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From *The Journal of American History* Vol. 91, Issue 3.
Viewed April 23, 2006 19:4 EDT

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"Do Whites Have Rights?": White Detroit Policemen and "Reverse Discrimination" Protests in the 1970s

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By the time Judge Ralph Freeman announced his decision on affirmative action in the Detroit Police Department on May 9, 1975, the crowd of white protesters outside had swelled to over a thousand. In the large, marbled U.S. District Courthouse on West Lafayette Avenue in downtown Detroit, Freeman ordered that the traditional "last hired, first fired" seniority principle be modified so that police officers recently hired under the city's new affirmative action plan retain their positions in the face of massive layoffs. As Freeman delivered his ruling, the line of Detroit Police Officers Association (DPOA) members, their family and friends, city council members, and union sympathizers from as far away as Buffalo and Chicago stretched through the streets surrounding the courthouse. They held signs reading "Detroit Is an UnEqual Employment Opportunity Employer," "Uphold Our Contract," "Do Whites Have Rights?," and "Real Affirmative Action: Fire the Mayor." The last sign referred to Coleman A. Young, the city's black mayor and the author of the much-hated affirmative action plan.¹

Freeman's decision was not well received. Protesters, many of whom now stood to lose their jobs, moved to block the streets, shouting, "You police the city," and "Talk about rights; we've got no rights." A fight broke out between several off-duty white policemen and an off-duty black policeman, with guns drawn. "We're gonna kill you, you ... niggers!" one man screamed. As the black police officer left for the hospital with a broken nose, a group of enraged white policemen struck a local television cameraman over the head and knocked him to the ground.²

Reaction to what some Detroiters called a "police riot" underscored not only the deep divide over demands for racial and gender equality but also the less acknowledged tensions between labor union members and liberals in a period marked by economic recession and divergent interests. Mayor Young denounced the protests as a "drunken brawl," and the police chief characterized the attack on the black officer as "clearly racial." Detroit residents, beset by a spiraling crime rate, lived in a city where law enforcement was, as one journalist put it in the wake of the courthouse demonstration, "in deep trouble." The leaders of the police officers' union, led by its president, Ron Sexton, dismissed the violence as a small skirmish, divorced from the demonstration and its objective. They sought to frame the conflict as a defense of labor's rights, an important appeal in the heavily union city. "Our problem, our cause, our efforts that day were for seniority rights and nothing else.... We are not white, we are not black. The

DPOA is all blue," they proclaimed. Their legal challenges to affirmative action would continue for the next twenty years.³



City councilmen David Eberhard (left) and Jack Kelley participate in the Detroit Police Officers Association protest against a court ruling that upheld affirmative action hiring outside the federal courthouse in downtown Detroit on May 9, 1975. *Courtesy Detroit News Collection, Walter P. Reuther Library, Wayne State University.*

Protests by working-class white men in the 1970s, such as those by Detroit policemen, are central to an understanding of the shape and character of affirmative action in recent U.S. history. Opponents of 4

affirmative action transformed federal equal employment policies, local and national politics, and workplace relations. They filed so-called reverse discrimination charges with the Equal Employment Opportunity Commission (EEOC); brought lawsuits in the local, state, and federal court systems; and worked through formal and informal means to change the stance of the government and the labor movement on this divisive issue. White men did not simply resist new programs for advancing the economic status of minority men and of women of all races: they harnessed "rights talk" to their own ends, making far-reaching claims about equality, justice, and citizenship in the post-civil rights era.

This history is part of the story of the struggle over equal employment opportunity that dates back to at least the 1940s and continues to rage today. It was given significant legal life by the federal government with the passage of Title VII of the Civil Rights Act of 1964, which banned employment discrimination on the basis of race, color, creed, and sex. The new law eliminated much obviously unfair treatment, but not the more elusive forms embedded in employers' attitudes and qualification requirements. In searching for ways to address such structural inequality in the work-place, the EEOC, a product of Title VII, served as midwife for affirmative action. By the late 1960s private employers and the government had begun to establish affirmative action programs, many aimed at the building trades unions. As women and minority men came onto work sites for the first time, skilled white workers attempted to thwart these efforts, mostly by unorganized protests. The most far-ranging and sophisticated reverse discrimination protests came in the 1970s from a "second generation" of opponents in response to efforts by the Civil Rights Division of the U.S. Department of Justice to open up jobs in city, county, and state agencies, especially in police and fire departments. The protests of Detroit's white policemen offer a close view of anti-affirmative action campaigns across the country. As a large industrial city dominated by racial discord, Detroit was broadly representative of other cities whose governments faced reverse discrimination lawsuits in the period and provided an early arena for resistance to alleged reverse discrimination. In the early 1980s triumphant conservatives in the Reagan administration made the Detroit officers' lawsuit one of a handful in a litigation strategy aimed at repudiating affirmative action.⁴ 5

We know little about that resistance. Historical works on affirmative action look at federal judicial and executive branch developments, ignoring white working-class men except, perhaps, to portray the "Nixon hardhat" as the archetypal opponent of equal employment opportunity. Studies of white backlash in the 1970s and 1980s take opposition to liberalism seriously but tend to examine the neighborhood, not the workplace, as the locus of discontent. The first part of this essay analyzes the anger and despair of white policemen as they defended their economic status in the face of affirmative action. Race and gender ideology provided the backdrop to this resistance, but so too did the policemen's embrace of professionalism, public safety, and the liberal tradition of equal rights. As they moved toward a deeper understanding and a better articulation of their grievances, they crafted arguments that served as a powerful counterweight to pro-affirmative action arguments in national policy making.⁵ 6

The second part of this essay analyzes the cross-racial and cross-gender alliances white policemen formed in defense of the seniority system with liberal unionists sympathetic to some aspects of affirmative action. The labor movement, long divided between craft and industrial unions, was hobbled by the 1970s by an anemic organizing record and successive defeats of labor law reform and full-employment legislation. Organized labor was at odds with the dominant rights-based legal culture that privileged racial and gender-based egalitarianism. And yet, in the debate that raged in the early years of affirmative action over where the rights of unionists ended and those of affirmative action recipients began, unionists made the opposition campaign a complex one with an unpredictable outcome. Their challenge should prompt scholars not only to appreciate the depth of white working-class male opposition 7

to affirmative action but also to search for ways to comprehend the union-based coalition of resistance.

It is tempting to dismiss the white policemen's color-blind notions of merit and seniority as a thinly veiled defense of inequality. In defending an employment structure that benefited them materially and psychologically, white policemen helped constitute what the historian Bruce Nelson characterized in his wide-ranging study of nineteenth- and twentieth-century working-class race relations as a "racialized democracy." As Detroit reverse discrimination protests became more diverse and sophisticated, however, unionists joined together to limit the reach of affirmative action to hiring and promotion, not firing. They frustrate efforts to portray them as simply agents of "whiteness" or defenders of masculine privilege. I argue that those interpretations do not adequately explain the shared beliefs of unionists, enunciated in color-blind language, irrespective of their race and gender. The tendency to present social relations in what Vron Ware in her recent critique of whiteness studies has called a "stark duotone imagery" does not sufficiently capture the ways differently situated workers reacted differently to demands for equality. Just as there were various forms of affirmative action, so too were there various campaigns of opposition that force us to consider the roots of the varying levels of support Americans give affirmative action today.⁶

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"The Liberals Have the Power Now": The Politics of Police Affirmative Action

