

論文

The Roots of Obama on Race: Barack Obama in the Illinois Senate

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要 約

2004年の民主党大会以降、バラク・オバマの人種や民族的背景を問わずに国民全体の団結を謳うスタイルや彼の人種に関連した問題を回避するスタンスは、次第にオバマの政治スタイルとして浸透していった。

しかし、黒人政治家は一般的に連邦レベルの政治環境の中では人種に関連する問題に関して穏健化あるいは中道化する傾向があると言われている。それでは、オバマも同様の変化を経験したのだろうか。オバマの人種に関連する問題への対処は単なる政治戦略なのだろうか。それとも、それは何らかの彼の一貫した人種理解に基づくものなのだろうか。このような疑問に答えるため、本稿はイリノイ州上院議員時代のオバマの政治活動に焦点を当て、彼が人種プロファイリング、積極的差別是正措置、少年犯罪という三つの人種に密接に関連した問題にどのように取り組み、どのような議論を交わしていたのかについて分析する。

これらの問題の審議において、オバマは黒人あるいはマイノリティが人種差別や人種偏見にさらされていることに対して不満をあらわにすることを躊躇することはなかった。しかし、一方で、州上院議員時代のオバマの人種に関連した問題に対するレトリックはすでにバランスの取れた穏健さを現しており、分離主義や個別主義とは距離を置いていた。

本稿は、オバマのこのような一見矛盾するように映るアプローチは、根のあるコスモポリニズムの概念によって説明されるのではないかと指摘する。黒人コミュニティの抱える諸問題にコミットしつつも、そのような問題関心が分離主義や個別主義に陥ることに反感を覚え、幅広い視野を保とうとするオバマの人種に関連した問題への対処は、根のあるコスモポリタニズムの理念に沿っている。よって、オバマは確かに連邦レベルの政治において政治スタイルの調整を行う必要があったものの、その原点は彼が州上院で示した理念に求めることができる。

Introduction

Barack Obama made history by seizing the Democratic presidential nomination and becoming president of the United States, both firsts for a person of African-American heritage. However, his blackness has always been disputed.¹⁾ In addition to his personal

¹⁾ While the scholarship on the Obama phenomenon is still premature, there are many journalistic and academic analyses of Obama's racial identity, his connection with the civil rights movement and the implications of the Obama phenomenon for black politics and U.S. race relations. See for example, Ron Walters, "Barack Obama and the Politics of Blackness," *Journal of Black Studies* 38 (2007): 7-29; Tom

background and experiences, his approach to race-related issues has reinforced his public image as an untypical African-American. “There is not a black America and white America and Latino America and Asian America,” Obama intoned at the 2004 Democratic National Convention, “there is the United States of America.”²⁾ This kind of “rhetoric about national unity based on shared interests and values”³⁾ and Obama’s “avoidance of direct encounters with controversial racially characterized issues,”⁴⁾ have distinguished him from previous African-American presidential candidates, such as Jesse Jackson and Al Sharpton, and have created a public image of racial neutrality.

Undoubtedly, this approach was a prerequisite for Obama’s victory in the 2008 presidential election, as suggested by the uproar over his comments on the 2009 arrest of Harvard professor Henry Louis Gates, Jr. Indeed, it is quite common for African-American politicians to change their political style after holding public office for several years, and adopt more moderate approaches to race-related issues.⁵⁾ Even Bobby Rush, the founder of the Illinois Black Panther Party and the person who defeated Obama in the 2000 congressional election thanks to African-American voters’ support, has toned down his rhetoric since being elected to the U.S. Congress in 1993.⁶⁾ In addition, while the first African-American governor since Reconstruction, Lawrence Douglas Wilder, has been known as a conservative African-American eager to transcend race, he was in fact quite dedicated to so-called “black issues” until the 1970s.⁷⁾

Did Obama also experience such a transformation as he stepped into national politics from the Illinois State Senate? Obama served as a state senator for almost eight years, from 1997 to 2004, representing the 13th district on the South Side of Chicago, where African-Americans accounted for 74% of the population, the second highest rate among state senate

Hayden, *The Long Sixties: From 1960 to Barack Obama* (Boulder: Paradigm, 2008); Peniel E. Joseph, *Dark Days, Bright Nights: From Black Power to Barack Obama* (Philadelphia: Basic Civitas, 2010); Matt Bai, “Is Obama the End of Black Politics?” *New York Times*, http://www.nytimes.com/2008/08/10/magazine/10politics-t.html?_r=1&ref=jesse_1_jackson (accessed June 10, 2010); Charles P. Henry, Robert Allen, and Robert Chrisman, ed., *The Obama Phenomenon: Toward a Multiracial Democracy* (Urbana: University of Illinois Press, 2011).

²⁾ Barack Obama, “The Audacity of Hope,” *Washington Post*, July 27, 2004, <http://www.washingtonpost.com/wp-dyn/articles/A19751-2004Jul27.html> (accessed July 6, 2012).

³⁾ Ama Mazama, “The Barack Obama Phenomenon,” *Journal of Black Studies* 38 (2007): 3.

⁴⁾ Walters, “Barack Obama and the Politics of Blackness,” 17.

⁵⁾ Yasushi Matsuoka, *Amerika seiji to mainoritei: Kouminkenikou no kokujinmonndai no henyou* [U.S. politics and minority: The transformation of black issues in the post-civil rights era] (Tokyo: Minerva, 2006), 49.

⁶⁾ Michael Barone and Grant Ujifusa, *The Almanac of American Politics 1994: the Senators, the Representatives and the Governors: Their Records and Election Results, Their States and Districts* (Washington D.C.: National Journal, 1993), 389-90.

⁷⁾ Matsuoka, *Amerika seiji to mainoritei*, 38.

districts.⁸⁾ With such a high percentage of African-Americans, we would certainly expect Obama to be committed to issues that most concerned the African-American community. Quantitative analysis of Obama's legislative record during this period, in fact, shows that the two policy areas that he was most active in were social welfare and public security,⁹⁾ consistent with the profile of an urban liberal African-American politician.¹⁰⁾

Few studies, however, have examined his discussions of and approaches to race-related issues as a state senator. Did Obama try to minimize his references to sensitive race-related issues? Did he adopt the rhetoric of national unity, embrace ethno-racial diversity, and tolerate dissent? That is to say, was his approach to race-related issues in national politics a recently acquired perspective, perhaps a mere strategy, or did it reflect his long-term, systematic understanding of race? To answer these questions, this paper focuses on Obama's early political career in the Illinois State Senate, examining his approaches to three race-related issues: racial profiling, affirmative action, and juvenile crime. Based on that analysis, this paper suggests that whereas Obama had to accommodate his political style to new situations on the national political stage, it was still grounded in his "rooted cosmopolitan" ideals and did not reflect a solely political calculation.

