act on such temptations.

We leave to others the detailed analysis of political calculations made by various Washington players as the race question was being changed and as the guidance for its use was being formulated. However, we offer three observations. The first pertains to the period in which multiracial groups were calling for the right to mark more than one race; how is it that these parents and their supporters were able to put their concerns on the public agenda? It is certainly true that multiraciality is becoming more prevalent in America; but not every rising trend gets attention in Washington. Were these multiracial advocacy groups and the Republican right in Congress able to exploit a joint interest—to dilute the strength of black political

interest groups—albeit for very different goals? Second, once the decision had been taken to review the OMB’s Directive 15, was it simply “the logic of the situation” that produced the federal statisticians’ decision to recognize that one may be of more than one racial origin? The same forces that had produced the pressure to consider multiraciality in the first place had not disappeared. The solution (the new race question) may have been intellectually balanced partly because the forces were politically balanced. In any case, the decision, taken late in the Clinton years, may well have appeared not merely inescapable but also acceptable—precisely because it left the big issues for the tabulation phase.

And so our last observation concerns this phase of the process. Clearly Republicans and Democrats had short-term and long-term interests in the process of determining tabulation procedures for voting rights cases; but the crucial calculation may not have been about the impact of tabulation procedures on outcomes in a few electoral districts—opaque at this stage anyway (we do not know how such people vote relative to blacks, for example). Rather, the crucial consideration may have been the self-interest, and even more the identity politics, of the Congressional Black Caucus. The guidance directing that black-white multiracials will be counted as blacks may have little effect, and its impact on elections may be difficult to gauge; but it clearly means that the Congressional Black Caucus speaks for more rather than fewer people. The caucus, then, has a clear-cut interest in the guidance, and it is not impossible that neither party will find any countervailing interest great enough to antagonize the caucus with an alternative guidance. If so, the role of challenger will fall to interested parties in court cases.

The change to allowing respondents to check as many races as they wanted to on the census race question had appeared on the 2000 census, conducted in April of that year, and a few months before the conference of scholars and government officials that joined us at the Levy Institute in late September. At the time of the conference, and now at the time of publication, we sense that we are living through an important change in the statistical system and perhaps in the way ordinary Americans think about the meaning of race and their own racial identities. Yet much remains uncertain. The conference participants discussed and debated some large questions occasioned by this change in statistical policy. How did we come to measure race at all in the census and in our statistical systems? How was it decided which categories were identified as races and which ones were eligible for government protections and special legal statuses? What impact would allowing individuals to check more than one race have for the statistical system itself, for legal cases that use racial statistics, for other important research and policy development, and for average Americans’ understandings of race and the government’s role in measuring it? There were

also important speculations about the future. What models, both from our own history and from other countries, might we look to in order to understand what recognizing multiracial responses might mean for our society? What might the future look like with increasing intermarriage and growing identification with more than one race? Some debates centered on normative questions: Should we as a society continue to collect data on race, and if so, which races should we be concerned with? If, as some argue, the recognition of multiracials that began in Census 2000 marks the beginning of the end of federal recognition and use of race data, is that a good thing or a bad thing for our society?

We have arranged the chapters into four groups, although these groups are not, to use the OMB's language, "complete and non-overlapping." The first three explore directly what the efforts to count multiracials have shown. Reynolds Farley reviews the way in which the census has measured race, Hispanic ethnicity, and ancestry and the ways in which the multiracial "movement" effectively changed the way in which race is measured. He shows that almost half of the multiracial population identified by the new question are not combinations of groups we think of as races but the result of a census coding decision that classifies people who write in a Hispanic ancestry to the race question and then check both the "other" racial category and another specific race, for example, white or black. In addition, using newly available 2000 census data, Farley shows the wide geographic variability in the difference made by the new race question. Although the numbers of people choosing more than one race are not very high at the national level, they can make a real difference in population totals at the county level, especially for some groups like American Indians, Asians, and Hawaiians.