The opposition that makers of equal employment opportunity policy faced in the late 1960s over who should be hired gave way in the 1970s to a more intense opposition over who should be fired. By mid-decade alarming inflation and growing unemployment marked the U.S. economy. To their continued efforts to combat inequality through publicity, lawsuits, and consent decrees, EEOC commissioners, politicians, and civil rights and feminist activists added new proposals to prevent layoffs of those recently hired under those schemes. Disgruntled white men across the country picketed and took legal action to counter affirmative action. Complaints of reverse discrimination—never more than 1 percent of the complaints the EEOC received—shot up in the first six months of 1974 as the recession deepened. The commission logged in 335 such charges in those months, and judges began to turn their attention to claims of discrimination against those who historically had been favored in employment. In *McDonald v. Santa Fe Trail Transportation Company* (1976)—involving the discharge of two white men for stealing and the continued employment of a black man who committed the same act—the Supreme Court ruled that the standards prohibiting race discrimination against nonwhites applied to whites as well. "There is, perhaps, no area of employment law that so brings the tensions inherent in Title VII into focus as that called reverse discrimination," the authors of a primer on equal employment law wrote at the time.⁷

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In no employment sector were the range and intensity of protests more remarkable than in urban police forces. Young minority men and women as well as white women, empowered by the rising expectations of social protest movements, newly elected black mayors, and a 1972 amendment to Title VII that extended discrimination bans to state and local governments, challenged police employment practices. In New York City, Chicago, Minneapolis, New Orleans, San Francisco, and other cities, they filed lawsuits on size and height requirements for new recruits, on the content of entrance and promotion examinations, and on patrol assignments. They demanded to be hired in greater numbers. Their gains were impressive: in 1972 there were only 7 women in the United States assigned to patrol work; by 1974 there were 900, and women made up 4 percent of police forces in cities and towns throughout the country. Advocates of affirmative action on the basis of race claimed even more success. In Chicago, for example, the percentage of blacks on the force climbed from 13 percent in 1962 to over 20 percent by the late 1970s. In Washington, D.C., it went from 13 to 42 percent, and in San Francisco, from 2 to 20

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percent in the same period. In the 1970–1990 period blacks accounted for 41 percent of all new police hires nationwide. By the end of the 1980s, 130 cities in the United States had black police chiefs, including New York City, Chicago, Baltimore, Philadelphia, and Houston.⁸

Many police departments, however, remained stubbornly white male preserves as veteran officers demonstrated unambiguous opposition to affirmative action. Police work was a traditionally working-class occupation that required little education but provided social recognition and employment security. White policemen took pride in welcoming family members, friends, and co-ethnics onto the force. There was another, more important, factor in their opposition that differentiated it from the earlier protests of skilled tradesmen against affirmative action: the professionalization of law enforcement in the decades following World War II, especially in the 1960s, had begun to transform the hiring and promotions process, downplaying the older use of social networks in favor of merit, seniority, and formal assessment. Veteran officers asserted that the new criteria were transparent. Police officers and state troopers in Ohio, Wisconsin, New York, and other states defended the system by challenging the qualifications of affirmative action recruits in court. They argued that there were clear and empirical grounds for hiring and promoting officers and that affirmative action upset that just and orderly system.⁹

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A Detroit police roll call in 1965. Within the next decade and a half, the composition of the Detroit police force would change dramatically, as women and African Americans were hired as a result of the city's affirmative action plan. *Courtesy Detroit News Collection, Walter P. Reuther Library, Wayne State University.*

In Detroit white policemen engaged in sustained protests that grabbed the local and national media's attention by their intensity and violence. Detroit was one of the many large industrial cities beset by staggering urban woes. Its population was divided along racial lines over the purpose and quality of the police force. In the two decades following World War II, Detroit's industrial base steadily crumbled as manufacturers shifted production facilities to the suburbs; between 1948 and 1967 the city lost nearly 130,000 manufacturing jobs (and in the next twenty years, another 195,000 positions—mostly in manufacturing). Whites soon followed the exodus of jobs, as new freeways reshaped the city's social geography and retail activity shifted from downtown to suburban malls. The city government faced an eroded tax base, declining social services, and increased crime. By the 1960s, the historian Jon C. Teaford has noted, older central cities such as Detroit were "still alive but hardly vital."¹⁰

The city's residents offered differing explanations for its downward trajectory. For many conservative whites, the devastating 1967 riot confirmed a belief that the city's decline was due to a growing black population, which had made the crime rate grow and housing values drop. For Detroit's African Americans, the riot was yet another indication of the effects of economic inequality, the failure of urban renewal, and the need for significant reform of a police department with few black officers and a long history of abusing black citizens. Some years in the 1950s and 1960s, the Detroit branch of the National Association for the Advancement of Colored People (NAACP) presented over one hundred fresh complaints of black residents' abuse at the hands of the police. "This kind of conduct ... of the police operates effectively to keep the Negro in a segregated, second-class position," the executive secretary of the Detroit branch, Arthur L. Johnson, had told a U.S. Commission on Civil Rights hearing in 1960. In the wake of the riot, local political, business, labor, and religious leaders came together at the invitation of Jerome Cavanaugh, the city's liberal white mayor, and formed New Detroit, Inc., to help rebuild the city. The police department, noted the businessman and New Detroit board member Stanley Winkelman, "needs to be taken apart and put together again."¹¹

Detroit's white policemen interpreted attempts to increase the percentages of African American and women officers on the force (it stood at 18.6 percent and 2.15 percent, respectively, in the early 1970s) and to open more kinds of police work to women as yet another challenge to their besieged occupation. Like police officers elsewhere, they had been alarmed in the 1960s as demands for racial justice and individual rights led to great scrutiny of their behavior. Buffeted by calls for reform and greater attention to the rights of suspects, police officers saw themselves, as one social psychologist put it, as "lonely and unappreciated guardians of law and order." Their economic status was marginal: in the late 1960s the average pay for a patrolman nationally was 33 percent less than what was needed to sustain a family of four in moderate circumstances in a large city. Rank-and-file officers in Detroit took action in the mid-1960s by transforming the DPOA into a bona fide union. City officials balked at their demands, treating the unionists with condescension. But DPOA members persisted and, with the backing of unions such as the United Automobile Workers, the Teamsters, and the Hotel Employees and Restaurant Employees Union, they claimed victory in 1968 when a citizens' committee appointed to arbitrate the impasse awarded the DPOA a pay increase.¹²

White policemen expressed their indignation with liberalism generally and affirmative action

specifically in dramatic, often eloquent, fashion by portraying themselves as an oppressed group. They were part of what Ronald P. Formisano in his study of antibusing activism in Boston in the 1960s and 1970s called "reactionary populism." Hamstrung by economic recession and alienated from the Democratic party by its embrace of racial, gender, and cultural priorities at odds with their world view, such whites objected to new government programs, but their protest was, in Formisano's words, "cramped by limited horizons." White policemen, ignoring the role of moderate Republicans in the Nixon administration in the development of affirmative action, believed it to be wholly a liberal creation. "I still like Richard Nixon," mused one officer. "He got rid of the Black Panthers, and was the first man to have the guts to tell the forced bussing people off." To DPOA members it seemed liberals had reordered society on the basis of a misguided notion that policemen and other working-class whites must pay the price for past discrimination while middle-class suburbanites evaded the consequences of such plans. White policemen valued order, security, and respect; to them affirmative action struck at the heart of this world view and exemplified the worst aspects of liberalism. "The whole context has shifted from the gun-toting thugs and outsiders being the villains, to the uniformed police officers, a symbol of law and order, being the villain," one officer complained. Some white police officers seemed resigned ("I'm just a peon in this big drama") while others resolved to oppose affirmative action. "The liberals have the power now, and I'm not a liberal," admitted one officer in December 1974. "But I'm going to fight my way through this trying period."¹³

Detroit policemen's reverse discrimination protests became a touchstone for white discontent in the mid-1970s. Affirmative action was not the only liberal program opponents resisted, but in a city rapidly emptying of whites, it unified white police, fire, and other municipal workers kept in the city by a residency requirement. The police were visible reminders of law and order. Their work knew no boundaries: they could be found patrolling the streets, eating in restaurants, directing traffic, and answering calls for assistance of all kinds. Those city residents who did not have a police officer as a relative knew someone who did or who lived on the same street as a police officer. In effect, the DPOA (which included all of Detroit's police, since they had a closed-shop contract) had become a leading political organization for white Detroiters, who by the early 1970s had for the most part retreated to neighborhoods of modest two- and three-bedroom houses in the northeast and northwest corners of the city. As police unions did in Los Angeles, Minneapolis, and other cities, the DPOA served as a quasi-official campaign organization for the candidates it endorsed. The DPOA was largely responsible for Roman Gribbs's election to head the city in 1969. After backing a white candidate and former police commissioner, John Nichols, in his failed run against Coleman Young in 1973, the union worked unsuccessfully to defeat Young in his three reelection bids.¹⁴