1. Passing a Racial Profiling Bill

On December 17, 1999, in his third year as a state senator, Obama declared his intent to introduce a racial profiling bill in the Illinois State Senate. "I'm deeply concerned about that issue," he exclaimed, "having been the subject of stops that I suspect were selective and based on my race."¹¹⁾ In this statement, he disclosed his personal experiences with racial profiling as one of his motives for proposing the bill.¹²⁾ Indeed, to a great extent, his support

⁸⁾ William III Lilley, Laurence J. DeFranco, and William M. Diefenderfer III, *The Almanac of State Legislatures: State Data Atlas* (Washington, D.C.: Congressional Quarterly, 1994), 81.

⁹⁾ Randolph Burnside and Kami Whitehurst, "From the Statehouse to the White House?: Barack Obama's Bid to Become the Next President," *Journal of Black Studies* 38 (2007): 75-89; "Obama's Record in the Illinois Senate," *New York Times*, July 29, 2007, http://www.nytimes.com/imagepages/2007/07/29/us/politics/20070730_OBAMA_GRAPHIC.html (accessed July 14, 2011).

¹⁰⁾ Albert Karning and Susan Welch, *Black Representation and Urban Policy* (Chicago: University of Chicago Press, 1980); Katherine Tate, *Black Faces in the Mirror: African Americans and their Representatives in the U.S. Congress* (Princeton: Princeton University Press, 2003), Chapter 4; Matsuoka, *Amerika seiji to mainoritei*, 153-54.

¹¹⁾ Illinois General Assembly, State of Illinois 91st General Assembly Second Special Session Senate Transcript, 2nd Legislative day, 20. This paper relies on senate transcripts and full text of the bills available at the Illinois General Assembly website: <http://www.ilga.gov/>, to which I have been accessing since 2011. To avoid redundancy, URL and the access date are omitted in the following notes.

¹²⁾ Nonetheless, his African-American colleague in the State Senate, Rickey Hendon, known for his outspoken rhetorical style, insisted that racial profiling never happened to Obama. Rickey Hendon, *Black Enough/White Enough: The Obama Dilemma* (Chicago: Third World Press, 2009), 54.

for a racial profiling bill was based on his recognition that it was a wide-spread experience among African-Americans. “Walk into a room with 100 black men,” Obama asserted in the *Hyde Park Herald*, “and 90 are going to have stories of being pulled over for biased reason.” As to the psychological impact of racial profiling on minorities, he argued that “it ‘reinforces their sense of injustice’ and sends them a message that they are outsiders in this country.”¹³⁾

Moreover, racial profiling allegations in Highland Park and Mount Prospect, Illinois also urged Obama to introduce the bill. In 2000, he stressed that “[r]ecent evidence of racial profiling in Highland Park and Mt. Prospect has shown the urgent need for legislation on this issue.”¹⁴⁾ Although these municipalities were affluent suburbs with small minority populations, the Hispanic community had been growing rapidly throughout the 1990s, and police officers often held these non-English speaking Hispanics in suspicion.¹⁵⁾ From the end of 1999 to early 2000, the Highland Park Police Department and the Village of Mt. Prospect were sued by current and former police officers who alleged racial profiling targeted at Hispanic drivers.¹⁶⁾ These allegations that arose from the police themselves garnered considerable media attention and increased public concern about this issue.

With these concerns in mind, Obama became the chief sponsor of a racial profiling bill, House Bill No. 3911 (H.B. 3911), in 2000. According to this bill, from 2000 to 2004, whenever law enforcement officers issued a uniform traffic citation or warning citation, they would have to record the race of the motorist and whether there had been a search of the vehicle, driver, or passenger resulting in no further legal action.¹⁷⁾ Thereafter, the Director of State Police would forward the data recorded by the law enforcement officers to the Secretary of State, who would then determine if the data revealed a pattern of discrimination

¹³⁾ Barack Obama, quoted in Todd Spivak, “Racial Profiling Bill Blocked by Senate Leader, Again,” *Hyde Park Herald*, May 9, 2001, online archive. The *Hyde Park Herald* is a community newspaper that serves the Hyde Park neighborhood in the 13th Senate district. The state senator who represents the 13th district gets a column in this newspaper to report his or her legislative activities.

¹⁴⁾ Barack Obama, “Earned Income Tax Credit Highlights a Short Session,” *Hyde Park Herald*, May 24, 2000, online archive.

¹⁵⁾ “Highland Park City, Illinois QuickLinks,” U.S. Census Bureau, <http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> (accessed August 14, 2012); “Mount Prospect Village, Illinois QuickLinks,” U.S. Census Bureau, <http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> (accessed August 14, 2012); Maria T. Galo, Dan Mihalopoulos, and Tribune Staff Writers, “Reaction Mixed to Mt. Prospect Cop-bias Verdict,” *Chicago Tribune*, January 20, 2000, http://articles.chicagotribune.com/2000-01-20/news/0001200291_1_police-misconduct-justice-department-police-department (accessed August 14, 2012).

¹⁶⁾ Donald R. Zoufal, “Developments in Racial Profiling Litigation ‘A Tale of Two Cities,’” available at [aele.org, http://www.aele.org/zoufal.html](http://www.aele.org/zoufal.html) (accessed on July 14, 2012).

¹⁷⁾ H.B. 3911, 91st Gen. Assem., Reg. Sess. (Ill. 2000). While the year within the parentheses normally refers to the year when the bill was enacted into law or when it was published, in this paper it refers to the year when it is first introduced, because this paper needs to cite those bills that have never been passed, and relies on the sources published on the internet.

in the enforcement of the Vehicle Code.¹⁸⁾ Although the bill easily passed the House, it did not even receive a second reading¹⁹⁾ in the Senate, primarily due to Senate President James Pate Philip's²⁰⁾ opposition to the bill.

