Policy-Elite Perceptions and Social Movement Success: Understanding Variations in Group Inclusion in Affirmative Action[1]

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Using historical analysis of the inclusiveness of Labor Department affirmative action regulations for African-Americans, American Indians, Asian Americans, Latinos, women, and white ethnics, this article shows that understanding variations in social movement success requires understanding policy-elite perceptions of the meanings of social movements and the groups they represent. Variation in perceived meanings along dimensions of definition, morality, or threat helps explain the speed of group inclusion, the amount of mobilization needed, and possiblity for failure. Ethnoracial minorities benefited from perceptions of definitional and moral similarity to blacks, but elites perceived women as different definitionally and white ethnics as different definitionally and morally. Policy-elite perceptions create obstacles for some groups, forcing them to struggle longer and harder for the same policy outcome.

The study of state- or policy-related impacts of social movements, or social movement "success," is a growing part of an already lively field (Giugni 1999). It would seem to require analysis of the state and policy elites, but thus far the state has been undertheorized in social movement studies. What role do policy-making elites play in social movement success or failure? Theories of policy impacts of social movements often imply that

elite perceptions of movements are important, but how and why are they important? There has been little effort to show and understand systematically how these perceptions affect movement outcomes. This is surprising because the perceptions and ensuing decisions of those in power will always play a role in what, if any, policy impact a social movement will have. It is state officials who decide whether and when to accede to social movement demands, what to give, and whether the movement should be ignored or even repressed.

Political process theory (e.g., McAdam 1996; Tarrow 1998) is explicit in granting important roles for elites. It emphasizes that some elites will grant access to social movements, form alliances with them, or compete for their support, but it has not developed explanations of why or for which groups some elites act. Political mediation arguments, such as those propounded by Amenta and his colleagues (e.g., Amenta, Carruthers, and Zylan 1992; Amenta, Halfmann, and Young 1999) also imply that there is a role for elite perceptions in the issue of whether or not a movement fits a government agency's "mission," but have not given attention to the role of elite perceptions in making this determination. Framing theories (Cress and Snow 2000) of movement success assign state elites the role of an unexamined audience of movement persuasion strategies. Theories building on the resource mobilization model (McCarthy and Zald 1977) that emphasize social movement strength (e.g., Gamson [1975] 1990; Andrews 2001) or that emphasize disruptive impact (Piven and Cloward 1977) suggest that elites are moved by mass, well-organized challengers. Though these approaches imply that policy-elite perceptions matter, however, the state remains a "black box," and its inner mechanisms remain unexamined.

Though the state as an institution was "brought back in" (Evans, Rueschemeyer, and Skocpol 1985) to social movement studies years ago, I seek to do so in a different way. I hope to bring policy-elite perceptions of social movements to the center of the study of social movement impact and success. The argument is made through a comparative analysis and an empirical puzzle: Why did some groups win inclusion in federal employment affirmative action regulations, and some did not? Moreover, why did some have to exert more effort than others to be included? The historical record shows that policy developed for the mass-mobilized African-Americans after great struggle, but policy elites included the other ethnoracial groups (American Indians, Asian Americans, and Latinos) in affirmative action almost immediately and without difficulty. Women's groups also had to struggle for years before women were included as a category, and white ethnics (mostly Catholic or Orthodox Christian Americans with ancestry from eastern and southern Europe) struggled to be included but failed.

I argue that the explanation for this variation is that policy makers perceived and categorized different groups in different ways, perceiving different meanings in them, and based policy decisions on these perceptions. More specifically, understanding how groups vary along the dimensions of perceived definition, morality, and threat helps explain both variations in success and variations in how much a social movement must struggle for success.

The article has five main sections. First, there is a review of how this research builds on recent moves in social movement theory, and I flesh out the argument in more detail. Second, there is a discussion of the methods used in this study and the strengths and pitfalls of an elite perceptions approach. Third is presentation of the case for policy-elite perceptions to explain differential movement success. Fourth, I examine alternative explanations for the outcomes, showing they do not explain the variation unless given a significant elite perceptions component. I conclude with a discussion of the implications of this approach for the study of social movement impacts on policy and on policy making in general.

DIFFERENCES BETWEEN MOVEMENTS AND DIFFERENCES IN IMPACTS

Social movement researchers have identified many different factors to explain varying successes of social movements. Tarrow (1998, p. 163), for example, lists power to disrupt, resources, factionalism, allies, and access of new actors (e.g., changes in suffrage). The approach for this article, however, rests on the notion that challenging groups do not only vary in ways that can be quantified, but they can also be categorically different from one another.

Others have noted the importance of categorical differences among movements. Wisler and Giugni (1996, p. 88), for example, argue that some movement demands "fit the structure of the institution," and when this is the case, the state will be more sympathetic (also see Skocpol 1992). For Amenta et al. (1999) positive impact is most likely when bureaucrats see a movement's goals as in line with their own goals or "mission." They argue that the more unfavorable the circumstances, as understood by regime type and bureaucratic mission incongruity with movement demands, the more assertive strategies are needed by the social movement for a positive outcome. For McCammon et al. (2001), positive outcomes are most likely where elites categorize movement demands as acceptable because of changing "social opportunities." Kriesi et al. (1995) maintain that political authorities respond differently to different policy domains.

Specifically, movements will find that their political opportunities will vary depending on whether or not the issues they work for are low or high profile, with more state openness to those pursuing change in low-profile areas.

The argument here builds on all of these approaches, but focuses on meanings and the categorical perception of the social world. It stresses that policy elites' behavior toward social movement organizations is greatly informed by the meanings they perceive in those groups or the social groups they claim to represent; categorization of movements is therefore significantly a subjective, cognitive process.

"Policy elites" refers to state actors with some influence over the direction, shape, and timing of policy making. For federal policy, this usually includes a wide range of actors: presidents, cabinet members, White House staff members, agency officials, members of Congress, congressional staff members, judges, and judicial clerks. Business leaders have privileged access to policy elites (Domhoff 1990, 2002), but must convince policy elites to enact their wishes.[2]

"Perceptions" is shorthand to include a variety of insights from the sociological study of culture, cognition, politics, and social movements. The focus on policy-elite perceptions includes the underlying, often unspoken, taken-for-granted "background" (rather than the "foreground" [Campbell 2004]) of policy making. This "pretheoretical" understanding (Berger and Luckmann 1966) would come *before* elites' frames (Haydu 1999; Binder 2002; Bleich 2003) and "social knowledge" (Rueschemeyer and Skocpol 1996), which are typically coherent and relatively elaborated cognitive structures in the foreground of policy debates. More helpful for understanding policy-elite perceptions are the insights of cognitive and cultural sociology, especially research in social classification. Meaning perception is shaped, organized, and filtered through cultural classification or categorization (DiMaggio 1997; Lakoff and Johnson 1980; Zerubavel 1991, 1997) and built from meanings that are taken for granted or "institutionalized" (Berger and Luckmann 1966; DiMaggio and Powell 1991). What is "rational" is therefore a cultural question (Dobbin 1994). Thus, what an object of perception "is" should not be taken by sociologists as obvious or natural. Objects of perceptions can be understood in different ways with important political consequences, and political sociology and social movement studies benefit from this insight that classifications are sometimes politically contested (Zerubavel 1997, p. 64).

One can adapt these insights to the study of social movement policy success by building on some promising work in political sociology on

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[2] I follow scholars who argue that the state is an actor in its own right and that state elites have their own interests (Evans et al. 1985; Block 1987).

meanings and categorizations (Kingdon 1984; Peattie and Rein 1983; Schneider and Ingram 1993; Steensland 2006), especially that of Campbell (2004).[3] Though the present study cannot provide a full test, it is helpful to consider policy-elite perceptions of social movement claimants in three dimensions (see table 1), which shape the categorizations of groups and, ultimately, classifications of policy appropriateness or legitimacy.[4]

First, there is a *definitional* dimension. This is the fundamental perception of what a given population *is* and whether it is a discrete group at all. It includes the basic characteristics of the group—and which characteristics are ignored or unseen—that together form a prototype (DiMaggio 1997). These salient characteristics that make up the definitional dimension can be physical (what individuals or things look like), historical (where they came from, what they have experienced), and behavioral (what activities they typically pursue). Definitional perceptions are the often unexamined bases of larger schemas that direct cognition. The legitimacy or "logic of appropriateness" (March and Olsen 1989) of particular policies will rest in part on elites' definitional perceptions and ensuing categorizations. This is because definitional perceptions will inform elite perceptions of a higher order regarding identifiability of target populations, costs of implementation, institutional capability, constitutionality/legality of particular policies, potential for fraud, and potential for the policy to work as intended. Though I emphasize policy-elite perceptions of population groups, the definitional dimensions are equally important to understanding elite policy making regarding the regulation of things; for example, definitional perceptions of alcohol will help us understand whether a state regulates it as a drug.

Second, there is a dimension of *morality*. Though established in cultural sociology (Lamont 1992, 2000) and increasingly recognized in studies of policy (Campbell 2004; Steensland 2006), the role of morality is undertheorized in the study of movements. Moral perceptions are ultimately perceptions of deservingness and, in modern societies, rest on perceptions of a claimant's degree of suffering and the cause of that suffering, or past

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[3] The generalized categories used by Kingdon (1984), Peattie and Rein (1983), and Schneider and Ingram (1993) do not adequately capture the distinctions that policy elites actually make, and they are too blunt to offer insight into the variations *between* minorities, or potential minorities. Campbell (2004) distinguishes between cognitive and normative aspects of "ideas," but these labels may be imprecise because normative reasoning requires cognition. Campbell also divides ideas into "foreground" and "background," with background referring to "paradigms" (underlying assumptions of a "cognitive" nature) and "public sentiments" (which are "normative"). However, the present study indicates that normative perceptions are not necessarily located in the public but can be an elite phenomenon.

[4] This argument assumes a modern state that takes for granted "justice" and "progress" as legitimate goals (Meyer, Boli, and Thomas 1987).

TABLE 1
DIMENSIONS OF MEANING OF MOVEMENTS/TARGET GROUPS

Dimension of Meaning	Features
Definitional	Salient group characteristics (physical, historical, behavioral)
Moral	Deservingness, amount and cause of suffering, contributions to society
Threat	Potential for violence, disorder, loss of state control, loss of national security

contributions to the nation or the world (as in the case of veterans [Skocpol 1992; Skrentny 1996]). As such, they may be based on definitional perceptions of a group or thing's history and behavior. For example, if American elites perceive a group as having only insignficant problems, or as responsible for their predicament whether because of laziness, stupidity, or tendency toward substance abuse, they will likely perceive the group as unworthy on the moral dimension. Yet moral perceptions add their own dimension of meaning and may have independent effects on categorizations and decisions about whether particular policies are legitimate or appropriate, potentially making it more difficult for the advocating movement to achieve success.

However, another dimension, *threat*, may at least in the short term trump negative definitional or moral perceptions, forcing policy makers into action. The policy may then become quickly institutionalized, and through policy feedback processes (Pierson 1994; Skocpol 1992; Weir 1992), the policy may work to change group meanings to definitionally appropriate and morally worthy, and initiate dynamics of path dependence as interest groups mobilize to defend the policy from any possible retrenchment (Pierson 1994; Skrentny 2001). Factors affecting the perception of threat will be perceptions of potential for loss of elite control from violence and disorder (Piven and Cloward 1977), as well as declining national security. Other dimensions of social movement claimant meanings may be important in other contexts.

It is important to emphasize that the definitional, moral, and threat dimensions of policy-elite perceptions may play a crucial role in policy making even if they are wrong, have no clear basis, or are based in stereotypes, mass media accounts, or other nonrational, nonscientific, or nonempirical sources. Elites may or may not share these perceptions with the majority of those in a society, and the perceptions may or may not be affected by ideology (Verba and Orren 1985; McWilliams 1995; Teles 1996). Policy-elite perceptions also may be based only on what policy

elites believe the public perceives (Frymer 1999; Jacobs and Shapiro 2000). For example, policy-elite perceptions of the moral meaning of a group may be based on how they believe the public or a segment of the public views the moral meanings, and thus the moral dimension will shape calculations of electoral coalition maintenance or building. The definitional and moral dimensions of elite perceptions are generally those of the populations or causes the movements claim to represent and not the social movements themselves, because target populations are the objects of policy rather than the movements, though in reality they are usually not distinguished.[5] The threat dimension may be of either the movement or the population group; elites may not even make a distinction between the two.

It is beyond the scope of this study to give a full account of the origins of elite perceptions and group meanings. Their origins and development should follow the theoretical statements cited above for explaining change in culture, categorizations, and institutions (also see Clemens and Cook 1999). In particular, as shown below, social movements themselves or some state actors can act to change the prevailing meanings, acting as meaning entrepreneurs. Meaning entrepreneurship—willful, engaged exercises in agency to change elite perceptions—is precisely what women's and white ethnic groups were forced to engage in. They pressured the resistant government to perceive their respective populations as appropriate for and worthy of affirmative action. The primary point here is that not all groups have to engage in this fight, or to the same degree, and few face the exact same perception and resistance to their goals. Perceived group meanings and categorizations led to an uneven playing field for potential claimants.[6] Though mobilization strategies might affect these perceived meanings, these perceived meanings affect political dynamics *prior to* group mobilization and can crucially handicap or advantage some groups.