In a city where half the population was black, the 1973 election of the city's first black mayor stiffened resistance to the growing political power of African Americans. The centerpiece of Young's campaign was a plan to dismantle STRESS (Stop the Robberies, Enjoy Safe Streets), a controversial police unit responsible for the deaths of many black suspects. White policemen were even more alarmed at his promises to bring greater civilian oversight of the police department, to enforce a residency requirement for city employees more vigorously, and, most significant, to introduce an affirmative action plan that would increase black officers from around 20 percent to 50 percent of the force by 1977. His narrow win underscored the extent of Detroit's racial divide: he received 92 percent of the black vote, John Nichols 91 percent of the white vote. Although Young played no role in a lawsuit filed by a group of women applicants to the force, he welcomed Judge Ralph Freeman's decision in May 1974, which directed the police department to open all positions to female applicants and to hire one qualified female applicant for

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every male applicant until further ordered.¹⁵

Coleman Young was unmoved by criticism of affirmative action. Of those at the helm of large U.S. cities at the time, Detroit's mayor encountered perhaps the most crippling urban woes: high unemployment, a record level of homicides (801 in 1974), and staggering white flight (there were 891,000 white residents in 1969 but only 543,000 in 1976). Economically, Young, facing the near-impossible task of bringing large-scale investment into a decimated city, settled for promoting largely ineffectual downtown office-building projects, new stadium construction (partly financed by the Carter administration), and, at the end of his tenure in office, casino gambling. Busing city children to the suburbs was not a solution since the Supreme Court in the 1974 *Milliken v. Bradley* decision ruled that the city had provided no proof that outlying municipalities were responsible for the city schools' racial composition or Detroit's residential racial segregation. The decision was, according to the historian James Patterson, "pivotal in the history of postwar race relations" since it frustrated efforts to overturn de facto segregation. The mayor, knowing Detroit had an overwhelmingly black public school population, decided not to pursue busing within the city. He was left with police affirmative action as his single significant reform plan. Young told the *New York Times* that the city's future well-being depended on it: "We're not going to turn this city around, and have a united city, until we deal with the Police Department."¹⁶

The mayor defended his program vigorously, pointing to the long history of police harassment and violence against black citizens. He emphasized the importance of minority and women officers in improving community-police relations. He claimed, for example, that women on patrol made good sense because "there is a far less likelihood of police brutality and, consequently, of an explosive incident." In his memoirs, *Hard Stuff*, published in 1994 shortly after he left office, Young recalled his reaction to opponents' charge that affirmative action was really "reverse discrimination": "My attitude was, You're damn right—the only way to arrest discrimination is to reverse it." He was not troubled by the strict numerical goals he set, explaining them as an appropriate remedy for the historically unfair treatment minorities experienced. "If quotas are the only way to keep white folks honest, let there be quotas," he contended. In his first six months in office the mayor disbanded STRESS, announced the establishment of fifty-five "mini-stations" (an experiment in community policing), and appointed three African Americans and one white to the new police commission created as a result of the city charter approved on election day. And, as he promised, Young issued Executive Order 2, mandating recruitment and hiring policies that would ensure minorities filled one-half of the Detroit Police Department ranks.¹⁷

"Unfair, Undemocratic, and Just Plain Dictatorial": White Policemen against Affirmative Action

White policemen experienced the arrival of new recruits in station houses and patrol cars across the city in 1974 as a loss of occupational identity and a threat to their safety. They filled the pages of the DPOA's newspaper, *Tuebor*, with news reports, gossip, and satire about affirmative action developments in the police department. (In Latin *tuebor* means "I will defend"; it is found on the State of Michigan coat of arms.) Women coming onto the job for the first time were "women libbers," "gals," and "lovelies." Policemen questioned women's physical abilities to serve on patrol. One *Tuebor* writer wondered: "I can just imagine one of our male-type officers getting into a beef on the street and his female partner hitting the thug with her purse. Will they spread out their leave days or just take them at that certain time of the month?" The typical woman police officer, another columnist asserted, was underweight and weak, someone who "lost their last three family trouble fights to a squirrel, a hobby horse, and someone's 11-

year-old brother." The consequences of having a woman as police partner, he concluded, were serious: "Breaking someone in on the job is one thing but when there is a chance of breaking your bones in the bargain, that is another thing entirely." Veteran policemen saw the streets as a dangerous place, unsuitable for women. "Our society is bad enough," pleaded one officer. "Why must we turn over to our sick society the last of our goodness left—our women?"¹⁸

The very presence of women police officers challenged the masculine culture of police work, one marked by long hours, close working arrangements, coarse language, and endless talk of sports. Contributors to *Tuebor* expressed disdain for the counterculture and sexual liberation (homosexual men were "fags," "sissies," and "funny boys"). They treated close working arrangements, especially the physical presence of women in the previously male-dominated precinct houses, as sexually charged. "How are you going to change your clothes with your lockers being on the main floor?" asked one policeman. "It could be very interesting. Some of the men will try and promise to close their eyes when they walk by."¹⁹

The men's resistance to women officers came from home as well as from their work culture. The little-studied relationship between policemen and their spouses indicates that policemen's wives wielded significant influence over their husbands. They did not welcome policewomen on the job. A sociological survey of patrolmen in Detroit and Oakland, California, found that many recruits quit because of their spouses' objections to working hours, changing shifts, and other job characteristics. In the early 1960s one state's police commission forced applicants to submit written permission slips from their wives before they became sworn officers. New York City policemen's wives formed their own association to protest the introduction of women on patrol. It not only gave organizational form to their jealousies, wrote Andrew Darien in a study of the city's police department, it also expressed "city wide anxiety about women patrol officers' assault upon masculinity and homosocial bonding." It is clear that Detroit policemen believed affirmative action for women made their jobs more difficult; it may have also strained family life.²⁰

White policemen were more circumspect in their commentary on the new recruits' race, perhaps reflecting the social proscription on overt discussion of racial characteristics. Most columnists' discussions of race took the form of ridicule of life in a city under black political leadership. As late as the mid-1960s, however, one white policeman, identified only as "Bob," offered his frank assessment of African Americans to a sociologist conducting field interviews in Detroit's predominantly black Tenth Precinct: "They're not like us. They spend a lot on themselves for cars, clothes, liquor, and living it up. They spend almost nothing on their kids." Blacks were scarce on the force, he explained, since the police command fired them "because they don't make good officers, and not enough have come in." A decade later *Tuebor* writers rarely referred to racial characteristics, and then only in the context of local crime stories, as in October 1975 when an officer killed a black man who pointed a gun at his partner. The shot from the officer's revolver "sent Mr. Citizen to the big BBQ in the sky."²¹

Although there is plentiful evidence of resistance to gender-based affirmative action, the most visible reverse discrimination protests focused on race-based remedies for inequality. Women, it seems, did not challenge white policemen as African Americans did. Two policemen writing in the March 1975 *Tuebor* hinted at divisions among women officers by distinguishing between the "women libbers" patrol officers and the older women in the Women's Division, whom they likened to "the ladies we choose for wives and girlfriends, [who] want to be respected for being different." The ties between black and white women officers may also have been weak. Unlike women in industrial unions who frequently joined together to battle gender inequality, there is no evidence that women police rookies in Detroit formed cross-racial

feminist coalitions. One scholar writing on the status of black women in police departments in the United States reported that there was "little unity among women." White policemen faced significant challenges from feminists in the courtroom but little organizational or political opposition at the department and municipal level; the absence of such opposition freed them to focus their resources on defeating the local black leadership and civil rights organizations. In a city long characterized by racial tension, black women officers most likely found support in organizations such as the Guardians of Michigan, a group formed in 1963 as a volunteer service organization for black Detroit police officers and Wayne County sheriff's deputies. The Guardians were fierce critics of the DPOA: they picketed the union's headquarters, worked closely with the city administration in promoting affirmative action, and backed the mayor's collective bargaining positions against the police union, even announcing on occasion members' intention to stay at work in the event of a strike. For this they earned the scorn of white policemen who denounced them as "Coleman Young's children."²²