The *Hyde Park Herald* accused Philip of having prevented a racial profiling bill from being heard in the Senate since 1997,²¹⁾ and his negligence towards three racial profiling bills²²⁾ that Obama sponsored in 2001 gave support to this accusation. "I reintroduced legislation [a racial profiling bill] this session," Obama complained. "Although we were able to pass the bill through the Democratic controlled House, and were able to gain significant bi-partisan support for the bill on the Senate side, Senate President 'Pate' Philip refused to call the bill due to continued resistance from law enforcement organizations."²³⁾

Indeed, the resistance from law enforcement agencies was strenuous. There were those police officers who utterly denied the need for a racial profiling bill, claiming that no complaints of racial profiling had ever been received.²⁴⁾ Police Superintendent Terry Hillard, on the other hand, acknowledged the problem and pledged to address the issue, but "he was opposed to collecting data for all traffic stops without a system of analysis also in place."²⁵⁾ Limey Nargelenas, the manager of government relations at the Illinois Association of Chiefs of Police, also contended that since "having officers ask the race of a driver during a traffic stop would likely lead to provocations,"²⁶⁾ the data could only be based on the "perceived race" of the driver, making the statistics inaccurate and meaningless.

In the face of such opposition, Obama insisted that "without data collection, the public has no means of knowing if racial profiling is taking place,"²⁷⁾ and he co-sponsored H.B.

¹⁸⁾ Ibid.

¹⁹⁾ According to the Constitution of the State of Illinois, "A bill shall be read by title on three different days in each house." The vote will be recorded at the third reading. See the Constitution of the State of Illinois available at the website: <http://www.ilga.gov/>.

²⁰⁾ Republican leader James Pate Philip was a conservative who buried numerous progressive bills as the Senate President. David Remnick, an Obama biographer, even suggests that he was a sort of racist. Moreover, during the first six years of Obama's tenure in the State Senate, the Republican Party held majority in both houses. In his seventh year in the Senate, the Democratic Party finally gained control of the legislature, which enabled Democrats to push their legislative agenda more smoothly. David Remnick, *The Bridge: The Life and Rise of Barack Obama* (New York: Knopf, 2010), 296.

²¹⁾ Spivak, "Racial Profiling Bill Blocked by Senate Leader, Again."

²²⁾ S.B. 249, 92nd Gen. Assem., Reg. Sess. (Ill. 2001); S.B. 375, 92nd Gen. Assem., Reg. Sess. (Ill. 2001); S.B. 2096, 92nd Assem., Reg. Sess. (Ill. 2001).

²³⁾ Barack Obama, "Tallying Wins and Losses in Springfield," *Hyde Park Herald*, July 4, 2001, online archive.

²⁴⁾ Spivak, "Racial Profiling Bill Blocked by Senate Leader, Again."

²⁵⁾ Ibid.

²⁶⁾ Todd Spivak, "Obama Lobbies for State Racial Profiling Legislation," *Hyde Park Herald*, February 28, 2001, online archive.

²⁷⁾ Barack Obama, quoted in Spivak, "Racial Profiling Bill Blocked by Senate Leader, Again."

335, the only racial profiling bill heard in the Senate in 2001. Compared with H.B. 3911, this bill added eight more provisions to further specify the information that police officers were supposed to report after traffic stops. For instance, it required that the age, gender, and race or minority group of the targeted individual be recorded. In addition to providing instructions for the Secretary of State for analyzing the reports of law enforcement agencies, this bill also specified that annual racial sensitivity training should be provided for police officers, and that such courses should “stress . . . the development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment.”²⁸⁾

Although the bill was brought to the third reading in the Senate, Senator Kirk W. Dillard, the chief sponsor of the bill, had to concede that it was a shell bill that needed to be discussed further in the conference committee, whereas he was not sure if an agreement on a bill can be ever reached with representatives of law enforcement.²⁹⁾ Obama, eager to keep this bill alive, also reiterated his intention to have a substantial discussion in the conference committee. Eventually, H.B. 335 passed the Senate with an amendment which simply made a minor technical change. To Dillard’s and Obama’s disappointment, however, the House failed to concur with the Senate’s amendment and thus, the bill was never discussed in the conference committee.

A racial profiling bill Senate Bill No. 30 (S.B. 30) sponsored by Obama was finally enacted into law in 2003, when Democrats gained majority control of the Senate and Emil Jones, Jr., Obama’s mentor in the Senate, was elected to the Senate Presidency. Quite similar to the 2001 H.B. 335, S.B. 30 contained two major requirements: data collection on traffic stops and racial sensitivity training.³⁰⁾ It provided that law enforcement officers should record their “subjective determination of the race of the person stopped,”³¹⁾ and that the Department of State Police should offer training to “State Police officers concerning cultural diversity, including sensitivity toward racial and ethnic differences.”³²⁾ According to Obama’s remarks in the third reading of the bill, racial sensitivity training had already been uniformly embraced by police departments by then.³³⁾

“The racial profiling law is one of the first and most comprehensive in the nation,” Obama wrote in the *Hyde Park Herald* immediately after the passage of the bill.

Driving while black, driving while Hispanic and driving while Middle Eastern are not crimes. Generations of minorities have suffered the indignity and injustice of

²⁸⁾ H.B. 335, 92nd Gen. Assem., Reg. Sess. (Ill. 2001).

²⁹⁾ Illinois General Assembly, State of Illinois 92nd General Assembly Regular Session Senate Transcript, 43rd Legislative day, 30.

³⁰⁾ S.B. 30, 93rd Gen. Assem., Reg. Sess. (Ill. 2003).

³¹⁾ Ibid.

³²⁾ Ibid.

³³⁾ Illinois General Assembly, State of Illinois 93rd General Assembly Regular Session Senate Transcript, 29th Legislative day, 22.

harassment at the hands of select officers or communities that have made it their policy to single out minority motorists in Illinois. This law is a major step towards ending that practice.³⁴⁾

In 2005, based on the study initiated by this law, Kwame Raoul, Obama's successor in the State Senate, was able to report that "of the 244,309 drivers Chicago police pulled over in 2004, African Americans were stopped at a rate much higher than their percentage of the population."³⁵⁾

Obama was certainly not the first person to introduce a racial profiling bill in the Illinois legislature. The first racial profiling bill that Obama sponsored was created by Monique Davis, an African-American state representative. African-American Senators such as Emil Jones, Jr., Rickey Hendon, and Donne Trotter had supported racial profiling bills for years, while Democrats were in the minority.³⁶⁾ Hence, Obama's success in passing a racial profiling bill owes to the persistent effort of these African-American legislators. His commitment to this issue shows that he shared the concerns about police officers' bias against minorities in general and African-Americans in particular with African-American legislators.