The argument is summarized in table 2. By the mid-1960s, the definitional meaning of being black in the United States was tied to perceptions of disadvantage compared to whites; among political elites, this perception was more salient than the old (but still widespread) perceptions of inferiority. However, elites and most Americans perceived blacks as morally unworthy of targeted help throughout the Civil Rights era. Per-

[5] Perceptions of the movement and the target group can be distinct—especially if policy elites do not see a movement as a true representative of its cause, or if policy elites perceive the movement's tactics as illegitimate. In these cases, responding to even a morally worthy cause might be seen as rewarding immoral tactics and as politically costly.

[6] It should be emphasized that in no way do I judge or criticize this outcome. My goal is simply to understand variation in movement and policy outcomes.

TABLE 2
ELITE PERCEPTIONS OF TARGET GROUPS AND MOVEMENT/POLICY OUTCOMES

Group	Elite Perceptions	Outcome
Blacks	Disadvantaged compared to whites, morally unworthy, threatening	Creation of and inclusion in affirmative action after struggle, new perception as worthy, benchmark group
American Indians ...	Definitionally and morally analogous to blacks	Rapid, unchallenged inclusion in affirmative action
Asian Americans	Definitionally and morally analogous to blacks	Rapid, unchallenged inclusion in affirmative action
Latinos	Definitionally and morally analogous to blacks	Rapid, unchallenged inclusion in affirmative action
Women	Definitionally different from blacks	Inclusion in affirmative action after struggle, new perception as analogous to blacks
White ethnics	Definitionally and morally different from blacks	Exclusion from affirmative action despite struggle

ceptions of threat from the mass violence after 1964 were crucial in getting affirmative action developed, and once included, the policy redefined the group for policy elites as a disadvantaged and morally worthy benchmark group. This article concentrates on the similarly situated groups whose inclusion mostly came after the policy development for African-Americans. Policy elites perceived American Indians, Asian Americans, and Latinos to be analogous to African-Americans, by then the legitimate benchmark for the policy. There were no significant definitional or moral differences between any of the groups, and therefore inclusion in the already established policy came without difficulty for these groups. Despite considerable mobilization, policy elites perceived women as morally worthy of special help but as different on a definitional dimension and strongly resisted women's groups' efforts for the same affirmative action regulations. Through almost two years of coordinated efforts, women's groups convinced elites to change their views and include women. Policy elites perceived white ethnics as different along both definitional and moral dimensions, requiring more effort for a policy success that was never achieved.

STUDY DESIGN AND METHODS

Following Goldstone (2003) and Meyer and Tarrow (1998), I define "movement" broadly. During the time period in question, formal organizations claiming to represent ethnoracial minorities, women, and white ethnics

engaged in political activity that utilized both noninstitutionalized (demonstrations and/or protest) and institutionalized means (formal lobbying). These movements found varying degrees of "success." Building on McCammon et al. (2001), Staggenborg (1995), and Kitschelt (1986), I define success as the rapid achievement of a substantive policy outcome. Thus, I examine whether the movement achieved the policy success and also the timing of the success, because policies that come quickly, with little expenditure of resources, allow efforts and resources to be used for other struggles. Moreover, I understand a policy to be a "success" for a movement if its organizations and leaders later defended the policy. This is the case with affirmative action, which was later defended by all beneficiary group advocates. Though affirmative action is practiced in a wide variety of institutions, this study examines the policy outcome of inclusion in the federal Labor Department's affirmative action regulations for government contractors, overseen by the department's Office of Federal Contract Compliance (OFCC). This was the earliest and most explicit federal affirmative action regulation (Graham 1990).

This study uses a comparative case analysis (Ragin 1987) of six different social movements and their respective policy outcomes that occurred in the same country, in the same time period, and involved the same policy and the same federal agency. This means that many of the state-centered factors relating to movement success are controlled—regime type (Amenta et al. 1999), implementation capacity (Kitschelt 1986), policy or demands (Kriesi et al. 1995; Wisler and Giugni 1996), and administrative agency (Amenta et al. 1999). From the perspective of political sociology, the narrow time period and policy focus on affirmative action means that the study also controls for historical context or "policy window" (Kingdon 1984).[7]

The comparative analysis is supported by historical research that shares the goals of "historical ethnography" (Comaroff and Comaroff 1992): historical excavation of decision-making processes and therefore the local culture of the relevant organizations of the federal government. Through analysis of public and private political discourse, I seek to understand the worldviews and rationality of policy makers (for a similar approach, see Kingdon [1994, pp. 224–25]).

[7] There is no claim here that these movements were independent of each other. Numerous scholars have documented the phenomenon of early-riser or initiator movements, thus leading to "spin-off" movements (McAdam 1995), movement "spillover" (Meyer and Whittier 1994), protest cycles (Tarrow 1998), and the "sequencing of movements" (Minkoff 1997). All of this work, however, examines movement mobilization, strategy, and goals, and not movements' policy-related impacts, and concerning the case of affirmative action, there is no theoretical reason why this relationship should have caused or contributed to the variation in movement policy successes.

This study casts a wide net because policy makers' influence does not flow in any obvious way down a hierarchical structure. The president, for example, has considerable power to start, shape, or kill policies, but the sheer size and complexity of the American state relegates the president to only a part of the action (Berry 1997). Additionally, Congress only infrequently exercises oversight over federal agencies. The model of politics from studies of the "agenda" (Kingdon 1984; Baumgartner and Jones 1993) is useful for some issues, but may neglect the fact that policy is continually being made far away from the national agenda through agency regulations and "street-level bureaucracy" (Lipsky 1980). Similarly, the concepts of "policy domain" (Laumann and Knoke 1987; Burstein 1991) and "issue network" (Heclo 1978) imply a level of stability, expertise, and organization that a close examination inside the American state does not reveal, at least in the late 1960s and early 1970s on civil rights issues. I use the general term "policy elites" because of the unpatterned nature of the policy-making process.

This study thus examines White House files, oral histories, official government reports, congressional debates, testimony to congressional committees and federal commissions, newspaper accounts, and secondary sources as data that, taken together, allow reconstruction of the categorical boundaries that shaped affirmative action policy making.[8] The elites targeted include those in position to promote or resist the expansion of affirmative action. These include the domestic policy and political coalition-building staff members of the Johnson and especially the Nixon White Houses, Labor Department officials, members of Congress, civil rights agency administrators, and leaders of social movement organizations. Following other movement scholars (Button, Rienzo, and Wald 1997; Meyer and Staggenborg 1996; Van Dyke 2003; Williams 2003), I also look for possible state opponents of social movement goals.

The reconstruction of elite perceptions of group meanings is difficult because meanings are sometimes deeply institutionalized and appear so obvious and real to social actors that they are not remarked upon (Campbell 2004). Elite discourse explaining affirmative action's inclusiveness is thus most clear when elites are challenged or anticipate challenge. The case for elite perceptions playing a role in variations in movement policy success rests on two main supports. First, I examine historical materials relating to all the relevant actors; the goal is to identify historical evidence of who supported affirmative action for the various groups, who resisted it, and why they did so. Second, through comparative case analysis, I attempt to rule out alternative explanations for variations in success.

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[8] These documents are contained in or housed at the National Archives, Library of Congress, Johnson Library, Lawson (1984), Hoff-Wilson (1989), and Graham (1989).

ELITE PERCEPTIONS AND THE DEVELOPMENT OF AFFIRMATIVE ACTION

Federal antidiscrimination efforts began with a Franklin D. Roosevelt executive order after a threatened march on Washington led by black civil rights leader A. Philip Randolph (Ruchames 1953). Presidents Truman, Eisenhower, and Kennedy followed the executive order pattern, which was an executive end run around Congress, where Democrats from the South killed all civil rights bills (Frymer 2004; Katznelson 2005; Quadagno 1994). Each effort slowly but progressively strengthened the enforcement of nondiscrimination rules for firms with large government contracts, mostly in supplies and construction. All of these executive orders simply banned discrimination on the bases of race, religion, and national origin, until 1961, when Kennedy's effort added a vague, undefined requirement that contractors also engage in "affirmative action" to ensure nondiscrimination. It was not until after 1965, when president Lyndon Johnson issued Executive Order 11246 (amended in 1967 to also prohibit sex discrimination), that the Labor Department began to flesh out what was meant by affirmative action.[9]

The affirmative action regulations in focus for this study began as the "Philadelphia Plan." The Philadelphia Plan was part of an attempt in 1966–68 in four urban areas (the others being St. Louis, San Francisco–Oakland, and Cleveland) to bring more minorities into construction unions (Jones 1970). As described by Graham (1990), Pedriana and Stryker (1997), and Skrentny (1996), among others, the Philadelphia Plan's notable innovation was the use of hiring "goals and timetables." This referred to the requirement that contractors make good-faith promises to hire certain percentage ranges of minorities ("goals") within specified time periods ("timetables"). After some legal obstacles, the Johnson administration shelved the plan, but the Nixon administration revived and strengthened it in June 1969. Though developed only for one city and targeted at the construction industry, Nixon's Philadelphia Plan was especially significant because the Labor Department made it a model, expanding its goals and timetables requirement—widely credited as the most effective affirmative action instrument—to all government contractors, regardless of city or industry. Affirmative action thus became an obligation of all government contractors with a February 1970 regulation called Order no. 4.

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[9] Title VII of the Civil Rights Act of 1964 also prohibited discrimination in employment and created the Equal Employment Opportunity Commission (EEOC) to enforce the law, but the EEOC did not have authority to issue regulations requiring affirmative action. Instead, it uses numbers of minorities hired as evidence of compliance with Title VII (Skrentny 1996; Pedriana and Stryker 2004).

African-Americans and the Struggle for Affirmative Action Regulations

African-American civil rights groups are least comparable to the others because policy elites created and designed affirmative action initially for them; they did not expand a preexisting policy to include them. All other groups are more directly comparable because they are beneficiaries of a policy that developed with African-Americans as the target. Still, a policy-elite perceptions focus is crucial to understand the dynamic of the black groups' struggles.

In 1965, a historic shift in attitudes toward African-Americans was apparent in both policy elites and the public. Definitional perceptions of blacks as inferior were displaced by perceptions of blacks as disadvantaged compared to whites and morally worthy of antidiscrimination laws. Public opinion polls showed majorities supporting equal rights in many spheres (Burstein 1985; Schuman, Steeh, and Bobo 1985), the changes the result of movement actions (T. Lee 2002), changes in the international environment (Dudziak 2000; Klinkner and Smith 1998; Skrentny 1998, 2002), party competition (Frymer 1999), or other factors. By 1964, policy elites had ceased making overtly racist statements, and opposition to equal rights proposals had political risks that were novel in American politics.

But civil rights groups were hampered by elite perceptions that African-Americans were not morally worthy of racially targeted policies; though the perception was not universal it was very difficult to discuss special help for blacks in elite venues (Graham 1990), and the cumulative effects of racial disadvantage were unperceived (Loury 2002). Johnson tried to direct the officially color-blind War on Poverty to help (Button 1978), but these efforts did not significantly ameliorate black inequality (Quadagno 1994). Though definitional and moral meanings did not legitimate affirmative action, a new meaning perception—that of African-Americans as threatening—did lead to policy development. Though the organized Civil Rights movement was in decline in this period (McAdam 1982), and though civil rights pressures on the federal government focused more on resources and training along the lines of a "Marshall Plan for Black America" and cease-and-desist authority for the EEOC (Skrentny 1996), local, often militant protests demanded black inclusion on federal construction sites, including in Philadelphia (Sugrue 2001; Waldinger 1996). Much more important was that this organized protest occurred in the context of nationwide urban riots by African-Americans. This urban violence was on a massive scale, unprecedented in American history; many described it as a rebellion (Button 1978; Piven and Cloward 1977).

Not all of the sources of the development of affirmative action for African-Americans were the result of social movement efforts or violent collective action, but available evidence indicates that policy elites per-

ceived a significant threat created by African-American urban rioting, and the Johnson and Nixon administrations attempted to immediately manage the crisis by encouraging race-targeted hiring (Skrentny 1996).[10] As Graham (1990, p. 289) has written, "Approximately 30 percent of Philadelphia's population of two million was black, and the city's race relations, always tense, by 1967 were explosive. The Philadelphia Plan was hammered out, instructively, while Detroit burned from the ghetto rioting."