David Harris uses data from a recent survey on adolescent health behaviors that asked a variety of innovative racial questions and allowed for multiracial responses. He shows that the manner in which the question is asked makes a large difference in the types of responses elicited. The subjective and volatile nature of multiracial reporting means, for instance, that an individual will report one race when asked at home but multiple races when asked at school. Harris also finds some significant socioeconomic differences in the characteristics of monoracial as opposed to multiracial respondents. The implications of his study for the wider question of interpreting census data are strong. Harris shows that individuals switch between monoracial and multiracial identities depending on the context and mode of the question. The differences, then, in income or education between subjectively defined monoracial and multiracial groups that he finds are hard to interpret. Are they a function of real differences in the underlying populations or momentary and volatile differences in who reports a multiple as opposed to a single race?

Using state-level birth records, Sonya Tafoya provides an analysis of the potential and the reality of mixed-race youth in California. The largest state, California is also at the forefront of the trends that have led to the growth in the mixed-race population. It is a state with large numbers of Asian and Hispanic immigrants and with high intermarriage rates for all racial groups. Tafoya shows the huge potential for further growth in the mixed-race population in the future, given the large numbers of mixed-race births recorded in recent decades.

In the second group of chapters, scholars debate how much this change in measurement will matter in the contexts that have used race counts—especially in civil rights law but also for understanding health, education, income, and other crucial topics on which public race counts have been common. Joshua Goldstein and Ann Morning conduct a number of simulations using 1990 ancestry and race data along with preliminary 2000 data to assess whether the OMB tabulation rule would conform to the possible choices multiracial people themselves would make if they had to put themselves “back in the box” of only one race. They find that the so-called one-drop rule of allocation that OMB has adopted for cases involving civil rights enforcement runs counter to the way multiracial people themselves would choose to self-identify. They also find that racial reallocation changes the socioeconomic profile of some groups—whites and American Indians and, to a much lesser extent, Asians—and has little impact on the profile of African Americans.

Roderick Harrison points to three aspects of the change to the multiracial reporting that he believes could undermine the entire federal racial statistical system and open it to both public disenchantment and legal challenge. First, he points to the geographic variability in multirace reporting and the impact it has on the size of some groups such as Asians and American Indians. Harrison argues that the whole system could be challenged by a single case in which the discrepancy between the overall monoracial and multiracial counts was sufficient to make a difference in a court case or a voting rights case. He points out that there are counties and small areas in which the manner in which multiple-race people are allocated makes a big difference in the overall population counts. In addition, he argues that the subjectivity and selectivity of multiple-race reporting means that the category of combined races does not signify any recognized population group. Because only 50 percent of the offspring of interracial couples actually report more than one race, Harrison notes, these subjectively defined categories (those choosing to say they are white and black) differ so greatly from an objectively defined category (those having a black parent and a white parent) that the data are in some sense meaningless. Finally, he argues that without good bridging techniques the ability of the federal statistical system to track changes in the welfare of racial groups in our society

will be severely challenged as statisticians will be unable to tell whether the changes are attributable to real changes in the world or simply to a new way of measuring the group.

Nathaniel Persily disagrees with Harrison about the probable impact of these changes on the use of the data in civil rights enforcement, although he acknowledges the possibility that at least it could open the door to legal challenges to the system. Persily provides for the layman a useful review of the place of race counts in current civil rights laws; in each domain of the law, he also considers how the change in race data might matter to the ways in which the counts are used. He makes the important point that most racial discrimination cases hinge not on population counts at the census level but rather on institutional data, such as the number of employees of a particular race. Of course, as the new question filters down into institutional record keeping the same issues that now arise with census data might arise in school and employment data. Persily also examines the importance of the change in measurement for voting rights cases. He argues that the requirements of the law operate in a way that may blunt the impact of the changes. Although counting multiple-race people as members of a minority race might increase the size of the group, it might also dilute the voting records of the group; thus the change in the data measurement would not have obvious effects on a voting rights case.

As we ask how the option of multiple-race responses will influence the use of race data, we also call attention to the chapter by Clyde Tucker, Steve Miller, and Jennifer Parker, which we have placed in a technical appendix to this volume. One crucial problem involved in the new race counts involves linking them to the old race counts. If, for example, Asians or Native Americans now have a smaller population base because some people formerly classified in that category are being placed instead in multiracial categories, how do we relate the incidence of poverty or diphtheria—or fertility and college graduation—in 2000 to the rates in 1990 (which were calculated under the old race question)? Tucker and his colleagues provide a detailed comparison of different methods of “bridging” between the old and new data, evaluating gains and losses of using any given method. It is a reflective “how-to” manual, focused on principles.