As a politician, it had been quite rare for Obama to share his personal experience with racial discrimination, yet he explicitly referred to that experience when expressing his concerns about racial profiling on the Senate floor. He also singled out African-Americans as frequent victims of racial profiling, although he tends to carefully calibrate his words, preferring "minority" to "African-American" in order to avoid limiting the victims of discrimination and inequality to African-Americans. The process of enacting this racial profiling bill is often interpreted simply as an example of Obama's excellent negotiation skills and his compromising political style.³⁷⁾ Admittedly, the process did show that his aptitude for compromise was already fully developed early in his career. Nevertheless, it also revealed his personal and political commitments. When it came to racial profiling, Obama directly confronted the discrimination against African-Americans and offered his own experience as evidence of the practice. Moreover, he stuck to this issue for over three years

³⁴⁾ Barack Obama, "Gov. Okays Obama's Cutting-edge Legislation," *Hyde Park Herald*, July 23, 2003, online archive.

³⁵⁾ Kwame Raoul, "Springfield Report Session Notes: Racial Profiling and Crime," *Hyde Park Herald*, November 16, 2005, online archive.

³⁶⁾ Hendon, *Black Enough/White Enough*, 38.

³⁷⁾ In the State Senate, Obama was recognized as a great negotiator and compromiser by both Democrats and Republicans for passing those controversial bills including this racial profiling bill with bipartisan support. Illinois General Assembly, State of Illinois 93rd General Assembly Regular Session Senate Transcript, 21st Legislative day, 8; Illinois General Assembly, State of Illinois 93rd General Assembly Regular Session Senate Transcript, 42nd Legislative day, 43; Illinois General Assembly, State of Illinois 93rd General Assembly Regular Session Senate Transcript, 154th Legislative day, 14.

in the State Senate, persisting until he and his allies achieved their legislative goal.

2. Nuanced Argument about Affirmative Action

“To a great extent, Obama’s thinking about race was shaped by the third Chicago School—the one based in its sociological department,”³⁸⁾ historian Thomas Sugrue wrote in *Not Even Past*. He indicated that Obama, like William Julius Wilson, who taught sociology at the University of Chicago for 24 years, believed that people should “push parochial racial concerns, including affirmative action, to the side, and instead create an interracial coalition to demand industrial reinvestment and job creation.”³⁹⁾ In 2008, the *New York Times* also reported that after winning the Democratic presidential nomination, Obama “unsettled some black supporters by focusing increasingly on class and suggesting that poor whites should at times be given preference over more privileged blacks,”⁴⁰⁾ even though he had “continued to support race based affirmative action, calling it ‘absolutely necessary’ when he was a state senator.”⁴¹⁾ To my knowledge, there is no Senate transcript in which Obama called affirmative action absolutely necessary. However, his argument about Senate Resolution No. 115 (S. Res. 115) might suggest his views on this issue during this period.

S. Res. 115 was brought to the Senate floor by a Republican Senator, Wally Dudycz, in 1999. That year, the Center for Equal Opportunity [CEO], a think tank based in Washington, D.C., had requested admission records from nine Illinois universities to investigate the impact of affirmative action policies on college admission requirements. Nonetheless, since all campuses denied the requests on the grounds that the request was unduly burdensome, S. Res. 115 was introduced to urge those universities to disclose the information requested by CEO.⁴²⁾

The resolution, however, got caught in the crossfire in the Senate, and Dudycz had to withdraw it under pressure.

First of all, Senator Miguel del Valle rose against the resolution by revealing the intent of CEO. “[CEO] is a conservative think tank center . . . headed up by Linda Chavez, and what they want to do is [to] dismantle [Affirmative Action] programs throughout the entire country,”⁴³⁾ del Valle said. Indeed, CEO, led by Linda Chavez, a conservative political

³⁸⁾ Thomas J. Sugrue, *Not Even Past: Barack Obama and the Burden of Race* (Princeton: Princeton University Press, 2010), 72.

³⁹⁾ *Ibid.*, 75.

⁴⁰⁾ Rachel L. Swarns, “Delicate Obama Path on Class and Race Preferences,” *New York Times*, August 3, 2008, http://www.nytimes.com/2008/08/03/us/politics/03affirmative.html?_r=1&pagewanted=print (accessed July 19, 2012).

⁴¹⁾ *Ibid.*

⁴²⁾ S. Res. 115, 91st Gen. Assem., Reg. Sess. (Ill. 1999).

⁴³⁾ Illinois General Assembly, State of Illinois 91st General Assembly Regular Session Senate Transcript, 49th Legislative day, 26.

analyst for FOX News Channel, describes itself as “the nation’s only conservative think tank devoted to issues of race and ethnicity,”⁴⁴⁾ and it opposes “admission, hiring, and contracting policies that discriminate, sort, or prefer on the basis of race or ethnicity.”⁴⁵⁾

Senator Rickey Hendon was also outraged by the resolution, denouncing it for trying to stop diversity. Dudycz defended it by arguing that “equal opportunity does not mean that it should be for a protected class. It should be for everyone.”⁴⁶⁾ This statement, nevertheless, seemed to only further infuriate Hendon. “The underprivileged are not a protected class; they are the underprivileged,”⁴⁷⁾ Hendon retorted. “I urge all of you: Don’t bring racism and racist legislation to the Floor of the Senate,” he warned, before returning to his seat.