It appears unlikely that black violence established a universal moral worthiness of African-Americans for special help in American political culture—African-Americans are disadvantaged by perceptions of their group meaning in American politics even today (Frymer 1999; Loury 2002; Skrentny 2002). Yet even when controversy over the appropriateness of affirmative action would erupt in the mid-1970s (Glazer [1975] 1987), no one suggested that any other disadvantaged group had a stronger moral claim than African-Americans. Thus, as affirmative action was being established with African-Americans as the beneficiary, the elite perceptions of the group changed—at least in the context of this policy. Through a policy feedback effect, it redefined African-Americans as the disadvantaged, and thus morally worthy, paradigmatic or benchmark group.

No other group marshalled the violent collective action of African-Americans, and there is no evidence of a perception of "threat" from any other group, successful or unsuccessful, in the struggle for affirmative action. Different factors must account for the varying success of these other groups included in or excluded from the policy.

American Indians, Asian Americans, Latinos, and Affirmative Action: Unchallenged Inclusion

Both the Philadelphia Plan and Order no. 4 were victories for the nonblack ethnoracial groups. The Labor Department's 1969 goals and timetables regulations for the Philadelphia Plan included "Negroes," "Spanish Americans," "Orientals," and "American Indians."[11] Order no. 4 duplicated these target groups.

Inclusion of these groups was uncontested and almost immediate.

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[10] Civil rights administrators moved to race-targeted hiring, goals, and timetables as a rationalized effort to show not failure but demonstrable, numbers-based civil rights progress, and to thus maintain agency legitimacy. Also, Nixon's desire to divide Democratic constituencies of labor unions and African-Americans led to early Republican support for the policy (Skrentny 1996).

[11] Memo to heads of all agencies from Arthur A. Fletcher, June 27, 1969, reprinted in *Congressional Record*, December 18, 1969, p. 38,951. The 1968 version of the plan is unavailable. It may have included the nonblack minorities.

Though precursor efforts in other cities focused almost exclusively on blacks (U.S. Commission on Civil Rights 1967, pp. 488–90; 1968, pp. 355–70),[12] and the Cleveland Plan regulations in 1967 were vague but led to contract awards to bids that promised efforts to hire only "Negroes,"[13] the final Philadelphia Plan regulations were more inclusive. There was never any formal justification of the groups included, though assistant secretary of labor Arthur Fletcher publicly stated on one occasion that Mexican and Puerto Rican opportunity was a Labor Department concern (*New York Times* 1969). In a speech a few years later, he defined a minority as a group discriminated against economically because of its color and contrasted these groups with both white ethnics and (white) women (see below).[14]

The inclusion of the nonblack ethnoracial groups was so uncontroversial that not only was it not resisted but central actors did not even seem to notice it. Jerris Leonard, assistant attorney general of the Civil Rights Division of the Justice Department, later stated, "I don't recall that we ever really focused on affirmative action issues except as they impacted on African Americans."[15] James E. Jones, associate solicitor for labor relations and civil rights of the Labor Department in 1966–69—and a major architect of the Philadelphia Plan—later recalled that though policy makers "were never precise about what the universe was" for affirmative action, nonblack ethnoracial groups were off "the radar screen" in the late 1960s. The move to include them "came from top-down, not bottom-up," suggesting that inclusion was not a result of social movement pressure at all. In his recollection, inclusion of nonblack minorities was a political matter, designed to win support from these groups for the Nixon administration.[16]

The archives corroborate Jones's recollection. The Johnson and Nixon papers do not appear to contain any correspondence with nonblack ethnoracial rights groups about the Philadelphia Plan or precursor efforts. Comprehensive 1967 U.S. Commission on Civil Rights hearings in San Francisco gave some Mexican American leaders an opportunity to press for employment affirmative action, or to complain of exclusion from construction projects, but they discussed other issues (U.S. Commission on

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[12] Also see, for example, some of the independent OFCC actions, such as *In Re Allen-Bradley Co.* 33 *Federal Register* 10,479 (July 23, 1968).

[13] *Weiner v. Cuyahoga Community College District* 19 Ohio St. 2d 35 (1969).

[14] Letter from Karen Keesling to Leonard Garment, February 5, 1971, folder: 1/1/71–9/30/71, HU White House Subject Files, Box 22, Nixon Presidential Materials Project (NPMP), National Archives (NA).

[15] Personal correspondence with Jerris Leonard, June 22, 2004.

[16] Author interview with James E. Jones, June 16, 2004.

Civil Rights 1968, pp. 259–67). Hearings by this body on the construction industry in Boston, occurring just days before the 1969 Philadelphia Plan was issued, included only one representative from Latino groups (in this case Puerto Ricans) to complain of discrimination and none from other minority groups. A New York City official and a representative of the Urban League mentioned that Latinos were minorities along with African-Americans (though the Urban League representative seemed to exclude all other groups, emphasizing "I am not talking about Jews or Indians or dark-skinned Sicilians or Eskimos or anybody else" [U.S. Commission on Civil Rights 1969, p. 278]). The only apparent instance of Latino groups mentioning the Philadelphia Plan was *after* their inclusion in the program and dealt with a Latino group–sponsored petition that asked Nixon to "implement a Philadelphia Plan (specifically for Mexican Americans and other Spanish surname Americans) for employment within the Executive Branch of government."[17]

There is scant evidence of Asian American activity on the issue of employment and affirmative action. Using no data and only one anecdote, a Chinese American judge and a Chinese American religious leader told the U.S. Commission on Civil Rights in San Francisco that though unions were increasing efforts to reach out to "Orientals," they still discriminated against this group. The plumbers union in particular had refused to meet with a group called the Greater Chinatown Community Service Organization and accepted two Chinese plumbers only after pressure (U.S. Commission on Civil Rights 1968, pp. 197–210). This short discussion appears to be the only lobbying of federal officials for employment affirmative action by any of the nonblack ethnoracial groups in the cities targeted by the Labor Department. An organization called Chinese for Affirmative Action formed in 1969 and worked to allow Chinese Americans access to jobs on construction projects, but it was primarily a "service and informal advocacy organization" (Wei 1993, p. 180). Moreover, unlike black organizations that fought for participation in federal construction, its early employment struggles were on a private project. There is no evidence of contact with the federal government until after Asian Americans were already included in federal affirmative action regulations. Even if Chinese American groups did pressure for inclusion in federal regulations, they won rapid success.

American Indian groups similarly did not make a prominent demand for affirmative action and similarly focused on local issues unique to the group, such as fishing rights in the Pacific Northwest. This movement's

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[17] Letter to the Honorable Richard M. Nixon from Robert E. Gonzales, Board of Supervisors, San Francisco, August 21, 1970, in Graham 1989, Part I, Reel 20, frames 96–97.

signature, attention-grabbing effort, the 1969 takeover of Alcatraz Island, occurred several months after Indians were included in affirmative action (Nagel 1996, pp. 129, 131). The only mention of American Indian involvement in the construction context is the Urban League statement cited above, and a union official's bizarre justification for recruiting American Indians because "they are natural iron workers" who "climb around steel pretty well" (skills that black workers apparently did not have [U.S. Commission on Civil Rights 1969, pp. 277–78]).

The nonblack ethnoracial minorities' inclusion in affirmative action presents a puzzle for social movement theory. How can one explain almost immediate, unchallenged inclusion? When policy elites categorize different populations together, without any discussion or comment, it follows that they perceived no significant moral or definitional distinctions between these populations.[18] Fletcher's comments at the time as well as Jones's recollections indicate more directly that after the policy's creation for blacks, key policy elites simply categorized all ethnoracial groups together, separating them off from other challenging groups. There is also the "dog that didn't bark" factor—no one resisted or complained of affirmative action's overinclusiveness, of minority group incomparability or unworthiness, of a lack of demand for construction jobs by the nonblack groups, or of excessive government regulation. Moreover, the policy-elite perceptions that Asian Americans, American Indians, and Latinos were morally and definitionally analogous to blacks became more explicit when women's and white ethnic groups struggled for inclusion in affirmative action, as is shown below.

Women and Affirmative Action: Struggle for Inclusion

In contrast to the Latino, Asian, and American Indian experience of unchallenged inclusion in federal regulations, the story for women's groups was one of struggle. Despite the long history of mobilization for women's equality, there was resistance on the part of elites to including prohibitions against sex discrimination in laws designed to bring equal treatment to

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[18] There was an incident at the EEOC when some policy elites considered dropping Asian Americans from inclusion in EEOC affirmative action guidelines (but ultimately decided to keep them [Hammerman 1988]), and another where other elites apparently forgot to include them in new affirmative action programs (but quickly added them later [Skrentny 2002]). It is also the case that in other contexts, differences between the ethnoracial groups are highlighted, as when Asian Americans are said to be a "model minority," superior to blacks, if still different from whites (Kim 2000).

blacks.[19] This pre-1964 struggle is well known, but it continued after 1964, and social movement scholars have not integrated its significance into theories of policy impacts of social movements. The comparison with the nonblack minorities highlights the greater resistance women faced to achieve similar goals. Policy elites perceived women differently from other groups mostly on the definitional dimension, and thus categorized them differently, creating a headwind or barrier that required great struggle to overcome.

There was even a struggle for women's groups to be covered by Executive Order 11246, the legal basis of federal employment affirmative action. In 1966, one of the first reform items for the new but preeminent women's group, the National Organization for Women (NOW), demanded that Lyndon Johnson amend Executive Order 11246 to include sex discrimination (Evans 1989, p. 277; Freeman 1975, p. 77; Klein 1984, p. 23). NOW representatives met with officials of the Justice Department and the Civil Service Commission to pressure for change. They also joined with some allies in the Johnson White House as well as the Business and Professional Women and the General Federation of Women's Clubs to lobby the Labor Department and Johnson. Almost two years after NOW first pressed the issue, Johnson signed an amended order on October 13, 1967 (Freeman 1975, pp. 193–94).[20] Sex discrimination was then equal to racial discrimination in the legal authorization for later affirmative action.

However, though formally included in the executive order, policy-elite perceptions of female definitional difference persisted, and the Labor Department excluded women from the "goals and timetables" requirements that benefited those marked by ethnoracial difference. Exclusion from the construction-based Philadelphia Plan is perhaps not surprising, but regulations for women continued to develop separately and slowly in the Nixon administration. The Labor Department proposed guidelines implementing Executive Order 11246 for women in January 1969 and in August held public hearings on the regulations (a delaying tactic never used for the regulations for nonblack ethnoracial minorities). These proposed guidelines lacked the goals and timetables requirement of the Philadelphia Plan (Hole and Levine 1971, p. 45).

[19] Policy elite categorization of women separately from blacks had occurred until the almost accidental inclusion of sex discrimination in Title VII of the Civil Rights Act of 1964 (Graham 1990; Harrison 1988; Martha Griffiths Oral History, pp. 73–74, Oral History Collection of the Association of Former Members of Congress, Library of Congress).

[20] Letter from Willard Wirtz to the president, June 2, 1967, in Lawson, *Civil Rights during Johnson*, Part II, Reel 7, frames 898–99; memo from John W. Macy, Jr., to William J. Hopkins, June 12, 1967, in Lawson, *Civil Rights during Johnson*, Part I, Reel 7, frames 896–97.

Women's groups therefore had to fight for inclusion in affirmative action. Encouraged by and with help from some sympathetic Labor Department officials, Dr. Bernice Sandler, a member of a NOW spin-off group called the Women's Equity Action League (WEAL), began a struggle to end discrimination against women in higher education by using the executive order (Freeman 1975, p. 195; Millsap 1983, p. 94; Sandler 1973, p. 445). Sandler led WEAL on January 31, 1970, to a class-action sex discrimination complaint against all universities and colleges with federal contracts (Sandler 1973, p. 440; Hole and Levine 1971, p. 320). Later, WEAL helped organize a coordinated campaign of specific complaints directed at more than 250 institutions of higher education. WEAL sent letters of complaint to the secretaries of the Department of Health, Education and Welfare (HEW, which was responsible for regulating educational institutions) and the Department of Labor, and the approximately 40 members of Congress who either represented the state where a complaint was based or sat on education committees. WEAL sent the letters with requests for the congressmembers to write the labor and HEW secretaries for additional pressure, and integrated its Washington efforts with local pressures, encouraging women's groups from campuses across the country to file complaints (Freeman 1975, pp. 153, 197–97; Sandler 1973, pp. 448–56; Wandersee 1988, pp. 105–6; Zwerdling 1971).