In the media DPOA leaders built their case against affirmative action by arguing that the city's plan was flawed in design and that it violated the rights of white men. The police unionists insisted that Young's short timetable for bringing underrepresented groups into the force had resulted in inadequate screening of applicants. The local press joined DPOA members in pointing out that the police department approved applicants with criminal records and low test scores. Like many police departments across the country, the Detroit Police Department had revised what equal employment officers, judges, and activists denounced as discriminatory criteria for assessing applicants. They eliminated such steps as interviewing applicants' neighbors, conducting background checks on family members, and investigating matters of "personal morality." White policemen denounced the city's "Mickey Mouse hiring practices," which consisted of "go[ing] out on the street and grab[bing] as many turkeys as you can." An editorial in the April 1975 *Tuebor* decried the new, less intensive procedures for processing applications; the editorial was accompanied by a cartoon showing black men with large Afros and wild dress walking out of Michigan's state penitentiary in Jackson and signing onto the force. ²³

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This cartoon in the April 1975 issue of the police union newspaper, *Tuebor*, ridicules the affirmative action recruitment policy for the Detroit Police Department that Mayor Coleman had ordered. Courtesy Walter P. Reuther Library, Wayne State University.

In an environment of uncertainty and distrust over what constituted equal employment opportunity, information about affirmative action was, as Jonathan Rieder put it in his history of white backlash in Brooklyn's Canarsie neighborhood, "an amalgam of fantasy, truth and rumor." Detroit's white policemen often circulated information of questionable validity about the department's application process. "I hear that they took some men from the department who met with ... the colored applicants and told them the answers to the examination questions and still a lot of them failed," reported one patrolman in the mid-1960s of an early effort to bring more minority officers onto the force. With the introduction of Young's affirmative action plan, *Tuebor's* columnists churned out stories that seem farfetched. In December 1974, for example, two DPOA members reported that the department had sent a letter to Detroit General Hospital directed to "a group of low I.Q. girls," encouraging them to apply to the force. It was not clear whether the women were staff members or patients, but the officers believed it portended worse things to come: "Soon, the Department will have to go to our mental hospitals to get prospective police officers, as they will be the only ones crazy enough to join." Some DPOA claims were more grounded in evidence. The *Detroit News* backed the unionists' assertions. It revealed in 1977 that the department had sworn in

"a great number" of officers who had reading skills below the sixth grade level; several recruits had served prison time for drug-related charges; the police had arrested another for writing bad checks; and four rookies faced charges for shooting their spouses. Two years earlier the newspaper identified similar problems, characterizing the quality of recruits as a "very dangerous matter."²⁴

Scholars have noted the importance of morality, masculinity, and race in working-class white men's understanding of their place in the labor force. Although morality and masculine boundaries shored up their occupational pride, Detroit's white policemen insisted that in this "era of negative professionalism," as one of them put it, race and gender considerations played no part in their critique of affirmative action. They portrayed themselves as defenders of a race- and gender-neutral employment system. For white policemen the cumulative effect of affirmative action hiring was a denigration of their profession and a deterioration in morale. New recruitment efforts were, as one officer put it, "a personal affront." The sociologist Nicholas Alex found similar sentiments expressed by white New York policemen he interviewed in the mid-1970s. Those officers spoke of "declining standards" and complained that the city accepted the "dregs of humanity." The new recruit, announced one policeman, "is not a peer by any sense of the word."²⁵ 27

William Hart, Detroit's chief of police, in 1977 dismissed the complaints about the quality of recruits as "racism and sour grapes," but the DPOA continued its attack on affirmative action, seeking to make the case that Coleman Young and the city's black leadership were as unqualified to run the city as their recruits were to police its increasingly dangerous streets. They charged the mayor, known to the policemen and their allies as "Hizzoner," with being a corrupt political boss who was not interested in true equality. White policemen compared Young to Cleveland mayor Carl Stokes, the first African American elected to head a major city. Stokes's troubled administration was marked by a scandal involving charges of police examination cheating and favoritism. "The kingdom of Cleveland fell into the hands of thieves and all types of fiends," wrote one officer. Just like Stokes, "Old King Coleman ... would like to think of us as his royal subjects." Philip Tannian, a white man who was police chief during Young's first two years in office, was a "half-wit," "Elmer Fudd," and a "puppet" for adhering closely to the mayor's affirmative action plans. Liberal judges, especially black judges, came in for ridicule for coddling criminals. The DPOA dubbed the city's main courthouse "The Barnum and Bailey Hall of Justice." One police officer denounced the civil rights activist and judge George Crockett for presiding over the "Revolving Door Division of the Otis Elevator Company" and "enabl[ing] the scum he unleashes on society to virtually fly out the door of the Frank Murphy Releasing Station." Affirmative action was "un-American," "government bungling," and "unfair, undemocratic, and just plain dictatorial." Federal judges who approved of affirmative action were "dumb affirmative action people" and "anarchists who have no regard for the law." Judges drew their understanding of police work, one DPOA columnist suggested, exclusively from television.²⁶ 28

Echoing the charge made across the country by white urbanites encountering busing, affirmative action, and other equality programs, they dismissed liberals as "outsiders," often upper-class suburbanites who would not live with the consequences of their policies. And, they predicted, the consequences would be dire: liberal politicians and judges had made the city uninhabitable. "Why don't people wise up to these liberals? They are giving us Homicide City," one officer pleaded. Columnists in the police newspaper urged readers to "stand like a good soldier and fight for your rights." They characterized the crisis as an issue of citizenship. "We are ... citizens, too, and should deserve the rights of other citizens," wrote one officer in April 1975. White policemen felt trapped: they struggled to build their union in the face of city opposition; they attempted to move out of Detroit but could not due to a residency requirement; and they believed that affirmative action would threaten their jobs and lead to increased crime in a dangerous 29

city.²⁷

Affirmative Action on the Streets and in the Courtroom

White policemen could do little directly about whom the department hired as rookie officers, but they did have legal standing to challenge new promotion and layoff policies. As they drafted their litigation, DPOA leaders refined their claims against the city to emphasize the race-neutral character of merit, qualifications, and seniority. Their formal opposition to affirmative action began with a lawsuit filed in 1974 that called into question the department's new policy for promotion to sergeant. Attaining the rank of sergeant meant greater pay and prestige and the possibility of moving further up the chain of command. The procedure to become sergeant in Detroit, as elsewhere, was a complicated one involving a written exam, a professional assessment by one's supervisors, and a seniority weighting. Critics argued that the eligibility register, or roster, system was discriminatory. They argued that the exams were culturally biased, that white supervisors manipulated the professional ratings for friends, and that the seniority requirements closed off opportunities to the department's newest members. Although the proportion of African Americans in supervisory positions increased somewhat in the years immediately preceding Young's election, the new mayor pointed to persistent inequality: in 1972, 90 percent of Detroit's black police officers, but only 70 percent of white police officers, were patrolmen, the lowest-ranking members of the force.²⁸ 30