The next legislator who stood to condemn the resolution was another African-American, Senator James F. Clayborne, Jr. He asked if the information the center had requested would be published in the school newspaper. While Dudycz’s answer to this question was evasive,⁴⁸⁾ Clayborne contended that admission records might not only be reviewed but also be published by those organizations that target certain select groups,⁴⁹⁾ and the consequence of publication would be that a group of individuals would be ridiculed and embarrassed. Sharing a story about his grandfather who migrated from Mississippi and was forbidden to attend college, he said we should not “embarrass people who are trying to make it better for themselves.”⁵⁰⁾

In response to the criticism, Dudycz complained, “I’m getting a little sick and tired of people talking about how their father came from another state and they were discriminated against. Well, Senator Clayborne, a lot of our fathers were discriminated [against] and race had nothing to do with it. And, they didn’t come from Mississippi, but they came from Poland or Germany or Eastern Europe or other places. And, Senator Hendon, I really resent your implication that this is racist.”⁵¹⁾

After having listened to the arguments on both sides, Obama finally addressed the issue. To begin with, he pointed out that CEO wanted the statistics, precisely because they were likely to show that “the minority students may have lower test scores than the white students who were admitted to these universities . . . for a whole host of reasons including the history of this country,”⁵²⁾ adding, “That’s the essence of affirmative action.”⁵³⁾ In his view, it was

44) “Mission Statement,” Center for Equal Opportunity, <http://www.ceousa.org/about-ceo/mission> (accessed July 20, 2012).

45) Ibid.

46) Illinois General Assembly, State of Illinois 91st General Assembly Regular Session Senate Transcript, 49th Legislative day, 28.

47) Ibid., 29.

48) Ibid., 30-32.

49) Ibid., 33.

50) Ibid., 34.

51) Ibid., 39.

52) Ibid., 37.

53) Ibid.

obvious that CEO was gathering those records, which demonstrated that minority students were admitted with lower scores, to use in anti-Affirmative Action lawsuits. Furthermore, he also believed that Clayborne's concerns should be taken seriously.

What has happened, for example, in the University of Michigan, is when these records came out, the first thing that was done was, it was published in the school newspaper, and, immediately, essentially every minority student on that campus was under suspicion as being incompetent, unqualified, shouldn't be there, to their great embarrassment.⁵⁴⁾

Thus far, his argument was basically a reiteration of previous speakers' points, but then Obama turned to encourage a thorough debate about affirmative action in the senate Chamber. "I think that reasonable minds can differ on the issue of affirmative action . . . I don't accuse those who object to affirmative action of being racist, per se,"⁵⁵⁾ Obama stated.

I think it is a difficult, complicated issue because we have a difficult and complicated history when we are talking about race relations in this country. But I would suggest that don't use this as a fig leaf to try to dismantle Affirmative Action . . . If we truly want to dismantle Affirmative Action in public universities in this State, let's have the guts to do it in this Chamber.⁵⁶⁾

Obama's comments affirmed his sympathy for affirmative action. Although he refused to express his support unequivocally, he listed various factors that justify the legitimacy of the practice, such as unequal educational opportunities for minority students in the past, dilapidated public schools in the inner city, and minority households' lower average income. "I would urge all those in the Chamber today," he exclaimed, "to think about what our real commitment as a State and as a society should be towards these groups that, historically, have been disadvantaged."⁵⁷⁾

These remarks show that Obama, at the very least, thought a society should have some kind of commitment to the disadvantaged. Still, he was quick to admit that there could be reasonable grounds to oppose affirmative action and thus, that opposition to affirmative action did not necessarily make one a racist. In short, Obama believed a full-scale debate was needed to address this issue.

As illustrated by historian James Kloppenberg's analysis on Obama's faith in

⁵⁴⁾ Ibid., 38.

⁵⁵⁾ Ibid.

⁵⁶⁾ Ibid., 38-39.

⁵⁷⁾ Ibid., 38.

deliberative democracy,⁵⁸⁾ such a faith might also allow him to accept the dismantling of affirmative action, if it is the result of a well-informed public discussion. However, his emphasis on debate might also have something to do with his perspectives about the complexity of this issue. Admittedly, Obama did value negotiation and compromise with opposing parties in the process of enacting a racial profiling law, yet he maintained that the bill must be passed to fix the problem. In contrast to his insistence on the necessity of a racial profiling law, he seemed to place more stress on the importance of debate when it came to affirmative action, probably out of his ambivalence about this issue.

Since affirmative action does contain many problems and ambiguities,⁵⁹⁾ there are various possible explanations for his ambivalence. However, the fact that affirmative action is based on the ethno-racial pentagon⁶⁰⁾ must be taken into consideration in the analysis of his stance on this issue. The ethno-racial pentagon is a kind of structure which divides population into five crude segments: African-American, Euro-American, Asian-American, Indigenous, and Latino-American. This classification, according to historian David Hollinger, “has its unmistakable origin in the most gross and invidious of popular images of what makes human beings different from one another.”⁶¹⁾

Although the federal government had to adopt the ethno-racial pentagon to rectify the effects of past discrimination against minorities, affirmative action inevitably served to reinforce this arbitrary classification by providing special treatment for particular groups of people, ignoring the internal diversity of each group, and denying individuals' mobility among the groups. Hollinger believes that the increase in mixed-race population is a huge threat to the ethno-racial pentagon.⁶²⁾ While Obama had identified himself as an African-American since he was a teenager, the rigid division of African-Americans and Euro-Americans did cause a lot of trouble for him as he grew up as a person of mixed-race.⁶³⁾

Obama's ambivalence about affirmative action might originate, in particular, from the inherent dilemma of this issue—the dilemma that the compensation for the past suffering of minorities has to rely on the crude racial classification on which the discrimination was

⁵⁸⁾ James T. Kloppenberg, *Reading Obama: Dreams, Hope and the American Political Tradition* (Princeton: Princeton University Press, 2010).

⁵⁹⁾ For the controversies over affirmative action, see for example, Russell Nieli, *Racial Preference and Racial Justice: the New Affirmative Action Controversy* (Washington, D.C.: Ethics and Public Policy Center, 1991); John David Skrentny, *The Ironies of Affirmative Action: Politics, Culture and Justice in America* (Chicago: University of Chicago Press, 1996); George E. Curry, ed., *The Affirmative Action Debate* (Reading: Perseus Books, 1996).

⁶⁰⁾ David A. Hollinger, *Postethnic America: Beyond Multiculturalism*, 2nd ed. (1995; New York: Basic Books, 2000), 32-33.

⁶¹⁾ *Ibid.*, 8.

⁶²⁾ *Ibid.*, 45.

⁶³⁾ Barack Obama, *Dreams from My Father: A Story of Race and Inheritance*, 2nd ed. (1995; New York: Three Rivers Press, 2004).

based. Thus, as sympathetic as Obama was to affirmative action, he was also aware that it could potentially retreat into a “parochial racial concern.”