Twenty members of Congress responded, including four—Martha Griffiths (D-MI), Edith Green (D-OR), Shirley Chisholm (D-NY), and Patsy Mink (D-HI)—who were members of WEAL. Griffiths made a speech in the House of Representatives that explained the WEAL complaint and criticized the Labor Department for not enforcing the executive order for women. Other women associated with WEAL or higher education wrote letters to their representatives in Congress (Freeman 1975, pp. 196–97). President Nixon's Task Force on Women's Rights and Responsibilities (created in response to pressure from women [Graham 1990]) called for the "immediate issuance by the Secretary of Labor of guidelines to carry out the prohibitions against sex discrimination by government contractors" in their April 1970 report (President's Task Force on Women's Rights and Responsibilities 1970, p. v). HEW hired Sandler as an adviser in 1970, though she continued with her WEAL pressure work in her spare time.[21]

In June 1970, the Labor Department issued Sex Discrimination Guidelines for Government Contractors and Subcontractors. Yet these regulations, though written with the assistance of the Labor Department's Women's Bureau director Elizabeth Duncan Koontz, continued to lack the goals and timetables requirement found in the guidelines for ethnor-

[21] *Time*, July 10, 1972, p. 92.

acial minorities (U.S. House of Representatives 1970, pp. 148–49). Women's leaders complained, calling the guidelines "useless" (Hole and Levine 1971, p. 46). A week after the guidelines were issued, Ann Scott of NOW's Federal Compliance Committee sent a letter to Arthur Fletcher pointing out remaining loopholes. She complained of the distinction the Labor Department made between ethnoracial minorities and women, and declared, "the affirmative action goals and timetables required by Order no. 4 must be enforced in regard to women" (U.S. House of Representatives 1970, p. 157). Later that month, NOW filed a formal sex discrimination complaint against 1,300 government contractors (Hole and Levine 1971, p. 46).

Other women's activists, as part of their campaign against inequality in higher education, had met with Fletcher several times. As Sandler later wrote, Fletcher had "assured women orally at several meetings that the order [no. 4] did indeed apply to them," and had written up a memo stating this, but newly appointed Secretary of Labor James D. Hodgson then announced that Order no. 4 in fact did not apply to women (Sandler 1973, p. 451). In July, Hodgson declared to 10 women's organization leaders that discrimination against women was "subtle and more pervasive than against any other minority group" but that the Labor Department still had "no intention of applying literally exactly the same approach for women" as that used for ethnoracial minorities. Women's groups continued to demand analogous treatment, and Scott told the press after the meeting that "women had been left out again" by Nixon.[22] Hodgson then stated that "some kinds of goals and timetables applying to some kinds of federal contractors" would be a part of new guidelines (Hole and Levine 1971, p. 46).

Over the next several months, WEAL and NOW continued to fight. Sandler prompted Mink to push Hodgson again, but he resisted, once again telling Mink in October 1970 that the Labor Department would not apply the same affirmative action requirements to women, and that women would get different treatment.[23] But the persistence and the focused, well-coordinated effort would finally pay off. Labor officials again met with women's groups in April and May of 1971, and finally issued a "Proposed Order no. 4," published for comment on August 31, 1971. The final version, the "Revised Order no. 4," equalizing women and ethnoracial minorities with respect to the goals and timetables requirement, became binding on December 4, 1971—after more than two years of struggle and pressure.

[22] *New York Times*, July 26, 1970.
[23] Letter from Secretary of Labor to Patsy Mink, October 7, 1970, folder: 1/1/70–12/31/70, HU White House Subject Files, Box 22, NPMP, NA.

In summary, women's groups faced obstacles that did not trouble the nonblack groups. Why the resistance to affirmative action for women? Available evidence suggests that policy elites perceived women as morally worthy of special treatment, but definitionally different: women played unique roles in society. In other words, because women were mostly home-makers with highly selective employment interests, affirmative action was inappropriate for them. On July 31, 1970, under attack in Edith Green's House hearings on sex discrimination, policy elites from the Labor and Justice Departments read a letter from former secretary of labor George Shultz that starkly revealed the elite perception that ethnoracial minorities (men, at least) and women were different. Order no. 4 did not apply to women because "Many women do not seek employment. Practically all adult males do." Moreover, "Many occupations sought after by all racial groups may not have been sought by women in significant numbers." Therefore, "different criteria must be employed in examining work force patterns to reveal the deficiencies in employment of women than are used in revealing racial deficiencies" (House of Representatives 1970, pp. 695–96).

A few months later, internal Labor Department documents revealed a somewhat different interpretation, but the crux of the matter was the same: women were different from ethnoracial minority men, and affirmative action would be inappropriate for them. The Nixon White House gave to Senator Robert Dole (R-KS) assistance on how to deal with a women's activist constituent who complained to Dole and Nixon of the lack of affirmative action for women. This activist had heard the Labor Department's Fletcher publicly state that white women were not really minorities and were not a focus of agency attention. Fletcher allegedly said that "women were legislated their minority status," an apparent reference to the unconventional circumstances of sex discrimination being added to Title VII. Fletcher added that only women who were heads of households faced significant discrimination, and their discrimination was based on color, not sex.[24] A Labor Department official trying to diffuse the controversy explained that affirmative action as designed for blacks and expanded to other ethnoracial minorities was inappropriate for women: "Order 4 . . . cannot be applied to women because one of the factors setting goals and time tables [sic] is the percentage of minority population in the area surrounding the employer. For women this per-

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[24] Letter from Bradley H. Patterson, assistant to Leonard Garment, to Miss Karen Keesling, February 16, 1971; letter to Robert Dole from Frederick L. Webber, special assistant for legislative affairs, n.d.; letter from Karen Keesling to Leonard Garment, February 5, 1971, folder: 1/1/71–9/30/71, HU White House Subject Files, Box 22, NPMP, NA.

centage would usually be more than half. No one has yet proposed that every employer's payroll should be more than half women."[25] The rationale was poorly thought out because affirmative action for any group has never relied on simple demographics; the relevant statistic was the number of *qualified* women in the workforce. Moreover, no one noticed (or cared about) the absurdity of demanding that Philadelphia contractors create hiring goals for the small numbers of American Indians, Asian Americans, and Latinos in that city in 1969.[26]

Thus, when advocates for women pushed for treatment or policy similar to that given to black and other minority men, they frequently ran into elite perceptions that defined and categorized women differently. Policy success was elusive because elites saw in women specific social roles that made affirmative action inappropriate. However, once included, the policy feedback effect redefined women as appropriate for affirmative action (and thus analogous to blacks), their inclusion was no longer resisted or questioned, and women's legitimacy as targets for the policy was used to reject another challenger: white ethnics.

White Ethnics and Failure to Be Included in Affirmative Action

White ethnic leaders also faced resistance to their affirmative action inclusion that American Indians, Asian Americans, and Latinos did not. If women had a delayed victory, the white ethnics failed almost completely. They were excluded from the Philadelphia Plan, but this made sense because white ethnics were major parts of construction unions (Sugrue 2001; Waldinger 1996). If the Labor Department was going to integrate labor unions dominated by white ethnics, however, it would seem logical that opportunities for them should be opened up elsewhere in the economy. But the Labor Department excluded them from the much-broader Order no. 4. It rectified the situation with a regulation for a kind of affirmative action for white ethnics, including Jews, for management jobs, but the Nixon administration killed it.

On December 29, 1971, the *Federal Register* published new rules that stopped short of the goals and timetables requirement that benefited other minority groups but nevertheless created special treatment. The new rules

[25] Letter to Robert Dole from Frederick L. Webber, special assistant for legislative affairs, n.d., folder: 1/1/71–9/30/71, HU White House Subject Files, Box 22, NPMP, NA.

[26] The perception that women were different from ethnoracial minority men for matters of employment or equal rights was not limited to the White House, Labor Department, and affirmative action issue, but had parallels at the EEOC (Danovitch 1995), the Equal Rights Amendment struggle (Mansbridge 1986), and standards of judicial review (Rhode 1989).

stated, "Experience has indicated that members of various religious groups, primarily Jews and Catholics, and members of certain ethnic groups, primarily of Eastern, Middle, and Southern European ancestry, such as Italians, Greeks, and Slavic groups, continue to be excluded from executive, middle-management, and other job levels because of discrimination based on their religion and/or national origin. These guidelines are intended to remedy such unfair treatment." The rules also explained that discriminating employers would be expected to undertake various activities to "remedy the underutilization of that particular religious or ethnic minority group."[27]

Though considerably weaker than affirmative action regulations for ethnoracial minorities and (by then) women, White House policy elites and outside business groups immediately attacked the proposed regulations, and they were rescinded. Why did affirmative action for white ethnics fail? The thrust of the complaints, though not always clearly stated, was that this group had not suffered enough to warrant such treatment and would be difficult to identify. These policy-elite perceptions, distinguishing white ethnics from other minorities on both moral and definitional dimensions, would force white ethnic leaders to fight for years for the same success that other groups won with less struggle.

Focusing on the religion elements, one White House adviser stated, "I can't avoid the judgment that this is an inherently bad move and that somebody at the White House level needs to get a handle on this problem, too."[28] Another reported on "many calls" of complaint from businesses.[29] A campaign fund-raiser complained, "These requirements complete the full circle and return us to the use of the type of application blank and record keeping of 25 years ago which has been deemed discriminatory by other bodies as well as by court decision." Like the demographic argument against women, this point was nonsensical because it ignored the fact that record keeping was already occurring and was necessary for affirmative action for other groups. Leaving out Latinos (whom policy elites perceived as racially unambiguous) and showing the policy-feedback effect of the redefinition of women as appropriate for affirmative action, he then added, "Physical characteristics such as being black, male, white, oriental or female are permanent and not subject to change. Affirmative action in such areas can be accomplished and measured without undue

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[27] *Federal Register*, vol. 36, no. 250, December 29, 1971, p. 25,165.

[28] Memo from Bryce Harlow to George T. Bell, January 14, 1972, in folder: [CF] Hu 2-Equality [1971–74], White House Special Files (WHSF), Confidential Files, Box 35, NPMP, NA.

[29] Memo from Henry C. Cashen to Charles Perry, January 19, 1972, in folder: [CF] Hu 2-Equality [1971–74], WHSF, Confidential Files, Box 35, NPMP, NA.

complications or invasions of privacy."[30] A representative of the 3M Company also complained to the Labor Department of the difficulty and principle of record keeping (similarly ignoring affirmative action practices for other groups): "It was a major step forward in the elimination of discrimination when these questions were removed from the application forms and it is ironical that some people are now saying that they must be restored."[31] Though there was no perception of controversy in adding Asian Americans, American Indians, or the racially ambiguous Latinos to affirmative action, for the much weaker regulation for white ethnics another Nixon aide warned of "an endless donnybrook in highly controversial areas" since the regulation "could be a tool for harassment by disgruntled job seekers, professional ethnic and religious organizations and local politicians that would only cause burden on business and government."[32] An internal legal memo put together all of these criticisms and emphasized a moral perception: "There is no question that there has been religious and ethnic discrimination, however, there is no parallel between that discrimination and the discrimination suffered by Negroes, other minorities and women who are separately covered by Revised Order No. 4."[33]

The former labor secretary George Shultz, who had previously written a memo to Nixon describing the precarious economic situation of white ethnics,[34] defended the new affirmative action, declaring, "These guidelines are mild."[35] The Labor Department weakened the proposed regulations anyway. Though always weaker than those for the other groups,

[30] Letter from Jack A. Gleason to John Dean, January 20, 1972, in folder: GEN FG 22–4 Federal Contract Compliance, Office of, [1971–72], WHCF, Subject Files, Department of Labor, FG 22, Box 6, NPMP, NA.

[31] Letter from W. M. Bennett to James D. Hodgson, January 27, 1972, in folder: GEN FG 22–4 Federal Contract Compliance, Office of, [1971–72], WHCF Subject Files, Department of Labor, FG 22, Box 6, NPMP, NA; letter from John W. Dean to Jack Gleason, February 18, 1972, in folder: GEN FG 22–4 Federal Contract Compliance, Office of, [1971–72], WHCF Subject Files, Department of Labor, FG 22, Box 6, NPMP, NA; letter from Peter M. Flanigan to W. M. Bennett, February 7, 1972, in folder: GEN FG 22–4 Federal Contract Compliance, Office of, [1971–72], WHCF Subject Files, Department of Labor, FG 22, Box 6, NPMP, NA; memo from George T. Bell to Ken Cole, February 23, 1972, in folder: [CF] Hu 2-Equality [1971–74], WHSF, Confidential Files, Box 35, NPMP, NA.

[32] Memo from George T. Bell to Ken Cole, February 23, 1972, in folder: [CF] Hu 2-Equality [1971–74], WHSF, Confidential Files, Box 35, NPMP, NA.

[33] Unsigned, undated memo in folder: CF HU 2-Equality, [1971–74], WHCF, Confidential Files, Box 35, NPMP, NA.

[34] Memo to the president from Secretary of Labor Shultz, June 26, 1969, in Graham 1989, Part I, Reel 2, frame 14.

[35] Memo from George Shultz to Henry Cashen, January 19, 1972, in folder: [CF] Hu 2-Equality [1971–74], WHSF, Confidential Files, Box 35, NPMP, NA.

they were weakened further and made only symbolic. On January 13, 1973, it published new regulations completely removing the word "underutilization" and announced only that contractors should police themselves. The regulations therefore had no enforcement mechanism (41 CFR part 60–50 [July 1, 1997 ed.]).