Young moved quickly to remedy what he viewed as an untenable situation. In spring 1974 Chief Philip Tannian reversed the long-standing practice of promoting patrol officers to sergeant in strict adherence to their ranking on the eligibility register. Tannian promoted black candidates who were lower on the register than some white officers. In effect, the department's new policy of promoting equal numbers of black and white officers led to the creation of separate promotion lists. In some of the semiannual promotion rounds the numerical disparity between the rankings of the white and black officers promoted seemed dramatic. Among those promoted in March 1975, for example, the lowest-ranking white male held the 79th spot while the lowest-ranking black male held the 494th. White policemen faced further bad news: police personnel administrators announced plans to revamp the entire promotion system. Among other things, they would institute an "oral board" examination to test officers' views on issues including race relations and urban policing.²⁹ 31

The DPOA leadership rejected the new procedure as discriminating against white men and detrimental to police effectiveness since the "best qualified" would be left behind. They charged that Young had abandoned an orderly promotion system for a dishonest one premised on dispensing political favors. "Let's call it forced promotion' instead of affirmative action. Affirmative action is too nice a word," suggested one officer. A heavy dose of cynicism ran through much of their commentary: "I've got a new slogan for Mayor Young to hire more minorities: Sign up today as a police officer. Tomorrow you'll be a sergeant and next week a lieutenant." Another policeman claimed to be "sorry" for those black officers promoted to sergeant since "all Detroiters must think these officers are really stupid when the only requirement for promotion is black skin." DPOA leaders agreed to support white officers passed over for promotion with the union's legal resources; they obtained a court order temporarily banning the promotions, but the Michigan Court of Appeals lifted the injunction in late June 1974. In July, as an extension of the women police officers' affirmative action case, district court judge Ralph Freeman ordered the department to include at least five women in each of the next three promotion classes and four 32

women in the fourth class as an immediate solution to the underrepresentation of women in supervisory ranks. When the city's Board of Police Commissioners formally approved the race-based plan that same month, the police unionists filed a federal lawsuit. The Lieutenants and Sergeants Association, a union representing first-line supervisors, launched its own legal challenge to the new system.³⁰

In their depositions and court testimony, police unionists and their lawyers emphasized the chaotic and unprofessional nature of affirmative action. The new oral board examinations were a "subterfuge" that served to "screen out the unluckies, not the incompetent." DPOA president David Watroba told the court that the oral examination was poorly designed and dominated by management personnel from outside Detroit. It was not, he said, a "rationally neutral employment practice." Sheldon Adler, the union's attorney, characterized the mayor's argument that the racial composition of the police force should be roughly that of the city's general population as "pure and simple stupidity": "It is rape of the community because it does not give the community what they paid for and that is the best qualified."³¹

Unionists and their allies focused on the importance of the written examination score in promotion decisions, arguing that it was a clear and objective standard for advancement. "The present list was drawn up as a result of merit and competition," one police attorney told the *Detroit News*. "Men have studied long hours to qualify on that list.... Now it appears the department is going back to the spoils system." In court the union offered individual officers' testimonies as proof that the city was bypassing highly qualified candidates. One policeman told how he was rejected for sergeant although he held a Ph.D. in criminal justice; another testified that he was passed over although he had an undergraduate degree in police administration, had graduated first in his police academy class, and held four commendations and one unit citation (on the written examinations in two promotion rounds, he ranked 93rd and 46th). The DPOA called on Dr. Erick Beckman, a member of Michigan State University's criminal justice department and a former police officer, to explain the importance of "qualifications":

The purpose of the police department is to provide a certain service. I think that service is best provided by selecting individuals who are best able to provide that service. That means individuals who have certain credentials, properly trained, properly supervised, appropriate attitudes. That is how you get the best police department, not by ... a numerical breakdown on the basis of race.

Unfortunately, the DPOA counsel Walter Nussbaum noted, "many of the best qualified persons in the Department were sacrificed to the racist objectives of the Mayor and his political appointees."³²

Their argument and the language in which it was framed echoed reverse discrimination complaints made by other white men in such places as Atlanta, Pittsburgh, and Kansas City, Missouri. At the center of their case lay the charge that affirmative action was illegal since it violated white policemen's individual rights. Or, as the white policemen's lawyers put it in the plaintiffs' brief: "the logical and specific result [of the city's plan] was the invasion of Constitutionally and statutorily protected rights of Caucasians." They emphatically rejected responsibility for the historical effects of racism and gender inequality, pointing instead to the need to protect individual rights irrespective of race or gender. "Maybe I should go to some other country where Affirmative Action would work for me," complained one officer. "Maybe 300 years from now my ancestors will be able to say, You owe me!" What a laugh." In arguing for employment policies that ignored race or gender, white policemen claimed the language of Title VII as their own. The police unionists insisted they adhered more closely to the goal of "equal employment" than liberal judges or policy makers did. It was, Thomas J. Sugrue has explained, a liberalism that had wide currency in the 1940s; affirmative action supporters embraced a different understanding of rights steeped in considerations of diversity, structural inequality, and distributive justice, that is, compensation to specific

groups for past injustices.³³

To DPOA members, the city plan made a mockery of "true" civil rights. Disgruntled policemen protested to Douglas Fraser, the United Automobile Workers' vice-president and chairman of the city's police commission, who defended the mayor's affirmative action plan as "much needed." Patrolman Mitchell Skazalski, who identified himself as "a damn good cop," told Fraser he was "extremely upset" with the new policies since he was a college graduate and had scored well on the examination, yet department officials had passed him by for promotion. "How am I expected to relate to this individual who is now my superior when, I have been proven more qualified than he, and [he] has kept me from increasing my income by 25%, while he has increased his at my expense," Skazalski wrote. Another policeman characterized the new system as "simply unfair": "I was raised in a home atmosphere that taught me that hard work and integrity would be rewarded, but I am beginning to wonder." His effort to do well on the sergeant's examination had depended on family sacrifice; he said, "my wife spent many hours keeping our children quiet so I could study."³⁴ 36

This embrace of idealized individual rights sat alongside an older world view of scarcity and a corresponding belief that one's job was "property," to be handed down to one's family, neighbors, or co-ethnics. *Tuebor* columnists took pleasure in announcing the arrival of relatives of veteran police officers on the job for the first time. Whether they opposed busing in Boston, the introduction of skilled trades training programs for minorities in Philadelphia, or police affirmative action in Detroit, the convictions of those caught up in the white backlash were the same: there was a finite amount of goods and services, and they had to hold on to "their share." They perceived African Americans as getting more than what rightfully belonged to them. "These quotas and Philadelphia plans make us angry," one unemployed construction worker in Canarsie explained. "They should create plans to help both sides. Create jobs, but don't take from one to give to the other and create bitterness." The two asymmetrical perspectives—individual merit guiding hiring and promotion decisions and jobs or trades being distributed along collective lines—were difficult to reconcile, but at least one Detroit policeman tried in his monthly column in November 1974. Affirmative action, he claimed, "means that a white officer's son, brother, nephew, etc. has NO chance of getting on the job even though he may have a degree or be more qualified than everyone else."³⁵ 37

In response to police unionists' charges, city attorneys offered an "operational needs" defense of the new promotion plan: a diverse work force would help lower crime rates and improve police-community relations. "The Police Department must be representative of the community.... If the city is to survive the police must have the trust of the community," argued James Andany, chief counsel for the city. In his deposition Coleman Young reminded the court that all the officers promoted were eligible because they had passed the written exam. Young was unimpressed with the practice of ranking candidates according to their marks on the exam: "I do not consider seriatim eligibility on a roster as sacrosanct.... a black police officer who is 95 [on the register] can be much more successful in performing his duties than a white police officer who is 5." When the DPOA attorney asked the mayor for proof, Young snapped, "I'm not talking about a study, I'm talking about what happens in life." Police unionists may have considered the mayor's concession about the absence of empirical evidence for that important claim a victory of sorts, but Young in fact asserted that his promotion plan did not go far enough. "It will take 40-damn years to produce a Department that has an equal number of Black sergeants and white sergeants.... I think we ought to be going something like 80-20 [percent]."³⁶ 38