3. Tackling Juvenile Crime

“Affirmative action is not going to be the long-term solution to the problems of race in America,” Obama declared in 2008, “because, frankly, if you’ve got 50 percent of African-American or Latino kids dropping out of high school, it doesn’t really matter what you do in terms of affirmative action. Those kids aren’t going to college.”⁶⁴⁾ Clearly, Obama thought affirmative action did not address the deeper, underlying causes of inequality, such as the alienation of minority youth from mainstream society. This section, thus, looks into Obama’s legislative effort to keep these children away from crime and to steer them toward the right track.

In terms of public security, the situation in Obama’s South Side district stood in stark contrast to that in mainstream American society. The pervasiveness of poverty and extraordinarily high unemployment blurred the boundary between legal and illegal activity and made gangs an attractive choice for African-American youth in despair.⁶⁵⁾ As a former community organizer of this area, Obama had been particularly concerned about this negative cycle of poverty and crime.⁶⁶⁾ As soon as he was elected to the State Senate, therefore, he set about repairing the juvenile justice system as one means of breaking this destructive cycle.

During his first year in the Senate, Obama wrote an article for the *Hyde Park Herald* in which he mentioned a march of over 1,000 young African-American men in protest against the drug and conspiracy trial of Larry Hoover, a convicted felon and the acknowledged head of street gangs. Obama saw this incident as sadly revealing:

when that many youth march in support of someone like Mr. Hoover, it should tell

⁶⁴⁾ “Barack Obama, July 27, 2008, Unity 08, High Def, Part II,” YouTube, <http://www.youtube.com/watch?v=XIoRzNVTyH4> (accessed July 21, 2012).

⁶⁵⁾ Numerous historical and sociological studies explore the problems of the urban ghettos and the underclass, some of which focus on the black community on the South Side of Chicago. See for example, Arnold R. Hirsch, *Making the Second Ghetto: Race and Housing in Chicago, 1940-1960* (New York: Cambridge University Press, 1985); William Julius Wilson, *The Truly Disadvantaged: the Inner City, the Underclass, and Public Policy* (Chicago: University of Chicago Press, 1987); Kouji Takenaka, *Shicago kokujingetou seiritsu no syakaishi* [Social history on the formation of the black ghetto in Chicago] (Tokyo: Akashisyoten, 1994); Sudhie Alladi Venkatesh, *Off the Books: The Underground Economy of the Urban Poor* (Cambridge: Harvard University Press, 2006).

⁶⁶⁾ Barack Obama, “Why Organize? Problems and Promise in the Inner City,” *Illinois Issues*, 1988, http://www.gatherthepeople.org/Downloads/WHY_ORGANIZE.pdf (accessed March 2, 2011); Obama, *Dreams from My Father*, Part 2.

us something is terribly wrong. At the very least, it should give us some indication of the degree to which an ever growing percentage of our inner-city youth are alienated from mainstream values and institutions, and regard gangs as the sole source of income, protection, and community feeling.⁶⁷⁾

He identified poverty as the primary reason for such alienation, pointing out that the majority of boys involved in gang activity grew up in poverty mainly as a result of family instability and that such an environment often led them to drop out of school and to be denied the opportunity to work in the mainstream economy.

Obama then turned to criticize “get tough” laws passed in the wake of the Robert “Yummy” Sandifer case.⁶⁸⁾ Thanks to these laws, he said, “Illinois is locking up these youth in record numbers.”⁶⁹⁾ Although Obama urged readers “to send a strong message to our youth that poverty is never an excuse for violence,”⁷⁰⁾ he believed that “you don’t have to be a bleeding heart liberal to conclude that Illinois’ current approach to juvenile crime needs to be revised.”⁷¹⁾ Obama then cited studies to show that crime prevention strategies were much more efficient in fighting crime than transferring youth to adult facilities.

Obama’s legislative activities in the State Senate were consistent with the ideas presented in the *Hyde Park Herald*. On the one hand, he sponsored a series of crime prevention bills. In 1997, for example, three juvenile crime prevention bills sponsored or co-sponsored by Obama were signed into law. These bills—H.B. 2147, S.B. 171, and S.B. 550—aimed to form a Youth Crime Prevention Consortium,⁷²⁾ to establish a teen court,⁷³⁾ and to trace firearms possessed by anyone under 21 years of age.⁷⁴⁾ Moreover, in 1999, Obama co-sponsored S.B. 675, which allowed municipalities to use drug forfeiture proceeds for park district or municipal recreational programs for youth at risk.⁷⁵⁾ While this bill was stuck down by Republican senators, in 2004 he successfully co-sponsored H.B. 4566, which required the court or arresting authorities to inform juveniles of their right to petition for expungement of certain arrests and conviction records.⁷⁶⁾ “The objective [of this

⁶⁷⁾ Barack Obama, “Rethinking Approach to Juvenile Crime,” *Hyde Park Herald*, April 16, 1997, online archive.

⁶⁸⁾ In 1994, Robert Sandifer, an African-American gang member at the age of 11, was killed by the other gang members. He was raised by a single mother on the South Side of Chicago and committed a series of crimes, but the courts could not lock him up due to his young age.

⁶⁹⁾ Obama, “Rethinking Approach to Juvenile Crime.”

⁷⁰⁾ Ibid.

⁷¹⁾ Ibid.

⁷²⁾ H.B. 2147, 90th Gen. Assem., Reg. Sess. (Ill. 1997).

⁷³⁾ S.B. 171, 90th Gen. Assem., Reg. Sess. (Ill. 1997).

⁷⁴⁾ S.B. 550, 90th Gen. Assem., Reg. Sess. (Ill. 1997).

⁷⁵⁾ S.B. 675, 91st Gen. Assem., Reg. Sess. (Ill. 1999).

⁷⁶⁾ H.B. 4566, 93rd Gen. Assem., Reg. Sess. (Ill. 2004).

bill] is simply to make sure that those juveniles who have made a mistake one time are not permanently penalized and unable to find gainful employment, which would then drive them into unlawful activities again and increase the rates of recidivism.”⁷⁷⁾ Obama explained.