Because of the stiff resistance of policy elites, white ethnic groups were forced to struggle over the next decade for recognition and inclusion, and, like women, argued for group definitional and moral meanings that non-black ethnoracial minority groups had from the beginning. Acknowledging this pressure, a Republican Party official in charge of ethnic voters told the Nixon White House, "We need to show them the kind of 'attention' . . . that will offset the constant publicity that blacks, Puerto Ricans and Mexicans and other minority poor are bombarded with."[36] A Nixon aide warned, "This ethnic thing continues to plague us as more and more letters come in from various unhappy groups. The head Pole went away from here mad last week, etc, etc. . . . With all this smoke, there must be some fire."[37] Organizations representing white ethnics, like women's groups, continually lobbied to be included in affirmative action programs. In 1969, 1972, and 1977, the Polish American Congress (PAC) analyzed government departments in Illinois, a state with a large Polish American population, and the federal government, and found Polish American underrepresentation (Erdmans 1998, p. 49). PAC's Illinois Division and the Joint Civic Committee of Italian-Americans in Chicago funded a study showing the underrepresentation of Poles, Italians, Latinos, and blacks in the upper levels of the 106 largest Chicago corporations.[38]

Policy elites continued to resist, forcing a longer fight. From 1977 to 1981, Polish and Italian leaders from Chicago and New York complained to the Labor Department of a glass ceiling limiting their corporate employment.[39] Prolonged resistance by the Labor Department led to the fight being taken to other federal institutions. PAC and other Polish groups went beyond pressing the White House and used the Supreme Court,

[36] Laszlo Pasztor to Harry Dent, March 19, 1970, in folder: 1970 Nationalities and Minorities [2 of 2], WHSF, SMOF, Papers of Harry S. Dent 1969–70, Box 9, NPMP, NA.

[37] Memo from Tom Lias to Harry Dent, June 1, 1970, in folder: 1970 Nationalities and Minorities [2 of 2], WHSF, SMOF, Papers of Harry S. Dent 1969–70, Box 9, NPMP, NA.

[38] Russell Barta, "Minority Report: The Representation of Poles, Italians, Latins and blacks in the Executive Suites of Chicago's Largest Corporations," n.d. (1973 or 1974), in Graham 1989, Part I, Reel 19, frames 493–96. Barta updated the study in 1983 and continued to find low participation of all four groups (Kromkowski 1986, pp. 75–76).

[39] See the testimony of Weldon J. Rougeau in U.S. Commission on Civil Rights (1982, p. 85).

filing an amicus curiae brief for the famous *Regents of the University of California v. Bakke* "reverse discrimination" case.[40] Through the leadership of Leonard Walentynowicz, the head of the PAC and a movement activist similar to WEAL's Bernice Sandler, the PAC persuaded the Office of Management and Budget to issue circular no. 846 on May 12, 1977, authorizing the government to collect data on the federal government's hiring of 16 European ethnic groups. Walentynowicz pushed the Civil Service Commission to consider ethnics in their affirmative action efforts in December. In February 1978, he wrote to EEOC commissioner Eleanor Holmes Norton, cited a memorandum from president Jimmy Carter requesting departments and agencies to follow the ethnic-data directive, and called for the EEOC to collect similar data to enable discrimination complaints by ethnics (U.S. Commission on Civil Rights 1980, pp. 385, 390, 444). In 1981, Walentynowicz pressed the U.S. Commission on Civil Rights to include Polish Americans in affirmative action, leading to a testy exchange with vice chair Mary Frances Berry, who accused Walentynowicz of challenging African-American inclusion and argued that Poles were morally unworthy and definitionally different—they needed to rebut the presumption that they have "white skin privileges" (U.S. Commission on Civil Rights 1982, p. 161).

Other groups were active. The National Federation of American Ethnic Groups adopted a resolution at their April 1979 convention that ethnic groups be included as an official minority entitled to affirmative action. That year the Center for Migration Studies of New York and the Catholic League for Religious and Civil Rights complained to the U.S. Commission on Civil Rights of discrimination against ethnics in New York law firms and elsewhere (U.S. Commission on Civil Rights 1980, pp. 493–97; Gleason 1992, p. 107).

Like women's groups, the white ethnics had allies in Congress. For example, Roman Pucinski (D-IL) went to the House floor to complain of the civil rights enforcement practice of counting ethnoracial minorities but not white ethnics.[41] Similarly, in 1974 House subcommittee on edu-

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[40] Brief of the PAC, the National Advocates Society, and the National Medical and Dental Association as amici curiae, reprinted in *Regents of the University of California v. Allan Bakke: Complete Case Record*, vol. II (Englewood, Colo.: Information Handling Services, 1978). They found some success: a neglected section of Justice Lewis Powell's famous opinion in the *Bakke* case showed some concern for the disadvantages faced by white ethnics and emphasized that diversity preferences can and should go in some circumstances to Italian Americans (*Regents of the University of California v. Bakke*, 98 S.Ct. 2733 [1978], at 2745, 2746, 2762). This argument had no parallel in the other opinions in the case, however, and the group of four justices led by Justice Brennan explicitly rejected the claims of white ethnics (*Regents of the University of California v. Bakke*, 98 S.Ct. 2733 [1978], at 2783, n. 35).

[41] *Congressional Record*, December 15, 1969, pp. 39,062–63.

cation hearings on the civil rights obligations of higher education institutions, Mario Biaggi (D-NY) and Jack Kemp (R-NY) grilled the chair of the EEOC on its refusal to target white ethnics for protection; he responded that white ethnics had not suffered as much as blacks, implying they were morally unworthy for special treatment (U.S. House of Representatives 1974, pp. 25–28). In 1980, the U.S. Commission on Civil Rights held comprehensive hearings on the problems of white ethnics because in 1979, representatives Barbara Mikulski (D-MD) and William Edwards (D-CA) and senator Jesse Helms (R-NC) led a legislative effort to direct the U.S. Commission on Civil Rights to examine the status of ethnics (U.S. Commission on Civil Rights 1980, p. 37). However, despite this struggle lasting several years, the white ethnic groups failed where other groups succeeded, an outcome discussed in more detail in the conclusion.

ALTERNATIVE EXPLANATIONS FOR THE DIFFERENTIAL SUCCESS OF NONBLACK ETHNORACIAL MINORITIES, WOMEN, AND WHITE ETHNICS

The archival evidence for differing elite perceptions as a key factor in differing movement success is made more compelling by the limitations of other explanations for the variation between nonblack ethnoracial minorities, women, and white ethnics. This section leaves out the uniquely situated case of African-Americans and examines alternative explanations to account for the variation in the expansion of affirmative action for the groups that came after the policy was created. It shows there is little clear support for variables not controlled in the comparative study design—unless a significant role for policy-elite perceptions is included.

Movement Strength Hypotheses

It is possible that this is a story of varying movement strength. Though there is a growing literature suggesting movement strength is not decisive in explaining movement outcomes (Goldstone 1980; Kitschelt 1986; Williams 2003), other work points in the opposite direction (e.g., Andrews 2001; Banaszak 1996). The problem with this line of research for the present study is that movement strength hypotheses say little about a central finding of this study: different movements face varying resistance, and different levels of strength are needed. But there is also the possibility that resistance itself is a function of movement strength: the stronger the movement, the less the resistance to its demands.

Given the rapid success of Latinos, Asian Americans, and American

Indians, one would expect the various social movement organizations that advocated for these groups to be the largest and wealthiest groups. To fully assess this variable, one must examine movement strength in Philadelphia, the setting for the first affirmative action regulations, and also look at the national level for signs of movement strength that could push the Labor Department to include these groups.

Though the city of Philadelphia had a large African-American population and a history of problems and social movement activity relating to blacks in the construction unions (Sugrue 2001), there were virtually no nonblack ethnoracial minority social movements active in Philadelphia in the late 1960s. Indeed, there were almost no nonblack ethnoracial minorities in Philadelphia at that time, and today even Latinos remain a very small part of the city's population (J. Lee 2002). There is little evidence of black civil rights leaders demanding inclusion of American Indians, Asian Americans, and Latinos in regulations as part of a coalition strategy in that city. Given the near nonexistence of Philadelphia Latinos, American Indians, and Asian Americans, it is difficult to attribute their inclusion to grassroots movement strength in that city. Neither is there much evidence from other cities, either targeted by the Labor Department or not, that other minorities formed resource-rich protest groups and joined with blacks in fighting to be included in efforts to bring opportunities to minorities in federal construction before 1969.[42] The Urban League official in Boston (described above) who stated that Latinos were minorities along with blacks is an exception, though he excluded all other groups, specifically mentioning American Indians. The single Latino representative at these construction hearings (from a group called the Association Promoting the Constitutional Rights of the Spanish Speaking) acknowledged his group's weakness when he complained (on the last day of hearings, after a delay) that Puerto Ricans were "used to being the afterthought of the afterthought" (U.S. Commission on Civil Rights 1969, p. 439). The Asian representatives at the San Francisco hearings were not even affiliated with social movement organizations, so there is no evidence of group strength there on the affirmative action issue.

Observed from the national level, the movement strength hypotheses similarly do not appear to explain variation in success. The greatest problem for this explanation is that before 1969's successes, as described above,

[42] In Brooklyn, there was a July 1963 effort to bring blacks and Puerto Ricans onto a hospital construction site that was led by black ministers and that received little help from Puerto Rican groups. According to Clarence Taylor, "Although the campaign aimed at jobs for Puerto Ricans as well as people of African origin, few Puerto Ricans took part in the demonstrations; nor was there any attempt to gain support in the Hispanic community, which would have made the movement more broad-based" (Taylor 1994, p. 161).

Asian American and American Indian mobilization was very small and mostly limited to local or specialized concerns and universities. Nagel (1996, p. 128) points out that American Indians were receiving increasing funds from the federal government, about half a million dollars a year in the late 1960s, but that was going to reservations, where affirmative action was not an issue. One-tenth of that amount went to urban areas. The only Asian American group with a national presence, the Japanese American Citizens League, had money ($300,000 in 1972), and some members sought coalitions with black and Chicano leaders, but there is no evidence of activity on employment issues during the period (Hosokawa 1982, p. 332).[43]

Even with the largest and most mobilized nonblack ethnoracial minority group, Latinos, it is difficult to make the argument that the Latino movement had greater numbers, unity, or organizational infrastructure than did the women's movement, and by some indicators, even white ethnics were stronger. Though in some cases patterned after black civil rights groups (Garcia and de la Garza 1977), the assessments of scholars and available data suggest Latino groups were quite weak: they had small memberships, limited geographical reach, low finances, and offices in Washington that at best included only one or two persons (Hero 1992, pp. 72–73; Garcia and Arce 1988, p. 127).

Almost all of the struggles of the most active Latino groups were Mexican American rather than pan-ethnic, and were local or at best southwest-regional. The Texas-based League of United Latin American Citizens (LULAC) was a small and struggling organization (Caplowitz 2003). Its membership averaged less than 2,000 persons between 1966 and 1972, and its budget averaged $15,500 in those years (Márquez 1993, pp. 71, 117–18). The Mexican American Political Association (MAPA) had some impact, but its efforts were concentrated in California. It was loosely organized and involved in local struggles (Gómez-Quiñones 1990, p. 68). The Political Association of Spanish-Speaking Organizations (PASSO) had impact, but only in Texas. Rodolfo "Corky" Gonzalez's Crusade for Justice was based in Colorado and worked there (Barrera 1985a, 1985b). Even where groups were strongest, factionalism weakened whatever strength was there (Acuña 1988, p. 314). Radical Mexican American organizations such as La Raza Unida Party had impacts, but these were on local or state elections (Barrera 1985a, p. 40). Even where most pow-

[43] Asian American lobbying of the federal government was mostly limited to efforts at immigration reform (Chin 1996), an area where white ethnics were also active. See the folder LE/IM 1 in Box 483, White House Central Subject Files, John F. Kennedy Library; *Congressional Record*, February 7, 1963, p. 2024; letter from Anothon Maiullo to Jack Valenti, April 23, 1965, in folder: LE/IM 12/1/64–5/3/65, WHCF, box 73, Lyndon B. Johnson Library (LBJL).

erful, their meetings attracted fewer people than did white ethnic organizations or meetings in New York (see below)—only 1,200 people attended the first meeting of La Raza Unida (Acuña 1988, p. 332). In the late 1960s, the National Council of La Raza was a regional community-building organization (then called the Southwest Council of La Raza [Barrera 1985*b*]). The largest and most significant protest event, the National Chicano Moratorium, was primarily an antiwar protest and occurred on August 29, 1970—*after* Latino successes in affirmative action and other policies. Cesar Chavez's great works for farm workers did not go into general employment issues like national affirmative action policy (Anderson 1995), and a Nixon administration strategy document explicitly stated that Chavez's "impact is limited to the farm labor issue."[44] Though created with a large ($2.2 million) Ford Foundation grant, the Mexican American Legal Defense and Education Fund was a tiny legal aid group without policy efforts until after 1970 (O'Connor and Epstein 1988; Davies 2004). Among Puerto Ricans, a group called the Young Lords fought for social justice but only in New York City, and Cuban American activity remained focused on Castro (Hero 1992).