In 1975, while the DPOA promotion case was in the courts, another crisis that tested the reach of affirmative action engulfed the entire city. The local labor federation allied itself with the DPOA when 39

recent police recruits, facing layoffs as a result of a severe budget shortfall, went to court to modify the seniority principle of "last hired, first fired" in order to preserve their employment and rank. In April, when Young announced an \$8 million cut in the police budget, Chief Tannian drew up plans to furlough 825 officers and demote 35 lieutenants and 260 sergeants, all on the basis of strict seniority. With the mayor's tacit approval, two black officers' organizations, the Concerned Police Officers for Equal Justice and the Guardians of Michigan, convinced the federal district judge Damon Keith, a black jurist, to enjoin the city temporarily from laying off or demoting some 300 black officers. City negotiators told DPOA leaders that personnel cuts would be canceled only if the union agreed to contract concessions.³⁷

The debate over seniority and affirmative action that raged in Detroit and across the country in the midst of economic recession in the mid-1970s reveals a significant fault line dividing liberal unionists from other liberals, a line that has not been adequately incorporated into the history of affirmative action. Industrial union organizers had forged the seniority system in the crucible of the Great Depression as a way of delivering security to workers and their families. Union leaders and employers violated its "last hired, first fired" principle on occasion—most notably in regard to women workers at the end of World War II—and created departmental or unit seniority to shut women and minorities out of high-paying factory jobs. But rank-and-file workers came to see it, as the historian Nelson Lichtenstein put it, as "part of the moral economy of the work regime"; it "represented the most important property' interest a worker held in his job." Challenges to seniority after the passage of Title VII had led to modifications in procedures for counting years of service and the granting of "retroactive" seniority to specific classes of victims of discrimination. They had not overturned the "last hired, first fired" precept. Unionists might disagree about what form it should take in specific work settings, but they were steadfast in their loyalty to seniority.³⁸

In the face of calls from civil rights activists, feminists, and liberal policy makers to scrap or modify seniority, labor leaders mounted a far-ranging defense, characterizing challenges to seniority as an attack on workers' fundamental rights. President George Meany of the American Federation of Labor–Congress of Industrial Organizations (AFL-CIO) was incensed by reports of legal challenges to seniority: "What justice is there in that? What becomes of the right of contract? What becomes of the sanctity of contract?" In Detroit Young faced stiff resistance, even from erstwhile supporters who embraced affirmative action in hiring but were also committed to seniority as a race- and gender-neutral principle to be defended with vigor. Douglas Fraser broke publicly with Young over the contentious issue. He rejected the layoff scheme, arguing that seniority was a "right that is earned and should not be tampered with." Fraser faced unrest within his own union, the UAW, over the issue. His administrative assistant, Tony Connole, told him of a meeting with Claude Dukes, the president of Detroit UAW Local 942: "He has a couple of nephews on the force and was concerned that seniority would not be followed." More alarming was Dukes's warning that "people in his plant were very disturbed over the precedent that might be set by this kind of court decision." In the local press Young responded to union detractors, reminding them that he had been a "union man most of my life" but that seniority rights were "not that sacred, not bigger than the U.S. Constitution's guarantee of civil rights."³⁹

The DPOA leadership appealed to unionists in a full-page advertisement in the *Detroit News*. They characterized the "last hired, first fired" practice as "the cornerstone and lifeblood of unions" and warned readers that the denial of seniority "could happen to you and your family." Twenty-year-old officer Gil Kohls rejected the idea that union members were motivated by self-interest: "I didn't mind the layoffs so much when they were done according to seniority. But now, what's to protect the older guys from losing their jobs?" Some DPOA backers argued that Young was souring race relations by challenging traditional

seniority practices. "Mayor Young wants to disregard seniority and keep only his black friends working at the Police Department," wrote one man from the working-class suburb of Warren. "All union men in Detroit should walk off their jobs if Young carries out his plans." Most supporters who sent letters to the daily newspaper made their argument in racially neutral terms: "The recent Federal Court order on Detroit police officers is a threat to every union in this country"; "The time has come for all union members in the area to support Detroit police officers in their struggle for survival. If the officers' union is destroyed, other unions will meet the same fate"; and, "Enough is enough.... if the state's labor unions stand for [this] ... they are spineless."⁴⁰

At the national level liberal unionists defended the seniority system, even if it meant curtailing affirmative action. African American unionist men and unionist women of all races in such industries as textiles, steel, paper, electrical products, meat packing, and automotive products offered their firm support for seniority systems. Delegates to conventions of the Coalition of Labor Union Women and the Coalition of Black Trade Unionists (CBTU) passed resolutions supporting seniority throughout the 1970s. Charlie Hayes, CBTU vice-president and a Chicago packinghouse unionist, defended seniority in race-neutral terms: "The seniority system has come to be the backbone—indeed, the lifeblood—of trade unionism in this country. A threat to the seniority system is tantamount to a threat to the collective power of workers and trade unionism itself." Bayard Rustin, a longtime civil rights and labor leader, told a National Urban League gathering in 1975, "No union could exist without maintaining lines of seniority." Turning the matter back to his detractors, Rustin put it in personal terms: "I've never met a black man with high seniority who would agree to let a newly hired black woman take his job in case of layoffs, even if the woman got the job because of past discrimination against women."⁴¹

The wide-ranging support of liberal unionists across race and gender lines for both seniority and affirmative action modifies Thomas Sugrue's claim that different stands on affirmative action were rooted in a clash of two systems, or languages, of rights. The first one's origins lay in white (presumably men and women) workers' attachment to New Deal liberalism's promise of security, the second one, in black workers' embrace of equality. The improved relationship in the mid-1970s between the DPOA and the Metropolitan Detroit AFL-CIO, the local labor federation dominated by industrial unions, however, came as they sought to protect the security of seniority even while disagreeing sharply over other aspects of affirmative action. Detroit area liberal labor leaders had kept the DPOA at arm's length in the past: they routinely complained of police racism and joined with the NAACP, the American Civil Liberties Union (ACLU), and other organizations in the 1960s to urge the establishment of a citizen's review board to oversee the police department. But they were also wary of the Young administration and of organizations they considered dominated by middle-class leaders such as the National Urban League, criticizing their record on municipal unions. In the midst of the furor over police layoffs, President Tom Turner of the Metropolitan Detroit AFL-CIO, a black unionist, appeared before a DPOA membership meeting to tell them of his support. "On the question of seniority, the AFL-CIO is colorblind," announced Turner. "That is the official position of the AFL-CIO. The DPOA could use the AFL-CIO as an ally when it is attacked." Although the police union never affiliated with the labor federation, Turner considered them "our trade union neighbors" and supported their collective bargaining demands with the city in the 1970s and 1980s.⁴²

But the appeal to union principles did not heal the rift within police ranks. There is only scant evidence of cross-gender, and none of cross-racial, support for maintaining the seniority system. A *Tuebor* columnist congratulated one female officer in the Sixteenth Precinct for turning down an assignment since she "would rather not take a job from a more senior, fellow DPOA member." When another woman police

officer refused to be moved up the promotion list and accept assignment to sergeant's school, she made public her letter to the police command saying she opposed affirmative action and would wait her "proper turn"; a black patrolman took her place. Despite DPOA attempts to rally minority officers to the cause of seniority, no black officers publicly committed themselves to such a principle. And yet there is reason to believe that black police officers valued seniority: the Wayne State University psychologist John Teahan found in his study of black and white Detroit recruits in the early 1970s that both groups ranked "family security"—the bedrock value of the seniority system—as their most important occupational goal. Black officers listed "equality" as their second most important goal.⁴³

The hard-fought struggle between white policemen and the mayor now widened into a citywide split. Technically, Judge Freeman's order that sparked the courthouse violence in May 1975 did not revoke seniority rights: the 275 recently hired officers who would remain on the job while the city laid off veteran white officers were paid with federal government money distributed through the Comprehensive Employment and Training Act (CETA) and, therefore, Freeman argued, were not on the same police force. White policemen dismissed the judge's reasoning as disingenuous and another example of liberalism gone awry. Some officers resigned from the force and sought law enforcement positions elsewhere (especially in the sun belt and northern Michigan); others stayed and continued to resist affirmative action. "Things are getting tense and sometimes ugly in this recession-rocked city as summer nears.... this city is steadily becoming a worse place to be," observed a *New York Times* reporter in a story on the police demonstration.⁴⁴ 46