On the other hand, he consistently resisted increasing penalties for juvenile offenders. When S.B. 363 was introduced in 1998 to seek a fundamental change in the juvenile justice system by holding youth accountable for their actions through heightening consequences for juvenile misbehavior and moving more young offenders into the adult court system,⁷⁸⁾ Obama expressed deep concerns.⁷⁹⁾ The very next year, S.B. 759 was proposed to provide for the adult prosecution of a minor at least 15 years of age who is charged with aggravated battery with a firearm committed in or near a school.⁸⁰⁾ Once again, Obama rose to oppose the legislation. “There is really no proof or indication,” he cautioned, “that automatic transfers and increased penalties and adult penalties for juvenile offenses have, in fact, proven to be more effective in reducing juvenile crime or cutting back on recidivism.”⁸¹⁾

These two bills were enacted into law in spite of Obama’s concerns, but two other “get tough” bills—S.B. 1426 and S.B. 1532—were struck down in 2000. S.B. 1426 would have allowed a school district to refuse to accept those transfer students expelled for any reason by their previous school until they had completed the entire term of expulsion.⁸²⁾ Obama voted against this bill, because he thought violent and nonviolent offenders should not be penalized indiscriminately, thus preventing nonviolent students from starting over in a new school.⁸³⁾ S.B. 1532 would have permitted police officers to provide a victim or a victim’s family with the name and address of a juvenile who had been arrested, but not convicted, of a crime.⁸⁴⁾ Obama, along with other Democratic senators, strongly opposed this bill, claiming it ignored the whole point of the judicial system by letting citizens be tried by people outside of the judicial system.⁸⁵⁾

Obama’s approach to juvenile crime in these cases was quite consistent with those of liberal African-American senators; however, his position on this issue is worth examining

⁷⁷⁾ Illinois General Assembly, State of Illinois 93rd General Assembly Regular Session Senate Transcript, 109th Legislative day, 138.

⁷⁸⁾ S.B. 363, 90th Gen. Assem., Reg. Sess. (Ill. 1998); Illinois General Assembly, State of Illinois 90th General Assembly Regular Session Senate Transcript, 72nd Legislative day, 6-10.

⁷⁹⁾ Illinois General Assembly, State of Illinois 90th General Assembly Regular Session Senate Transcript, 72nd Legislative day, 12-15.

⁸⁰⁾ S.B. 759, 91st Gen. Assem., Reg. Sess. (Ill. 1999).

⁸¹⁾ Illinois General Assembly, State of Illinois 91st General Assembly Regular Session Senate Transcript, 27th Legislative day, 210.

⁸²⁾ S.B. 1426, 91st Gen. Assem., Reg. Sess. (Ill. 2000).

⁸³⁾ Illinois General Assembly, State of Illinois 91st General Assembly Regular Session Senate Transcript, 106th Legislative day, 22-26.

⁸⁴⁾ S.B. 1532, 91st Gen. Assem., Reg. Sess. (Ill. 2000).

⁸⁵⁾ Illinois General Assembly, State of Illinois 91st General Assembly Regular Session Senate Transcript, 79th Legislative day, 96.

closely, since it also reveals his views on another tough issue: the relation between race and class. While he discussed poverty primarily in relation to racism and discrimination in the *Hyde Park Herald* article cited above, he explicitly divided class and race in debates concerning a bill introduced in 2001.

In response to the spread of designer drugs such as ecstasy among youth, H.B. 126 aimed to provide stronger sentences for the delivery of designer drugs.⁸⁶⁾ In the discussion of this bill, Obama argued, “every study has shown that white youth and African-American youth and Hispanic youth utilize drugs at approximately the same rate . . . but the extraordinary proportion of persons who are incarcerated as a consequence of these laws are African-American youth.”⁸⁷⁾ This point was almost a cliché among African-American senators, yet it was followed by something quite unique: “I don’t think it’s necessarily a race issue; I think it’s also a class issue.”⁸⁸⁾ He contended that everybody in the Senate would hire the best lawyer to defend their children, if they were caught for the possession of ecstasy, but poor African-American parents could not afford to do the same in most circumstances.⁸⁹⁾

It was hardly an innovation to argue that class should be taken into account in addition to race to fix the problem of urban poverty. William Wilson had pointed it out as early as 1978.⁹⁰⁾ Nevertheless, in the context of political debate at the time, Obama’s point about race and class sounded different. For example, Rickey Hendon voted for H.B. 126, because ecstasy was primarily used by white children:

The only thing this bill does that brings me any kind of peace in my mind, is it levels the playing field where white youth will now go to jail just like black kids... you can finally see that this is wrong to do it to my kids, and it’s going to be wrong to do it to your kids.⁹¹⁾

With reference to inequality, the recognition of class in addition to race can be meaningful under two conditions: first, when many forms of inequality stem primarily from economic gaps, which are not directly related to racial factors; second, when a substantial number of African-Americans have been incorporated into the middle class, leaving their poor counterparts behind. More often than not, African-American poverty was understood by African-American senators like Hendon as the legacy of a painful history and the result

⁸⁶⁾ H.R. 126, 92nd Gen. Assem., Reg. Sess. (Ill. 2001).

⁸⁷⁾ Illinois General Assembly, State of Illinois 92nd General Assembly Regular Session Senate Transcript, 38th Legislative day, 98.

⁸⁸⁾ Ibid.

⁸⁹⁾ Ibid., 99.

⁹⁰⁾ William Julius Wilson, *The Declining Significance of Race: Blacks and Changing American Institutions* (Chicago: The University of Chicago Press, 1978).

⁹¹⁾ Illinois General Assembly, State of Illinois 92nd General Assembly Regular Session Senate Transcript, 38th Legislative day, 105-106.

of preset-day institutional racism. For them, therefore, the economic gaps were almost always closely associated with the race issues, and the existence of middle-class African-Americans was not substantial enough to challenge their monolithic understanding of the African-American community. For Obama, however, the fact that many African-American parents could not afford to hire the best lawyer was not entirely caused by their race, because there were many African-American senators in the Chamber who could actually do that. Setting the plausibility of his argument aside, it can be at least concluded that he thought the existence of relatively affluent African-Americans, like his fellow African-American senators, was a meaningful illustration of the necessity of introducing class into the debate about discrimination and inequality.