Gómez-Quiñones's overview of the political organizations, from the more conservative to the radical groups in the later 1960s and 1970s, recounts for all groups the same deficiencies: small size; poor funding; inconsistent, personality-based leadership; local concerns; weak integration of different organizations; and weak infrastructures (Gómez-Quiñones 1990, pp. 92–93; 141–46). Perhaps more important, policy elites perceived Latinos as having weak organizations. In 1966, Johnson's domestic policy adviser Harry McPherson reported to Johnson on meetings with Mexican American leaders and found little interest in federal programs, attributing this in part to what he called "the relative immaturity of the movement."[45] Perceptions of Latino movement weakness can also be seen in U.S. Civil Rights Commission hearings in San Francisco in 1967, where a commissioner told Mexican American leaders that their group lacked movement organizations comparable to the National Association for the Advancement of Colored People, the Congress of Racial Equality, the Student Nonviolent Coordinating Committee, and the Urban League, and similarly lacked nationally known leaders, though "anyone" can name 10 to 12 black leaders (U.S. Commission on Civil Rights 1968, pp. 259–63). Padilla (1985) argues forcefully that affirmative action

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[44] "Confidential" strategy memo (probably written by Charles Colson), in Graham 1989, Part I, Reel 3, frame 928.

[45] Letter from Harry McPherson to the president, December 12, 1966, folder: Mexican-Americans, Box 11, McPherson files, LBJL.

helped create cohesive, effective Latino groups, rather than the other way around.

In contrast, the less immediately successful women's movement was far better financed, obviously drew on a greater pool of members, and had a greater Washington presence. By 1970, when the Labor Department issued the women-excluding Order no. 4, the total membership in women's organizations was more than *half a million* (Costain 1992, p. 96). The August 26, 1970, "Women's Strike for Equality" brought a demonstration of tens of thousands to New York City (Ferree and Hess 1995)—larger than any demonstration for equal opportunity waged by Asian American, American Indian, or even Latino organizations (whose activities occurred in the less nationally visible southwestern states).

In the 1965–75 period the most dominant groups were the new but preeminent NOW and its spin-off, WEAL. Only a few months after forming in 1966, NOW had a few hundred members (Freeman 1975; Wandersee 1988). NOW started small but its membership and funding soared. In 1967, it had 1,000 members, $7,000, and 14 chapters. Though there are no data on NOW's funding for the affirmative action struggle years of 1969–71, it was likely moving rapidly upward. By 1972, it dwarfed the nonblack ethnoracial groups. It had 15,000 members and an annual budget of $160,000.[46] In 1974, it had 700 chapters, 40,000 members, and national offices in Chicago, New York, and Washington, D.C. (Ferree and Hess 1995, p. 134; Freeman 1975, p. 87). Though WEAL was smaller, it was an elite organization with targeted influence, centered in Washington. Begun in 1968 in Ohio by a lawyer, Elizabeth Boyer, it successfully recruited women who already had positions of power and was a model of national-regional integration, as its Washington members published a newsletter monitoring legislative and regulatory developments while the local chapters pressured members of Congress (Freeman 1975, p. 153). By 1973, NOW, WEAL, and the National Women's Political Caucus (NWPC) had Washington offices (Ferree and Hess 1995, p. 132).

Regarding white ethnic groups, it is a myth that they had no mobilization or social movement activity. Though initially focused mostly on foreign policy issues, group self-help, or social, religious, or recreational activities, their organizations had been active since the beginning of the century (Gerson 1964; Kaufman 2002). By the 1960s, they began to focus on social issues, and new groups formed to press white ethnic interests. Like the ethnoracial minorities, white ethnics were mostly represented by ethnicity-specific groups. Most prominent were the PAC, the Italian American Civil Rights League, and the New York Federation of Italian-Amer-

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[46] Freeman (1975, p. 91) reports the 1972 budget was lower ($99,506), but by 1973 it was $293,499.

ican Democratic Organizations. There were also some pan-ethnic groups, such as the National Confederation of American Ethnic Groups, joined by the American Jewish Committee's National Project on Ethnic America (NEPA). Data on size and funding for these groups are unavailable, but there is considerable evidence of resources and strength for their causes. There were some elite, pan-ethnic, advocacy-oriented organizations that were generously funded by the Ford Foundation. In 1971, Ford gave NEPA $260,000 and $1 million to Fr. Andrew Greeley's white-ethnic-oriented Center for the Study of American Pluralism at the University of Chicago (Weed 1973). There was also the National Center for Urban Ethnic Affairs at the Catholic University of America.

Though not as sustained, the white ethnic organizations showed signs of mobilization that exceeded those of the nonblack ethnoracial minorities and were more visible, occurring in news media centers like New York and garnering great attention. Perhaps the most notable demonstration took place on June 29, 1970, when Joseph Colombo, Sr.'s Italian-American Civil Rights League staged an Italian American unity rally at Columbus Circle in Manhattan. A front-page story in the *New York Times* described "tens of thousands" who came out for the rally (*New York Times* 1970). Estimates of attendance varied between 40,000 to 100,000 persons. According to *Time* magazine, "New York's waterfront was virtually shut down" because so many ethnic longshoremen took the day off, and "almost every politician in the city joined" the activities (Levy and Kramer 1972, pp. 159–60).[47] There were no Latino, Asian American, or American Indian events that matched this rally in numbers and media coverage before 1969. Though Colombo was assassinated at the rally, the group lived on for a number of years. Even a 1972 rally at Madison Square Garden that the *New York Times* described as evidence the league was in decline was greater or at least comparable to the largest Latino movement displays of strength and far exceeded in numbers any action by Asian Americans and American Indians. It attracted 12,000 persons and raised (according to league spokespersons) $270,000 (*New York Times* 1972).

In summary, movement strength theories as presently constituted do not account for the varying resistance to demands by the three groups, and movement strength does not appear to correspond to ease of movement success. Women's groups were stronger, and white ethnics were at least comparable to and probably stronger than Latino groups. Both women's and white ethnic organizations were far larger and more prominent than Asian American or American Indian groups.

Movement strength is clearly relevant to the development of affirmative action for African-Americans and their ability to create perceptions of

[47] *Time*, July 12, 1971, p. 15.

threat to overcome elite resistance to special, targeted treatment. Movement strength also may help explain women's greater success compared to white ethnics (see below). It is also possible that previous movement strength or activity—even decades before 1969—could have shaped and institutionalized elite perceptions, leading them to categorize several successful groups with African-Americans, and allowing for relatively easier policy success in 1969 even without activity or pressure. This possibility is not a feature of any theories of policy impacts of movement strength.

Political Process Approaches: Access, Allies, Elite Competition, and Social Opportunities

As described above, the political process approach has a role for elites in understanding social movement impact. However, this theory does not explain why some movements have access, allies, or elite competition for their support and others do not. I argue that these factors are greatly determined by policy-elite perceptions. Still, this approach offers a possible intervening variable: Did the ethnoracial minorities, women, and white ethnics vary in their access to or allies in the state?

Approaching these variables with the dichotomous, yes/no measure used in the literature (Amenta et al. 1992; Cress and Snow 2000; Van Dyke 2003), one would have to reject them for not offering much explanatory power (except as working with elite perceptions, as described below). For this explanation to have power, women and white ethnics should be relatively frozen out of elite contact and solicitude. There is not much theory or guidance regarding which kinds of allies to look for, or which access points should matter, and given the messiness of the policy-making process (as argued above) these will likely vary considerably over time. Still, evidence shows that women and white ethnics had significant access points, elite allies, and elite competition for their votes, and the ethnoracial minorities—especially Asian Americans and American Indians—did not have great advantages in this area.

First, there is no evidence of extended or multiple meetings of the Labor Department with Latino, Asian American, or American Indian leaders. Their inclusion was almost immediate and not a matter of negotiation; if there were meetings or pressure, the process occurred so quickly as to not leave much of a trace in the historical record. Though Arthur Fletcher was African-American and supported nonblack ethnoracial minorities, there were no high-ranking coethnic or coracial officials to benefit the other ethnoracial minorities in the White House or Labor Department.[48]

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[48] James E. Jones, Jr., recalls one Latino in the Labor Department during the writing of the original regulations. Author interview with Jones.

Moreover, advocates for women and members of women's social movement organizations enjoyed access and allies. Women certainly had more access and allies than did Asian Americans and American Indians, and possibly had more access and allies than did Latinos. Johnson had two administrative bodies devoted to promoting concern about women's issues, the Citizens' Advisory Council on the Status of Women and the cabinet-level Inter-Departmental Committee on the Status of Women, both of which lobbied to have women included in Executive Order 11246. Though the Nixon Labor Department's Women's Bureau did not appear to have an open door to NOW and WEAL, the labor secretaries Shultz, Fletcher, and Hodgson did meet with women's leaders several times, HEW even hired Sandler and did not demand she cease her work as leader of the movement for affirmative action for women, the President's Task Force on Women's Rights and Responsibilities lobbied for affirmative action for women, and over in Congress, Edith Green's subcommittee chairship guaranteed that women's voices were heard. Inclusion in affirmative action still took years to achieve. Indeed, the case of women shows that counting meetings with government officials could be less a measure of access than it would be a measure of a government resistance to women's rights; resistance required many meetings for women's leaders to exert pressure.

Looking more specifically at the allies variable, women also score highly. Besides Nixon's task force, women had allies in the Labor Department (who encouraged their mobilization), WEAL members held seats in Congress—Martha Griffiths (D-MI), Edith Green (D-OR), Shirley Chisolm (D-NY), and Patsy Mink (D-HI)—several Republican women in Congress repeatedly pressured Nixon for more attention to women—Florence Dwyer (R-NJ), Margaret Heckler (R-MA), Catherine May (R-WA), and Charlotte Reid (R-IL)[49]—and women's groups had allies in the Nixon White House in the form of Nixon's adviser, Daniel Patrick Moynihan, and Rita Hauser, the U.S. representative to the United Nations Human Rights Commission, both of whom encouraged Nixon to treat women's rights seriously.[50] On elite competition for women's support, Costain's (1992) book convincingly documents the existence of federal government allies, as stated in her title, *Inviting Women's Rebellion.*

[49] Letter from Florence P. Dwyer, Catherine May, Charlotte T. Reid, and Margaret M. Heckler to Mr. President, June 9, 1969, in folder: HU 2–5 women beginning 12/31/69, White House Subject Files, Box 21, NPMP, NA; letter from Florence P. Dwyer, Catherine May, Charlotte T. Reid, and Margaret M. Heckler to Mr. President, July 8, 1969, in folder: HU 2–5 women beginning 12/31/69, WH Subject Files, Box 21, NPMP, NA.

[50] Memo from Daniel Patrick Moynihan for the president, August 20, 1969, in Graham 1989, Part I, Reel 23, frames 78–82; memo from Rita E. Hauser to Mr. Bill Safire, March 2, 1970, in Graham 1989, Part I, Reel 23, frames 116–19.

White ethnics, who had the least success, also had access, allies, and elite competition for their support. Labor Secretary Shultz, as described above, defended the affirmative action regulations for them. Nixon's political strategist and coalition builder, Charles Colson, fought hard for ethnics (Strober and Strober 1994, pp. 274, 277), even scolding higher-ranking officials, such as Nixon's chief of staff Bob Haldeman, when they did not respond to his demands for programs for white ethnics.[51] Ethnics had several allies in Congress, as described above, and many prominent members attended their meetings and rallies, including senators Edward Kennedy (D-MA), Jacob Javits (R-NY), Charles Percy (D-IL), Richard Schweiker (R-PA), and congressman Roman Pucinski (D-IL) (Weed 1973).

There was great competition for white ethnic votes. Nixon simultaneously pursued a "Chicano Strategy" (Castro 1974) and a strategy to win white ethnic support; the main difference was in the concrete policies developed for each strategy. In fact, white ethnics were a major, if not the major, target of Nixon administration political appeals. Following adviser Kevin Phillips (1970), Nixon was pursuing ethnic blue collar voters who had previously voted Democratic, and these voters were in fact a major part of what Nixon called "the Silent Majority" (Mason 2004). Nixon explicitly told chief of staff Haldeman that the administration should concentrate on building "our own new coalition based on [the] Silent Majority [of supporters of Nixon's Vietnam policy], blue collar, Catholic, Poles, Italians, and Irish" (Haldeman 1994, p. 151). One Italian-American administration official was summoned to the Oval Office for a meeting, and later recalled, "The president talked about minorities—about Italian-Americans and other ethnic groups. He wanted to know what we could do to get them more involved, to get them to understand what his administration was all about" (Strober and Strober 1994, p. 82). A political strategist described 1972 in an internal memo as a year "with so many good ethnic voters out there," and a political strategy meeting determined that "the biggest single block of voters" was "the various nationality groups."[52] Though one group won affirmative action and one did not, for political purposes Nixon sometimes considered white ethnics and Mexican Americans together, grouping Italians, Poles, and Mexicans as elements

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[51] Memo for H. R. Haldeman from Charles Colson, September 25, 1972, in folder (Events) National Heritage Day (Presidential Proclamation), WHSF, SMOF, Papers of Michael P. Balzano, Box 5, NPMP, NA.