In the third group of three chapters, authors examine possible scenarios for the future in a country, such as ours, in which the rates of intermarriage among racial groups are high and mixed-race people are recognized. Matthew Snipp examines the particular case of American Indians as an example of what issues might affect all racial groups in the future. American Indians have had a long history of high intermarriage rates, relatively large numbers of multiple-ancestry people, and long-standing debates about who should be included as an Indian. Snipp examines the ways in which American Indians have dealt with mixed-race people and the ways

in which the decisions about whom to include could have implications for other groups.

The other two chapters in this section examine the interesting case of population projections. The Census Bureau has published many projections of the future of racial and ethnic composition of the United States, and those published during the past decade have received much public attention (usually the news comes in the form, "In the year 2050, the proportion of nonwhites in the U.S. population will be . . ."). None of these bureau projections have taken intermarriage into account; rather, the bureau's methodology has assumed that there would be no future intermarriage and that all population groups would grow or decline only through births, deaths, and immigration. Joel Perlmann first explores how the federal government got into the business of making racial projections. He then highlights the problems of ignoring intermarriage in projections by presenting data on the descendants of early-twentieth-century Italian immigrants across four generations. Barry Edmonston, Sharon Lee, and Jeffrey Passel, building on their years of earlier work, now present an alternative projection methodology that includes intermarriage, nativity, and generational status as well as the parameters that the Census Bureau's current projections include. They project rapid growth in the multiple-race proportion in most groups in the future; how multiracial people identify themselves will be crucial to the future size and composition of America's racial groups.

The final section of this book takes up the politics of race numbers. It begins with four historical pieces on race counting in the United States. Matthew Jacobson stresses that counting by race is intricately bound up in the long history of race relations; and the change being made in the 2000 census is also historically and socially situated and reflects the socially constructed reality of our time. Thus, for example, even when we realize that we "defend race and racialized data" we cannot escape the need to do so, given that "the vital protections that are the legacies of the civil rights struggle" rely on them; similarly, even if we speak of the social construction of races, and the fluidity of the system of classification over time, we cannot ignore that race "is a construction that has, in fact, translated into social realities." Jacobson also points to the important role of the state and of science in defining race. This by its very nature combines scientific concerns about measurement with political concerns about measuring for political and administrative purposes.

Werner Sollors, it might be said, stresses the other edge of the same sword; he insists on the dangers that continue to accrue from "the combination of state power, census, and race . . . even [when combined] for well-intentioned policies"; and so "we may . . . still be operating on a set of assumptions that go back to the very core of racism." For related reasons, Sollors offers a survey of the etymology of "race" and a history of the

actual provisions of the “one-drop” laws for defining races in earlier centuries. Most readers will be surprised to learn that these provisions were not, in fact, based on a single drop; we add that the parallels between the criteria here and the “blood quantum” criterion that Snipp describes in connection with American Indians—although used for vastly different ends—are important to appreciate as an indication of the dilemmas involved in keeping track of origins for institutional purposes.

Margo Anderson describes how race came into the census and its evolving role before the Civil War. At several crucial moments, from the framing of the constitution to the eve of the war, how to count races and how to use racial statistics were at the center of national political debate, each time in a different way.

Hugh Davis Graham examines more recent history to ask the fascinating question of why some groups were determined to be worthy of special government protections and programs, and others were not—and how the “ethnoracial pentagon” that we now take so much for granted, was formed in the first place. Graham shows how political and administrative concerns combined in federal agencies to create the categories we now use.

The fifth chapter in this section, by Melissa Nobles, contrasts the experiences of the statistical systems of Brazil and the United States (in both countries there have been recent popular movements concerned with the issue). Brazil has long recognized the multiracial nature of its population, and its census has developed many categories for measuring that population. Nobles cautions, however, that the mere existence of data does not change the reality, and in fact the ways in which multiracial data are interpreted are as important as the ways in which they are collected. She points out that as the United States is moving toward a greater recognition of the multiracial nature of our population, Brazil has been debating a move in the opposite direction—toward greater recognition of the contrast between white and black.