Over the next two years city-DPOA conflict tested the limits of civic order. In a deal brokered by Judge Damon Keith, the DPOA membership avoided the impending layoffs in June 1975 by agreeing to contract concessions that involved mandatory unpaid days off and the substitution of time off for bonus pay. Those givebacks, white officers held, were yet another result of a liberal city government's demanding that others shoulder the burden for its ineptitude. Later that summer, during two days of violence, arson, and looting along the city's Livernois Avenue brought on by the fatal shooting of a local black man by a white bar owner, Young and his police commanders faced off against the DPOA once again. Police unionists criticized the mayor's on-site management of the police deployment as well as his limiting officers' use of force to quell the unrest as poor leadership. They were equally incensed by the absence of women officers on riot patrol, which, they argued, proved the new recruits' inferiority. Young asserted that the DPOA membership was in near revolt: he claimed, for example, that three white policemen in a police car sped by him on Livernois Avenue and tossed a smoke bomb under a police cruiser parked next to him. When Young announced a second set of layoffs the following June, many white policemen reported themselves sick in a "blue flu" protest against a new lawsuit filed to save the jobs of black junior officers. The city administration faced the unpleasant choice of having potentially insubordinate officers on patrol or not having enough officers to police its streets.⁴⁵ 47

By the late 1970s, even as the courtroom became the dominant forum for police affirmative action disputes in Detroit, police unionists continued to mobilize against Coleman Young in the political arena, albeit with increasingly disappointing results. In the absence of a viable white candidate in the 1977 mayoral race, the DPOA was reduced to backing Young's main opponent, the black city councilman Ernest Browne. He lost badly to the mayor, who called Browne "the first black White Hope." Some white Detroiters sought alternatives to living under Young's rule. Residents in the overwhelmingly white northwest section of Detroit (roughly, the Sixteenth Precinct) launched a short-lived campaign to secede from the city. Many whites did what their former neighbors had been doing for two decades and left for the suburbs. By 1980 blacks made up over 70 percent of the city's population, by 1990 close to 80 48

percent.⁴⁶

The composition of the police force reflected this decades-long transformation of Detroit into a "black" 49 city. African American men and women formed a growing share of the DPOA membership, with affirmative action boosting the percentage of blacks on the police force, from 18.7 percent of the total force in 1974 to 35.6 percent in 1978 (black women made up 9 percent of the force and white women 4.4 percent). In 1976 a black policeman was first elected to a union leadership position and sat on the board of directors. Although they continued to pour resources into legal challenges to affirmative action, DPOA leaders attempted to soften the union's image and to portray the mayor as the source of strife. The rank and file elected a white officer, thirty-one-year-old David Watroba, president in 1978 following a campaign in which he had formed a biracial advisory board of police officers. In victory, Watroba warned Young to "change his style": "He can't play the racial political game with us now, because the cracks he makes about the police won't be aimed at just white officers any more." In the 1986 DPOA election nonwhite police officers for the first time slightly outnumbered whites on the force and in the union. Nevertheless, union members elected another white policeman, Thomas Schneider, to head the DPOA, a position he held for many years.⁴⁷

To the white policemen's—and the labor movement's—relief, a series of Supreme Court decisions 50 beginning in the mid-1970s ruled that affirmative action could not be expanded at the expense of seniority rights. In 1976, in *Franks v. Bowman Transportation*, the Court ordered that measures could be taken to provide a "rightful place" remedy (that is, retroactive seniority to the date of discrimination) for specific victims of unequal treatment but that traditional seniority arrangements should generally be left intact. The next year the court even more forcefully supported seniority in *Teamsters v. United States*: "an otherwise neutral, legitimate seniority system does not become unlawful under Title VII simply because it may perpetuate pre-[Civil Rights] Act discrimination." When Detroit laid off more than 1, 000 police officers in 1979 and early 1980, it did so according to strict seniority, reducing the proportion of officers below the rank of sergeant who were black from 39 percent in 1978 to 28 percent in 1983. Despite Supreme Court decisions, the Detroit NAACP chapter took up the cause of the laid-off officers, arguing that the constitutional protections embedded in the city's affirmative action plan superseded seniority rights secured through collective bargaining. U.S. District Court Judge Horace Gilmore ruled in the plaintiffs' favor in February 1984. But as Gilmore was crafting his remedy, the Supreme Court decided a 1984 case involving affirmative action, seniority, and layoffs in the Memphis Fire Department. Once again, the Court upheld vested rights in a bona fide seniority system against the demands of a municipal affirmative action plan (*Firefighters Local Union 1784 v. Stotts*). Since neither the union nor white workers were parties to the consent decree that established the plan, the justices reasoned they could not be seen as agreeing to give up seniority rights. The *Stotts* ruling, DPOA president Watroba proclaimed, "proves ... that we did nothing wrong by sticking to the seniority system in layoffs."⁴⁸

The DPOA was able to check the reach of police affirmative action, but the union did not prevail in its 51 challenge to the centerpiece of the city's plan, its promotion policy. After facing defeat in district court, the city won a favorable ruling from the Sixth Circuit Court of Appeals in October 1979. Although the judges remanded the case for further consideration of constitutional issues as well as determination of a date for ending the program, affirmative action supporters celebrated their victory, which the Supreme Court confirmed in 1981 when it refused to hear the case. The police unionists pushed on, challenging aspects of the plan for the next fifteen years. By the late 1980s, Mayor Young reached his long-sought goal—black officers made up approximately one-half of the police force in every rank.⁴⁹

The clearest judicial support for Detroit's affirmative action plan had come a few months before the 52 Sixth Circuit decision in 1979 with Judge Damon Keith's ruling in U.S. District Court against the Lieutenants and Sergeants Association in its separate challenge to the promotion plan. Keith, a graduate of Howard University Law School in the late 1940s and a Democratic party activist, was a member of the Michigan Civil Rights Commission before his appointment to the federal bench by Lyndon B. Johnson in 1967. He delved into the "sad and sorry record" of police department discrimination and concluded that just such a remedy was necessary. At the end of the trial, which lasted 55 days, involved the introduction of 230 exhibits as evidence, and produced over 6,300 pages of transcripts, the judge gave little weight to the union lawyers' argument that promoting the officers ranking highest on the eligibility roster would result in more qualified supervisors. He reasoned that the value of the written exam was dubious enough that the city could justifiably promote candidates out of sequence; by achieving a certain score, they had all "passed" the exam and were therefore all equally qualified. While conceding that there was no explicit evidence to justify the operational needs defense, Keith accepted as adequate proof the recent drop in violence against police officers as well as the insistence of police and city leaders that a diverse police force was necessary.⁵⁰

Keith's decision epitomized liberal judicial thinking on affirmative action. He focused on the historical 53 forces at play in structuring the workplace hierarchy and embraced the notion of distributive justice, concluding that new hiring and promotion practices must compensate for past injustices. Although he acknowledged that the plaintiffs' position had "facial appeal," Keith rejected it firmly: "In a perfect world, plaintiffs would be correct. The world has been far from perfect for blacks, however. It has been especially far from perfect for blacks in the Department and blacks who applied to the Department." Reminding his listeners that "no one has a right to be promoted," Keith noted that decisions about promotion were based on several factors, including public policy and safety concerns. Affirmative action, he concluded, "was required to undo the present effects of years of systemic discrimination." To give added force to his ruling, in 1980 Keith made the city plan a court order to help stave off "continuing efforts to undermine affirmative action" via reverse discrimination lawsuits.⁵¹