[52] Memo for Charles Colson from Harry Dent, May 26, 1972, in folder: (Events) National Heritage Day (Presidential Proclamation), WHSF, SMOF, Papers of Michael P. Balzano, Box 5, NPMP, NA.

of his "New Majority,"[53] and in a strategy memo intended for his aides, Nixon complained that his political team was "not putting nearly enough emphasis on the key ethnic groups—Italians, Poles and Mexicans."[54] Thus, it was possible in the electoral context to think of white ethnics with ethnoracial minorities, or at least Mexican Americans, but in the policy context, a line divided the groups, creating a barrier for one and not for others. It was Nixon's own administration that created affirmative action regulations for Latinos and but saw them as inappropriate for white ethnics.

Finally, what role did "social opportunities" play in the success of some groups? McCammon et al. (2001, p. 51) argue that class, race, and gender relations influence political decision making, and in their case, shifting gender relations changed elites' expectations of women's participation, creating "gendered opportunities," and made them more willing to support suffrage. Social opportunities come about from changing social ordering or power between groups; when disadvantaged groups assume new roles, attitudes of appropriate roles change in response. The examples they give are of the public—and elites—witnessing women in new roles, and then changing their attitudes (McCammon et al. 2001, pp. 53–54).

Three points address the relevance of the social opportunities hypothesis. First, it does not appear to offer great explanatory power for the present cases. Women were enjoying increasing equality, and policy elites were in fact regularly interacting with women in Congress and in the Nixon administration, and yet they resisted their demands for inclusion in affirmative action on the very ground that women's employment roles were different from those of minority men. In contrast, they had little interaction with congressional or White House American Indians, Asian Americans, and Latinos. Moreover, given the regional concentrations of these groups away from Washington, changing race relations experienced by these groups in their local regions were likely unobserved by federal policy elites. Similarly, though white ethnics were undergoing increased assimilation (Alba 1990), policy elites did not seem aware of it, treating ethnics as a group apart and worth targeting, and yet at the same time not as appropriate targets for affirmative action. Second, one might argue that the logic of the social opportunities hypothesis is not applicable to the present case because affirmative action was premised on the idea that

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[53] "Radio Address: One America, October 28, 1972," in *Public Papers of the Presidents of the United States: Richard M. Nixon, 1972* (Washington, D.C.: Government Printing Office, 1974), pp. 1054–57.

[54] Memo from H. R. Haldeman to Mr. Dent, October 31, 1969, paraphrasing Nixon, in Graham 1989, Reel 2, frame 129. Also see follow-up memo from Harry Dent to Ken Cole, November 3, 1969, in Graham 1989, Reel 2, frame 131.

a group needs help to achieve equality. Changes in social relations as described by McCammon et al. might work precisely *against* the rationale for inclusion in affirmative action. A straight application of their theory for the affirmative action case would say that as groups achieve more in American society, they are more likely to receive remedial policy help to allow them to achieve even more. This is obviously of questionable logic. Third, at bottom, I share with these authors the premise that elite perceptions (they use the term "attitudes") affect social movement chances at success. However, whereas they assert a causal role for those attitudes but do not directly investigate them, this article advocates historical research to discover how elites perceived movement goals, as well as the impacts of these perceptions.

Framing Theories

Though framing theories have mostly concentrated on explaining social movement mobilization and not impact (Benford and Snow 2000), there are increasing efforts to explain movement impacts and successes by reference to frames and framing processes. The basic assumption in this approach is that social movements are outsiders that must, through strategic design and utilization of frames for their claims, persuade policy elites to accept movement demands. There is little attention paid to the receptors of frames, and framing theory as presently constituted appears to assume elites are equally persuadable by similar frames in different cases. Thus, the framing hypothesis would be that Asian American, American Indian, and Latino groups were master framers, superior to women's and white ethnic groups, and even superior to African-American groups.

A thorough test of this hypothesis, however, is impossible, and this impossibility suggests variations in framing cannot account for variations in movement success. This is because, first, the success of nonblack ethnoracial claimants to be included happened so quickly and easily that there are few frame data to compare to those of the less successful claimants. Second, because of the varying resistance faced by movement groups, framing strategies cannot be assumed to be comparable because different groups face different exclusionary perceptions (on both definitional and moral dimensions) as well as different institutions making them, and may adapt frames to these differences. For example, only women's groups had to combat the definitional perception that they behaved differently than included groups, and only white ethnic leaders had to combat the perception that they did not deserve help. Both of these factors point to the importance of elite perceptions in creating different starting points for different social movements. Elites were *not* equally persuadable to the claims of ethnoracial groups, women, and white ethnics.

The evidence of frames directed to the federal government on this issue that does exist (Latino and Asian leaders in hearings in San Francisco, a Latino leader in Boston, women's and white ethnic leaders in hearings and other communications) suggests all groups used "diagnostic" frames emphasizing discrimination, underrepresenation, and similarity with African-Americans, and all wanted special treatment by the government. If there are any differences between the more successful and the less so, it is that the Asian and Latino leaders appeared to use *weaker* persuasive strategies in that they mostly stayed local in their claims, and did not specifically use "articulate prognostic" framing (Cress and Snow 2000); that is, they did not demand affirmative action but only government help. In short, the comparative analysis suggests American Indians, Asian Americans, and Latinos needed little attention to framing to be included. Though framing strategies almost certainly matter and can help explain variations between women's groups' eventual success compared to white ethnics (a point addressed in the conclusion), even if possible, a rigorous comparison of framing strategies would be pointless without taking into account the different "starting points" afforded by elite perceptions of different groups.

Other Alternative Explanations: Isomorphism, Race, Demographics

Though not a theory of social movement impact, it is possible that the choice of groups to be included in the Labor Department's affirmative action regulation is an example of "mimetic isomorphism": when there is uncertainty, organizations may simply model themselves after others (DiMaggio and Powell 1983). There was a listing of minorities that preceded the affirmative action regulations. By 1966, the EEOC was using a form, the EEO-1, that specified African-Americans, Asian Americans, American Indians, and Latinos as minorities for employment civil rights purposes (Skrentny 2002). The EEOC used this form for employers to report on their workforces; the EEOC then identified firms with zero or almost zero minorities and targeted them for further investigation and pressure (Blumrosen 1971). It is possible that the Labor Department simply copied the EEO-1 minority list, excluding white ethnics because the EEOC also excluded white ethnics.

The problem with a simple mimetic isomorphism explanation is that the EEO-1 included women, but the Labor Department dropped them for the affirmative action regulations. This suggests that mimetic isomorphism in policy is mediated by elite cultural categorizations and group meanings; it works *if* elites perceive groups as definitionally and morally analogous. Additionally problematic for a mimetic isomorphism explanation is that by 1968, the EEOC was including women with ethnoracial

minorities in its own pressures on business (following a comparable meaning entrepreneurship strategy by women's groups at this agency [Graham 1990; Pedriana 2004]). There was no simple copying of a precursor organization or practice. Labor Department policy elites perceived definitional aspects of "women" that set them apart. Moreover, even if one grants that mimetic isomorphism explains the initial exclusion of white ethnics, it cannot explain why policy elites would resist white ethnic social movement pressures for many years.

Though not drawing on an established sociological theory, another explanation may appear obvious: the variation observed in this article is not the result of elite perceptions but objective differences. In this view, women's and white ethnic movements did worse than others because (white) women and white ethnics really are very different from ethnoracial minorities. One possible key for affirmative action exclusion could be race: the policy is for and about discrete peoples objectively defined by color. Women, therefore, were excluded, and the definitional and practical issues of white ethnic inclusion were real, unique, and not a matter of perception. Some historical and comparative analysis, however, shows the importance of elite perceptions and the constructed quality of racial categories. First, as stated above, the legal basis of affirmative action (Executive Order 11246) had proscribed sex discrimination since 1967, but policy elites focused without legal justification only on race until pressured to do otherwise by women's groups. It was not law but only elite perceptions of definitional group difference that kept women out. Second, policy elites saw Latinos as a racial group (as evidenced especially by their comments rejecting white ethnics), but Latinos are a group of great complexity and are not a race (Hero 1992). Policy elites likely had a racialized, "brown" Latino in mind when they discussed this group, but in the early 1960s, some Latino groups considered Latinos to be white (Grebler, Moore, and Guzman 1970), and as late as the 1980 census, more than 50% of Latinos labeled themselves as "white" (Logan 2003; Nagel 1996; Skerry 1993). This does not mean that Latinos really are phenotypically white but only that elites saw no ambiguity at all where there were multiple sources of ambiguity. Third, a lack of racial or phenotypical difference has not prevented affirmative action–like programs elsewhere, such as that for "scheduled castes" in India (Cunningham 1999; Galanter 1984; Jenkins 2003; Parikh 2001), for Catholics in Northern Ireland (Burke 1994), or for Hausa Fulanis in Nigeria (Cao 2003).

Another possible "objective difference" explanation is demographic: policy elites included nonblack minorities and no one objected because these groups were small, and including them had little significance, whereas women and white ethnics were larger, and their inclusion promised greater disruption. Though it is true that the groups that were included were

demographically smaller than those excluded, this explanation also does not convincingly explain variations in success. First, if limiting impact was the issue, policy elites could have easily maintained the weak regulation for white ethnics, or simply limited its reach to the main groups that pressured for affirmative action (Italian Americans and Polish Americans). This would have limited the policy to the 8.8 million Italians or the 5.1 million Poles, who were about 4.3% and 2.5% of the population, respectively (Glazer 1987). Policy elites discussing Latinos put the numbers for this group alone at 9, 12, and 16 million.[55] Second, the argument that nonblack minorities were demographically insignificant is belied by the fact that Nixon and his policy elites made major efforts to win over Latino votes as part of a "Chicano strategy" (Castro 1974); the statistics of the Latino population were discussed in the context of the importance of this group electorally. Nixon's team also made overtures to American Indians (Kotlowski 2001). Neither effort makes sense if elites perceived the group as demographically insignificant. Third, if demographic size is the key variable, then women should have faced more resistance than white ethnics, but this was not the case. Fourth, the "demographic insignificance" hypothesis would suggest the smaller the group, the greater the chances for policy success, a claim that is as absurd as it is obviously wrong. If this hypothesis really worked, the state would be overrun with programs for small groups. Finally, other comparisons reveal that perceived group meanings are more important than group size. In the affirmative action context, the Small Business Administration has added (Asian Indians, Indonesians, Tongans) and rejected (Iranians, Hasidic Jews) claimant groups for special business help with a pattern that does not correlate with group size (La Noue and Sullivan 1994). Some small groups in other policy contexts can face very fierce resistance because of group meanings; the gay rights movement is an example (Button et al. 1997). Movements, no matter how small their target population, will not win policy unless elites perceive the group as morally worthy and the policy as appropriate.

In short, while all offering insights, the alternative explanations do not explain the policy outcomes across cases. These results are summarized in table 3. Either women's and white ethnic groups have the factors

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[55] Memo from George Grassmuck to Clark MacGregor and George Shultz, May 10, 1971, in Graham 1989, Reel 3, frame 872; memo for Clark MacGregor from William Timmons, May 12, 1971, and attached memo for Clark MacGregor and George Shultz from George Grassmuck, May 10, 1971, in Graham 1989, Part I, Reel 3, frames 871–73; memorandum for John D. Ehrlichman from Maurice H. Stans, September 17, 1971, in Hoff-Wilson (1989), Part 6a, Fiche 173, frames 46–51; letter to the president from Herman Badillo and Edward R. Roybal, August 9, 1971, in Graham 1989, Part I, Reel 3, frames 852–53.

TABLE 3
ALTERNATIVE EXPLANATIONS AND MOVEMENT/POLICY OUTCOMES

Group	Social Movement Organization/ Strength	Access	Allies	Elite Competition	Isomorphism; Inclusion in Previous Minority Lists	Nonwhite Racial Group?	Outcome
American Indians	Low	No or unnecessary	No or unnecessary	No	Yes	Yes	Rapid, unchallenged inclusion in affirmative action
Asian Americans	Low	No or unnecessary	No or unnecessary	No	Yes	Yes	Rapid, unchallenged inclusion in affirmative action
African-Americans ...	High	Yes	Yes	Yes	Yes	Yes	Creation of and inclusion in affirmative action after struggle
Latinos	Low or medium	Yes	Yes	Yes	Yes	No	Rapid, unchallenged inclusion in affirmative action
Women	High	Yes	Yes	Yes	Yes	No	Inclusion in affirmative action after struggle
White ethnics	Medium	Yes	Yes	Yes	No	No	Exclusion from affirmative action despite struggle

associated with success in the alternative explanations, or the more successful groups lack those factors.