The final four chapters offer observations on the political processes that have brought us this far and some strategies for proceeding, as well. Nathan Glazer recognizes the political nature of the decisions about what data we collect and how we use it, and so he offers his further reflections with little belief that they will be embraced. Yet, he argues, the high levels of racial intermarriage, except for blacks, that has consumed so much of our attention is emblematic of the fact that these other “races” no longer need concern the state as races—as groups separated from one another, and especially from “whites,” by impermeable divides. What the state should continue to concern itself with, Glazer argues, is recognizing and counting blacks and monitoring the evolution of black-white inequalities.

The final three chapters on political processes all argue, or at least recognize the possibility, that the arrival of the multiple-race option will

have profound effects on American social and political life. Peter Skerry predicts that this change will promote more public scrutiny to the messy and inherently political nature of race data in the federal statistical system. He worries that though the perception will be accurate, it may bring down race counts or race-based policies like affirmative action without bringing down the persisting racial inequalities.

Jennifer Hochschild, too, considers the possibility that the change in race counts will spell the end of government's gathering of racial statistics. She confesses uncertainty as to how she would appraise such an eventuality. Would it be a good or a bad thing if the government stopped collecting race data? How should such a question be decided? Who would win and lose in such a scenario?

Finally, Kenneth Prewitt asserts that the change in the race question is indeed an important turning point that will have far-reaching, if as yet unknowable, effects on the ways in which our society treats race. The very complexity of the data will make it more difficult for those who use it to make policy or legal findings based on it; and it will lead to greater public discomfort with the whole enterprise of collecting race data.

We have emphasized repeatedly in this overview that the present moment in the long history of racial counts involves the clash of two competing needs. One is the need to acknowledge the increasing population of the offspring of interracial marriage and to recognize that these interracial offspring, at least among the native born, seem to be following patterns quite like the patterns of American ethnic groups that we do not classify as races. The second is the need for simplicity, clarity, and the absence of ambiguity in the system for counting that underlies civil and voting rights law and programs such as affirmative action. This is a clash between a need for an accurate interpretation of social patterns, on the one hand, and the need for procedures—rules of action—on the other. In the best light, each need, taken by itself, is unimpeachable and indeed highly praiseworthy; each individually can be seen as advancing the cause of American racial equality—by highlighting how some old divides have been eroded or by working directly to attack the divides that yet remain high. Moreover, because these laudable aims clash with each other, from either vantage point the claims of the opposing need is likely to be seen not “in its best light” but rather in its worst—the demands for recognition of multiraciality as defeating the progress of civil and voting rights legislation, and the insistence on staying with procedures based on single races as defeating the progress of actual racial integration by rigidly supporting divides that, in fact, seem to be eroding.

Most of the chapters in this book also discuss aspects of this clash—not only the historical and reflective pieces but also the seemingly empiri-



cal or legal scholarship of Farley, Goldstein and Morning, Persily, and Harrison, for example. What, then, are we to make of such a clash? Several attempts to step back and think about this sort of problem as a historical process are represented here. Graham's chapter highlights how the early stages of a process that later became an explosive issue—racial classification for legal redress—were undertaken by bureaucrats without any attention from the public or much understanding on the part of those involved of what the future would hold for such categories. (Perlmann's contribution speculates about a similar historical process at work.) In a somewhat similar way, our own discussion here of the various "origins" questions suggests that these questions may have developed in response to different needs within different offices of the same large census bureaucracy, operating largely independently of one another. On the other hand, the essays by Anderson and Nobles, and some of the discussion by Jacobson and Sollors, describe other times and places in which racial counts became central to the political struggles of a time. Indeed, Anderson's chapter shows several instances of this kind of pattern over the long period from the Constitutional Convention to the Civil War: for different reasons, arguments over how races should be counted became very public and highly charged at particular moments. Evolving cultural vulnerabilities or political interests sometimes force a policy or procedure from a quiet, unexamined corner onto center stage.