As a state senator, Obama acknowledged the severity of the problem of juvenile crime in the urban African-American community and strived to address it by emphasizing crime prevention over tougher penalties. However, despite advocating approaches that were similar to those of his African-American colleagues, he was more willing than them to look upon this problem as a consequence of issues based on both race and class.

Conclusion

Having examined Obama's approaches to racial profiling, affirmative action, and juvenile crime, it becomes clear that Obama did not avoid facing these controversial race-related issues. He did not hesitate to point out that the vast majority of the victims of racial profiling were African-American and that his own experience with racial profiling served as one of his motivations for introducing a bill to prevent it. When arguing about this issue, moreover, his rhetoric was rather bold and more straightforward than the Obama rhetoric typically known to the public. Finally, he was determined to pass a racial profiling bill despite staunch resistance from many quarters.

Obama was also quite favorable to affirmative action. He insisted that given the injustice that minorities had historically suffered from, it was reasonable to assume that society should take some measures to give them a chance to improve their lives. As for juvenile crime, he resisted what he felt was an overreaction to a few notorious incidents that had propelled legislators to increase penalties for juveniles and put an unprecedented number of youth—disproportionately African-American—into prison. All of these actions indicate that Obama was not afraid to express his frustration with discrimination against minorities in general, and against African-Americans in particular.

At the same time, however, his arguments during this period were already quite cautious, balanced, and inclusive, and he rarely surrendered to provincialism, separatist ideas, or particularistic impulses. For example, as an African-American politician representing a district with predominantly African-American constituents, Obama could have defended affirmative action more strongly just as his African-American colleagues did. Nevertheless, instead of expressing his support for affirmative action categorically and labeling those who

opposed it as racist, he chose to stress the complexity of the problem and to urge a candid debate over the issue. He acknowledged that the opposition to affirmative action could also be reasonable, and was aware that affirmative action, despite its benign intent, had many problems including the risk of reinforcing provincialism through adopting the crude racial classification on which discrimination was originally based.

Furthermore, in his view, poverty was clearly the primary reason for the prevalence of gangs in the inner city, yet he still insisted that poverty could never be an excuse for violence. In addition, even though he acknowledged that African-American youth were incarcerated disproportionately, he pointed out that it was not only a race issue, but also a class issue. This approach stood in contrast to that of Hendon, who simply dissected youth into “our children” and “your children” based on their race. Accordingly, in the State Senate, Obama was reluctant to follow particularistic impulses by oversimplifying the issues and blaming racial discrimination for all the problems in the African-American community. He was aware that the current race-related issues might be caused by various economic, social, and historical factors and thus, that a practical approach to them would weigh these aspects of the problem.

In light of the analysis above, it may seem that national politics did press Obama to be more prudent in expressing his opinion about controversial race-related issues, since he was apparently more willing as a state senator to share his encounters with racial bias and to raise his voice against discrimination and injustice. Yet, it is not accurate to conclude that Obama drastically changed his political style to cater to the needs of a more diverse national constituency. Already in the State Senate, Obama had demonstrated a measured, balanced approach to the race related issue. He was careful not to attribute problems and hardships facing the African-American community solely to past and present racial discrimination, and he recognized that such problems and hardships were shared across the color line.

A seeming tension between his commitment to the African-American community and his desire to be scrupulous and inclusive might be explained by the tension that lies within “rooted cosmopolitanism,” a term coined by political scientist Mitchell Cohen in 1992. Concerned that the multiculturalism that grew rapidly in the 1980s might eventually fall into particularism,⁹²⁾ Cohen used the term to stress the value of searching for common ground without abandoning appreciation for a multiplicity of roots.⁹³⁾ In 1995, David

⁹²⁾ For the debates on particularistic multiculturalism, see Diane Ravitch, “Multiculturalism: E Pluribus Plures,” *American Scholar* 59 (1990): 337-54; Arthur M. Schlesinger, Jr., *The Disuniting of America: Reflections on a Multicultural Society* (New York: Norton, 1993); Ronald Takaki, “Multiculturalism: Battleground or Meeting Ground?,” *Annals of The American Academy of Political & Social Science* 530 (1993): 109-21.

⁹³⁾ Mitchell Cohen, “Rooted Cosmopolitanism,” *Dissent* 39 (1992): 478-83. The idea of “rooted cosmopolitanism” is also advanced by legal scholars and philosophers such as Bruce Ackerman and Kwame Anthony Appiah: Bruce Ackerman, “Rooted Cosmopolitanism,” *Ethics* 104 (1994): 516-35; Kwame Anthony Appiah, *The Ethics of Identity* (Princeton: Princeton University Press, 2005), Chapter 6.

Hollinger developed the term into a more systematic idea in *Postethnic America*. Although Hollinger preferred the term “postethnic” to “rooted cosmopolitanism,” he acknowledged his dependence on that concept, noting that “*postethnic* marks an effort to articulate and develop cosmopolitan instincts within this [multiculturalism’s] new appreciation for the ethnos.”⁹⁴⁾ Later, Hollinger published a 2008 article that analyzed the Obama phenomenon in the context of postethnicity.⁹⁵⁾ By focusing on Obama’s racial background, he argued that the Obama phenomenon challenges identity politics by destabilizing color lines, and that the understanding of inequalities should now shift from ethnoracial terms to economic terms.

The analysis of Obama’s approaches to and understanding of race-related issues in his early career reveals his aspirations for this rooted cosmopolitan or postethnic ideal. Obama attempted to balance devotion to his traditional affiliation and the promotion of interracial coalitions by being committed to issues that most concerned the African-American community, while refusing racial separatism and provincialism, admitting that class as well as race must be considered to solve the real problems confronting his constituency. Barack Obama certainly did need to adjust his political style when he stepped onto the national stage, but the roots of that style can still be traced to the rooted cosmopolitan ideal he pursued in the Illinois State Senate.⁹⁶⁾

⁹⁴⁾ Hollinger, *Postethnic America*, 4-5.

⁹⁵⁾ David A. Hollinger, “Obama, the Instability of Color Lines, and the Promise of a Postethnic Future,” *Callaloo* 31 (2008): 1033-37.

⁹⁶⁾ Although this paper suggests that Obama’s stance on race can be interpreted through the lens of rooted cosmopolitanism, it does not demonstrate how Obama converts this idea into a political force or how it is associated with the problems that the Obama administration has been confronted with. Hopefully, the future study of the Obama phenomenon will shed light on these issues.