DISCUSSION AND CONCLUSION

Policy elites perceived African-Americans as morally unworthy of special targeted help and therefore resisted policy development for this group until massive African-American protest and violence changed elites' perception of this group as a threat to elite control and maintenance of order. The perception of threat led the elites to develop affirmative action for African-Americans. In a policy feedback process, the meaning of African-Americans changed for elites at least in the context of this policy, and they became a benchmark or standard of comparison.

Policy elites then incorporated American Indians, Asian Americans, and Latinos into affirmative action regulations with no debate because they saw these groups as definitionally and morally analogous to blacks. This perception was widespread; no one resisted the expansion. Though these groups had some mobilization capacity, the policy-elite perception of them as analogous to African-Americans mostly obviated the need to amass resources, find allies, find access points, develop effective frames, and so on.

The situation was different for groups the policy elites perceived as definitionally or morally different from African-Americans. They had to fight harder. Women's groups faced the perception that they had different career goals than ethnoracial minority men and therefore were inappropriate for affirmative action. They saw white ethnics as insufficiently oppressed and difficult to identify, even while ignoring potential difficulties in identifying the racially ambiguous category of Latinos.

There is no claim here that attention to elite perceptions of group meanings replaces current theories. It works with them, is implied in them, and builds on them. Understanding elite perceptions is in fact necessary to understand the ability of social movements to achieve successes, and current theories are incomplete without this component. For example, policy-elite perceptions are a crucial factor for understanding how many resources a social movement must mobilize to push the state to act. Studies of framing strategies are missing an important part of framing processes if they ignore how elites perceive the movement and its target population, which may vary between movements, across the government, in different places, and over time, handicapping or advantaging movements and affecting their need to frame effectively. Elite perceptions of different groups also can help explain the varying capacities of movements to gain access, allies, or elite competition for their support. These are currently the un-

explained major variables of the political process theory of social movements. Attention to elite perceptions can also shed light on why some groups evoke active opposition among some state actors. In the present case, though all groups had access, allies, and elite competition for their support, women and white ethnics produced active opposition to their inclusion in affirmative action because of the ways that elites perceived them.

Similarly, it seems clear that Amenta et al.'s (1999) variable of agency mission is a matter of elite perceptions as well as formal law or organizational structure. Understood in this light, mission played a role in the variation in group fortunes. There is considerable evidence that the Labor Department, other civil rights agencies, and White House officials saw equality for African-Americans as the main civil rights mission, and to a lesser extent supported equality for Latinos, Asian Americans, and American Indians. These groups were, in their eyes, definitionally and morally analogous to blacks, and therefore also part of their mission, even if they were lower priorities. Though there was some difference of view, most saw women and white ethnics as outside their mission. Though the Labor Department did issue white ethnic affirmative action guidelines, even in their strongest form these were weaker than those for other minority groups (lacking the goals and timetables requirement prized by women's groups). The Labor Department's Fletcher publicly stated that women and white ethnics were not minorities, and racialized Latinos with his definition that minorities are those Americans who suffer discrimination because of color. Therefore, as Amenta and his colleagues would predict, women and white ethnics had to use more assertive strategies than groups that better fit the civil rights mission.

Skocpol (1992) and Tilly (1999) have stressed the importance of group or cause worthiness in explaining success in gaining political change or policy benefits. They are invoking elite perceptions and categorizations when they argue that perceived moral worthiness is a key factor affecting the development of policy relating to social groups. Worthy/unworthy are indeed important basic categories in all social policy making (Steensland 2006), but by themselves they do not explain which policies go to which groups. Elites may perceive two groups as both worthy of policy but not (as the case of women reveals) the same policy. Showing the relevance of group worthiness requires exploring the perceptions of elite policy makers and seeing that group meanings other than "worthiness" might also be in play. This exploration requires mining archives or doing interviews focusing on elite perceptions of group meanings.

Varying elite perceptions most account for the variations in struggle and success between the nonblack ethnoracial minorities, on the one hand, and women and white ethnics, on the other, but why did women achieve

delayed success where white ethnics failed? Space does not permit a full analysis, but with this comparison one can see the necessity of including a focus on policy-elite perceptions, as well as more clearly see the role of standard movement success or impact variables. Though policy elites perceived white ethnic groups differently from the ethnoracial minorities, the case of women shows that meaning entrepreneurship can overcome a negative or policy-adverse perception. Looking at these groups together shows that not just any effort is enough to overcome a meaning disadvantage. To be sure, the cases are not perfectly comparable: the white ethnics had some weak support from the Labor Department, but strong White House resistance and big business groups lobbying against their inclusion based on both definitional and moral perceptions. Women had to fight a mostly defiant Labor Department, but their disadvantage was mostly on the definitional dimension, there is no record of business groups lobbying against their inclusion, and the White House exhibited little interest. Still, several causal factors may distinguish the two cases.

First, not all movement allies count the same. The women's government allies were much more committed to the cause than were the white ethnics' allies. Consider the repeated pressure from Republican women in Congress, a public statement from the Task Force on Women's Rights and Responsibilities, coordinated pressure from congressional women who were members of WEAL with other WEAL activities, and Edith Green's powerful and focused House hearings on sex discrimination. In comparison, the white ethnics' allies' efforts were scattershot, had no institutional advocacy vehicle equal to the Task Force or the congressional hearings, were not coordinated with white ethnic groups, and were not as sustained. Second, though large and well financed, the white ethnic groups did not use comparable strategies to combat the negative elite perceptions and categorizations. Specifically, though they applied pressure, it was not as coordinated as that employed by local and national branches of women's groups, who utilized a "federated" strategy (Skocpol 1992, 2003). Though there is no evidence that policy elites perceived women as threatening, the coordinated strategies of mobilization appeared to aid the meaning change effort.

Finally, though space does not allow a close comparison of their framing strategies, at least one difference in their "diagnostic framing" (Cress and Snow 2000) is likely significant: though both used statistics of inequality to support their argument that they suffered discrimination like blacks and deserved inclusion in affirmative action regulations, women's groups had more statistics—state-sanctioned, official statistics—available for this purpose. The government and other institutions regularly kept statistics on men's and women's achievement and inequality in employment, but statistics on white ethnicity had to be assembled by the white ethnic groups

themselves. These groups used the statistics in the same way as women's groups, but simply had fewer and less persuasive numbers to show than did women's groups.

More specifically, in the U.S. Commission on Civil Rights hearings on white ethnic issues, none of the four speakers offering "overview" presentations used statistics of underrepresentation. During the panel on employment issues, three of four white ethnic leaders used statistics showing underrepresentation, with two referring to the Barta study on glass ceilings in Chicago (cited above in n. 38) and another using statistics on New York lawyers and professors (U.S. Commission on Civil Rights 1980). Their statistics could be easily contested. In contrast, in Green's congressional hearings, all 18 advocates for women used statistics of underrepresentation in either their oral or written presentations or both, relying on the government's own numbers or third parties (U.S. House of Representatives 1970).

Framing claims for new policies with official numbers is a strong strategy because the federal government regularly bases policy decisions on statistics (Kingdon 1984). The language of numbers transcends localities and the particular people making claims and is "synonymous with rigor and universality" (Porter 1995, p. xi; also see Espeland and Stevens 1998). This would be especially true with the government's numbers. White ethnic leaders knew this, but unlike women were forced to press the government for collection of statistics that could better frame their claims (U.S. Commission on Civil Rights 1982, p. 162). Policy-elite perceptions, then, can severely handicap some groups, but women's groups showed a pathway to overcome them: committed allies in several institutions of government who were themselves or were close to policy-making elites, the ability to carry out coordinated movement strategies with those allies, and objective, numbers-based diagnostic frames shaped by the policy goal and aimed directly at changing the disadvantaging group meaning.

Though it is beyond this article's scope to explain the origins of these perceptions or to detail how they change, a few points are in order. First, movement actions and policy feedback effects show that meaning change is possible. Black groups overcame negative perceptions through threat, and as affirmative action was created, the policy remade politics, and blacks became a worthy group and a benchmark to which later claimants could aspire. These new meanings were quickly taken for granted. Shortly after women's groups' coordinated meaning entrepreneurship, and policy makers finally included women in affirmative action following two years of resistance, policy elites used the new appropriateness of their inclusion to distinguish and exclude white ethnics; women also became a benchmark group and a basis of potential analogy. In addition, Padilla (1985) shows how the policy changed group meanings in another way by constructing

pan-ethnic Latino solidarity. Second, it is also possible that though there was little social movement activity regarding affirmative action by American Indians, Asian Americans, and Latinos, activity or historical events years or even decades before led to a cognitive categorization of these groups with African-Americans. Policy elites (or most Americans) did not have to know the details of, for example, the near genocide of American Indians, internments of Japanese Americans, or school segregation of Mexican Americans to see group meanings that categorized them with African-Americans. However, assuming this scenario, it becomes a mystery why both women's oppression and the history of discrimination against and racialization of white ethnics (Higham 1955; Jacobson 1998; Roediger 1991) were not a part of the meanings perceived by policy elites. Third, policy elites themselves can work to change perceptions of group meanings. For example, since the 1980s policy elites of the Republican party, sensing electoral gain, have worked (with limited success at the federal level) as meaning entrepreneurs to erode the meanings of blacks as worthy of affirmative action, emphasizing that negative effects on whites and blacks made the policy illegitimate (Skrentny 2001).

Can the focus on elite perceptions, and their advantaging or disadvantaging impacts, be generalized to other groups and other movement struggles? In fact, other scholars studying other cases already have implicitly invoked the importance of policy-elite perceptions to explain policy failure or success. For example, as Button et al. (1997) have shown, gay and lesbian rights organizations have been fighting and arguing that they are analogous to African-Americans for decades—with only limited, local success and much organized, active opposition based on moral perceptions. On the other hand, Skocpol (1992) demonstrates the more advantaged moral position of veterans and "mothers" in American politics during the Progressive Era. Scotch (1984) does not make the theoretical point, but his interviews with policy elites show the importance of policy-elite perceptions of the disabled as morally worthy and analogous to blacks, leading to extensions of civil rights laws even before the existence of a disability rights movement. Definitional and moral perceptions also entered into school systems' responses to Afrocentric and creationist challenges in the 1980s and 1990s, as Binder (2002) describes. While district and state administrators perceived both as marginal to mainstream educational core values and practices, they treated them quite differently as challengers. Both made moral claims about past mistreatment, but policy elites defined them differently and saw only African-American claimants as morally worthy. Adjusting a school system's social studies curriculum to accommodate Afrocentrists was more appropriate (and constitutional) than adjusting a school system's science curriculum in the name of God.

Elite perceptions of group meanings are also an acknowledged—but

rarely explicitly studied—part of political studies outside the social movement field, especially—but not only—those that identify racism, sexism, antigay animus, or other antipathies in political elite behavior. For example, Frymer's (1999) study showing how both the Democratic and Republican parties have regularly avoided links or identifications with blacks, black interests, or symbolic figures in the African-American community rests on the importance of elites' moral perceptions and how whites might respond to black-oriented policies. Like Frymer, Quadagno (1994) combines institutional theory with elites' negative perceptions of blacks, but her case shows how racism undermined the war on poverty. Steinman's (2003*a*, 2003*b*) studies of federal policy shifts creating American Indian tribal sovereignty show how policies flowed from definitional perceptions of tribes; these have varied over American history from wards of the state to cultural minorities to independent governments or nations. Lee (2003) finds differing policies regarding 19th-century immigration of Chinese and Japanese women to the United States based in part on conceptions of American nation building and the perceived morality of Japanese women as compared to Chinese, whom elites saw as prostitutes. Policy makers therefore excluded Chinese women and allowed entry to Japanese women for many years. In a very different context, Isaacson (2002) shows the crucial political importance of the shifting definitional classifications that changed "weaklings" or unsalvageable fetuses into premature infants.

Policy elites have the power, make the decisions, and create the policies that affect the groups or causes the social movements represent. Though sometimes implicit, surprisingly few researchers have tried to answer this question: How do these power holders perceive the challenging groups or new reform causes? For example, are "child criminals" really just "criminals"? Or do policy elites see environmental activists as antibusiness, antijob, or profamily? In the strictly policy-making context, consider Wilson's theory of the effects of costs and benefits on politics and policy. Wilson (1980) predicted policy will develop most quickly and easily when, as in "client politics," the costs of the policy appear dispersed but the benefits concentrated. At first look, this theory would predict the rapid and continuing expansion of minority rights. Yet Wilson emphasized that costs and benefits were not objective phenomena but matters of perception (Wilson 1980, p. 366). It seems clear that the determination of costs and benefits will depend on or be highly correlated with definitional and moral meanings.

Sociologists need not and should not treat the state as a black box. Social movements confront more than an organizational structure. The state is a textured entity of institutional structure and people; the people have agency, and that agency is powerfully mediated by cultural mean-

ings. Those perceived meanings are likely to have important influence on the ease or difficulty of a social movement's policy projects.

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