We appear to be living through one of those moments in which the issue of the count—and the right to check more than one box on a federal form—has intertwined with national interests in contradictory ways and has thereby moved to center stage. One challenge is to specify more clearly how this process of movement occurred. Farley narrates some of this process of mobilization (as Nobles and others have done elsewhere); in Skerry's observations the issue of mobilization comes up as well, but in two ways that are not so easily reconciled: On the one hand, he notes that the success of the multiracial lobby seems to confirm the responsiveness of the Census Bureau to public pressures (which on the whole he sees as a good thing). Skerry also notes, however, the darker interpretation: that the mobilization succeeded because it played into the agenda of Newt Gingrich's congressional right, who seized on it out of no great concern with the goals of the multiracial groups themselves but as a way of weakening some of their opponents—namely, black interest groups whom they perceived to be pressing for illegitimate ends with the arguments of another era's civil rights movement and overblown legal procedures that have developed since. Of course, both of the forces Skerry notes were surely operative, largely independently of one another and for different ends. However, in evaluating why a movement won (a partial) success, it makes a difference whether we think the credit goes to institutional responsiveness in the face

of a popular mobilization or to the support of a powerful group in Congress, manipulating the cause for their own ends. More work on this theme will be useful.

Is the moment of public scrutiny and bitter struggle significant as a reflection of wider cultural themes only, or will it have important consequences in its own right? There is some clear division among the authors on this point; Goldstein and Morning stress the procrustean efforts to put the “multi” back in the “single” box; Harrison argues that an understanding of how the changes will degrade the quality of evidence on racial disparities has been lacking; Edmonston, Lee, and Passel, as well as Perlmann, stress the impossibility of continuing in the old way with racial projections; Glazer believes the extent of racial intermarriage indicates that we would do well to forget about all the racial divides except the one that has resisted mingling—the black-white divide. On the other hand, Farley and Persily are skeptical about whether the changes that the new race question brings in its wake will be those that have been expected. Farley points out that many were expecting a barrage of court cases to deal with challenges to the use of race data, notably, in creating voting districts; yet apparently none has emerged to date; moreover there seems to have been more attention paid to the dangers or advantages of collecting the data than to the data themselves, at least the data released to date. Was this a social movement that succeeded, then, Farley asks, only to be irrelevant? Persily approaches a similar issue as a legal scholar; he recognizes, first, the inherent arbitrariness of any race classification and, second, the fact that multi-raciality may well change American culture and affect patterns of discrimination and the racial divide generally; but all that does not mean that the legal system will be much affected for the foreseeable future. He considers, in connection with each domain of the law, how the multiracial option is likely to affect the legal situation. The court cases, Persily stresses, most typically involve blacks, among whom the proportion of multiracials is likely to be small, and Hispanics, who are not directly affected by the race definitions because their numbers are established by another question. So the likelihood of a case being swayed by great numerical shifts owing to the multiracial option are negligible. The challenge for the legal system that Persily does take seriously for the short run involves the greater complexity or delays that could result from some challenges to the way relevant races in a case are being construed or numbers in a voting district are being defined. Yet the courts have dealt with increasing complexity before; the challenges to a way of counting, or even a case being tossed out, will not bring down the system of civil rights law.

Our inclination is to come down on the other side, but not because we disagree with Persily on the specifics of where the challenges will land or on the short-term magnitude of relevant demographic shifts. Like Persily,

we think that the likely outcome of legal challenges will be greater complexity, with cases being tossed back for further review as a result of shifting perceptions of what is an acceptable way to count for a given purpose. It is important to stress that the numerical impact need not be immense to impress a judge that the counting issues could significantly affect some people's rights in some situations. Once the principle of how to count is raised and recognized as affecting these rights, it may indeed lead to greater complexity and cases being tossed back for reformulation. This is precisely the sort of occurrence that has bedeviled, for example, the evolution of voting rights cases; "all" Sandra Day O'Connor did was to challenge principles of counting and to toss a case back for revision. The Justice Department under Clinton, by the informal accounts we have heard, hardly thought it moot whether one box or many could be checked off.

Finally, as Persily notes, the major threats may arise not directly in court cases but in shifting public perceptions of what legitimately is to be counted as membership in a race when racial lines shift. This kind of process, however, creates an environment in which closely decided court issues may be pushed over the line. In an era of a sharply divided Supreme Court, this is an especially relevant consideration.

## Notes

1. A 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.
2. The historical discussion in the following paragraphs is based heavily upon Williamson 1995 [1980], Davis 1991, and Snipp 1989, chapter 2; see also Nash 1995, 941–64.
3. 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.
4. The reference is to those who consider themselves Native American by race, not to the much larger group, nearly all of whom consider themselves white, who indicate that they have some Native American ancestry. On the 1990 intermarriage rates for individuals between the ages of twenty-three and thirty-five years, see Farley 1996, 264–65.
5. Of course, even a Hispanic or an Asian marrying within his or her own "racial" group might well be marrying someone with origins in a different country (a descendant of Chinese immigrants might marry a descendant of Asian Indians, for example).
6. The reference here is to native-born black males, aged twenty to twenty-nine years of age; reported by Qian 1997; see also Besharov and Sullivan 1996, 19–21.

7. The 43 percent figure for 2000 is calculated roughly from U.S. Census Bureau 2001. In 1960, the Census Bureau did not take account of “Hispanics” in discussing race at all; among those it did count as nonwhite, some 90 percent were black. The “chances of meeting” a black or other nonwhite obviously vary dramatically across the country; the example in the paragraph should be thought of as referring to randomly chosen nonwhites selected from the American population.
8. Barring, that is, improbably large countervailing differences in fertility across intraracial and interracial unions. The calculation of the cited proportions is as follows: with 6 percent out-marrying,  $6 / (6 + 94/2) = 11$  percent; and with 10 percent out-marrying,  $10 / (10 + 90/2) = 18$  percent. Note, however, that the calculation applies only to the matter of actual, “genealogical” origins; how these children will identify—as blacks, whites, or both—is a more subtle question, affected by the changing rates, surely, but not fully determined by them.
9. This is not to say that the question cannot be simplified; indeed, it has been in the presentation of tables or even the coding of public-use samples in some years. In the latter, for example, individuals were coded in 1960 and 1970 in terms of father’s place of birth only, with a second (shorter) field listing whether or not the respondent’s mother was foreign or native born and whether (if foreign born) she was from the same country as the father or from a different one (but that different one was not reported). See, for example, the code books at the convenient IPUMS (Integrated Public Use Microdata Series) website, at [www.ipums.umn.edu](http://www.ipums.umn.edu). For a convenient compendium of the census questions prior to 1990, see U.S. Bureau of the Census 1979.
10. From 1971 to 1975, virtually identical categories were fully coded (the question for those years is known as the “ethnic-origin” question). Since 1976, with the collapsed coding, the question has been known as the “Spanish-ethnicity” question. See Unicon Research Corporation 1998.
11. Another rationale was thought to be that it would tap into putative ethnic loyalties related to the “white ethnic revival” of the late 1970s.
12. Similarly, in direct interviews (as opposed to the mail-in forms 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 person was used” (U.S. Census Bureau 1992, B-30).
13. On ancestry and the Hispanic-origin question, see, for example, Lieberman and Waters 1988, 16–18.
14. Though the demand may be for recognition, it is worth noting that should the multiracial population be defined as a distinct racial group, it might then become eligible for various benefits.
15. The picture is more mixed with regard to Native Americans. In 1980, for example, in addition to the large number of whites claiming some Native American ancestry, about 22 percent of those claiming Native American racial status also claimed some European ancestry (Snipp 1989, 51). However,

the crucial point is that the counts of Native Americans do not change in statistically significant ways when the instructions to the race question change.

16. In 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 of different races, or because the nature of their group was multiracial. Some three-quarters chose the first reason (Tucker et al. 1996). 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 substantial majority would have had some rational basis for marking more than one category if they were inclined to do so; had they done so, the number of multiracials would have been many times greater than it was. Similarly, Hispanics may be confused about whether to mark black, white, or “other,” but the confusion is not based on a desire to resolve their problem by marking two or three of the available race choices instead of one; rather, they appear to be uncomfortable being labeled in any of the available race groups.
17. When we speak of civil rights law, we use the term as short-hand for anti-discrimination, civil rights, and voting rights law as well as for court cases related to policies of affirmative action. When we speak of the OMB guidelines we have in mind the *Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring and Enforcement* (OMB 2000).
18. Our point here is not to argue against any particular OMB decision; quite the contrary, any OMB guideline on how to allocate individuals who select two or more races would generate challenges from groups whose interests are better served by some other method of tabulation.
19. That race data are no longer justified by reference to natural, biological, or anthropological divisions among people, but rather because they are required for legal and administrative purposes, is not the new element in our situation; that feature of the race question goes back at least to Directive 15. The fluidity of relevant racial classification and the handling of mixed-race individuals also are not new elements (as scholars have shown in discussing U.S. censuses from 1790 to 1970).

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