Conclusion

Reverse discrimination protests continued to influence politics and workplace relations in far-ranging ways 54 in the 1980s. In the political realm, their significance shifted from local politics to the national politics of an ascending conservatism marked by Ronald Reagan's election to the presidency in 1980. The Reagan administration identified the elimination of affirmative action as one of its chief goals. It drew from the rhetoric of plaintiffs in the 1970s, such as the DPOA members, in emphasizing the importance of individual rights, merit, and qualifications as the ideal criteria for hiring, promotion, and university admissions decisions. William Bradford Reynolds, assistant attorney general for civil rights, supported by Edwin Meese III, White House counselor and, after February 1985, the attorney general, led the drive. Reynolds argued that affirmative action plans with numerical goals were "racial preferences" and were "morally wrong." He singled out the Detroit Police Department in December 1983 for "us[ing] discrimination to cure discrimination" and submitted a brief to the Supreme Court asserting that the plan was unconstitutional. When the Court refused to reconsider the case, the U.S. Commission on Civil Rights, under the direction of Clarence Pendleton, denounced Detroit's promotion plan for what Pendleton considered its overly broad remedies: "simple justice' is not served ... by preferring non victims of an employer's discrimination over innocent third parties solely on account of their race."⁵²

Although conservative leaders faced an uphill struggle in their opposition, they ultimately enjoyed success in eliminating outright, or at least limiting, such programs. The Supreme Court in its *Regents of the University of California v. Bakke* (1978) and *Steelworkers v. Weber* (1979) decisions gave guarded but clear approval to affirmative action as a way to achieve diversity and as a remedy for past discrimination. Critics of those decisions failed to move the Court from that stance during Reagan's two terms in office. In the late 1980s, however, federal courts in a number of circuits began to rule definitively against existing affirmative action plans. In the years that followed, the courts struck down police and fire department affirmative action plans in such cities as San Francisco, Los Angeles, and Boston. Several attorneys on Reynolds's staff went on to work for right-wing foundations such as the Center for Individual Rights and continued the anti-affirmative action litigation campaign.⁵³ 55

Detroit's white policemen eventually enjoyed their own legal victory, but only after Coleman Young's plan had ended and only on technical grounds relating to the duration of the plan, not its overall validity. In March 1993 the Sixth Circuit Court of Appeals ruled that the department had continued affirmative action promotions longer than necessary (they ended in May 1989) and that the plan was not sufficiently tailored to satisfy Fourteenth Amendment equal protection guarantees. The judges remanded the case to district court to determine if any relief to white policemen was necessary. The district court judge announced a settlement between the city and the officers the following year, ordering that the plaintiffs receive additional retirement benefits provided they had remained on the force throughout the dispute and had never been promoted to sergeant. The city also agreed to pay some of the DPOA and individual plaintiffs' legal fees. But as the veteran policemen, many approaching retirement, listened to the judge, they were told that, although the court understood they suffered a "real and unfortunate injury" due to affirmative action, it was "reasonable for some persons innocent of wrong doing to bear some burden in order to correct the harsh effects of a grievous wrong of constitutional dimensions and enhance the public safety by improved law enforcement." It was essentially the message affirmative action supporters had delivered to them in the 1970s.⁵⁴ 56

The resentment of affirmative action opponents endured through the two-decade life of the city's plan, underscoring the deep divide along race and gender lines in many of the nation's workplaces. Despite evidence of improved relations among police officers of different races in departments across the country, many white policemen in Detroit remained angry at what they perceived to be the fundamental unfairness of affirmative action. "It really demoralizes people to go the full route to seek a promotion, taking the tests, placing high on the list and then being passed over," noted one white Detroit policeman in 1990. "How many times is it fair to pass one person over? ... [Affirmative action] tends to lessen the focus on competence and put it on the question of race." Even after police affirmative action ended, the DPOA leadership and its white members continued to battle with city politicians over longstanding grievances rooted in their resistance to the rule of black politicians. In 1999, when the state legislature invalidated the much-hated residency requirement, over 20 percent of the city's police officers fled to the suburbs in the following year alone.⁵⁵ 57

In his nationally syndicated column in 1979, the black journalist Carl T. Rowan wrote that the Detroit police lawsuits were "infinitely more important than either ... *Bakke* or *Weber* ... because they go to the heart of issues like law and order, of the staffing of police and fire departments in our increasingly black cities." Rowan might have made even wider claims for the significance of the reverse discrimination protests. They gave rise to a counterlanguage of rights, deployed first by these white policemen and then by conservative politicians, commentators, and lawyers in a full-fledged challenge to affirmative action. The Detroit protests also reveal the role of backers of a qualified affirmative action such as unionists in 58

Detroit and elsewhere, whose position in defense of seniority reminds historians to look in a more nuanced way at what constituted "liberal" and "conservative" in the 1970s. Their legacy is less visible because the Supreme Court's intervention preserved seniority systems; the potential for a full-scale split between liberal unionists and other liberals did not materialize. Yet they too affected workplace affirmative action programs by limiting their reach to hiring and promotion policies, not termination decisions. Just as white policemen dramatically demonstrated the level of resistance to affirmative action, liberal unionists complicated the history of affirmative action by embracing some aspects of the city's plan and rejecting others. They do not fit easily into our understanding of the history of equal employment opportunity. In studying the complex interplay of race, gender, and class identities, scholars must dispense with undifferentiated notions of how "whiteness" and "gender interests" functioned. In Detroit in the recent past, they had the power to divide and unite workers and residents in surprising ways as they struggled over the meaning of rights and equality.⁵⁶

Notes

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In addition to the editorial staff and the anonymous readers at the *Journal of American History*, I am grateful to Kevin Boyle, Elizabeth Clemens, David Colman-Lewis, Jonathan Goldberg-Hiller, Greg Kaster, Sally Kenney, Linda Kerber, Alison Kibler, Nancy Maclean, Joanne Meyerowitz, Fiona Paisley, Margaret Raucher, and Thomas Sugrue for their careful reading, suggestions for resources, and encouragement. I delivered preliminary versions of this essay to the North American Labor History Conference and the Law and Society Association meeting. I wish to offer a special note of thanks to Robert Gordon, Lawrence Friedman, and the participants in the University of Wisconsin Law School's 2003 J. Willard Hurst Legal History Institute.

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¹ *Detroit News*, May 10, 1975, p. A1.

² *Ibid.*; *New York Times*, May 15, 1975, p. 27.

³ *Detroit News*, May 11, 1975, p. A3; *ibid.*, May 13, 1975, p. A4; *Tuebor*, June 1975, p. 1 (Walter P. Reuther Library of Labor and Urban Affairs, Wayne State University, Detroit, Mich.).

⁴ Norman C. Amaker, *Civil Rights and the Reagan Administration* (Washington, 1988), 125–26; Raymond Wolter, *Right Turn: William Bradford Reynolds, the Reagan Administration, and Black Civil Rights* (New Brunswick, 1996), 208–9; Thomas Byrne Edsall with Mary D. Edsall, *Chain Reaction: The Impact of Race, Rights, and Taxes on American Politics* (New York, 1992), 123.

⁵ On working-class conservatism and white male workers' resistance to liberalism, see, for example, Jefferson Cowie, "Nixon's Class Struggle: Romancing the New Right Worker, 1969–1973," *Labor History*, 43 (Aug. 2002), 257–83; Nancy Maclean, "The Hidden History of Affirmative Action: Working Women's Struggles in the 1970s and the Gender of Class," *Feminist Studies*, 25 (Spring 1999), 42–79; Dennis A. Deslippe, "Rights, Not Roses": *Unions and the Rise of Working-Class Feminism* (Urbana, 2000); Kenneth D. Durr, *Behind the Backlash: White Working-Class Politics in Baltimore, 1940–1980* (Chapel Hill, 2003); Ronald P. Formisano, *Boston against Busing: Race, Class, and Ethnicity in the 1960s and 1970s* (Chapel Hill, 1991); Maria Kefalas, *Working-Class Heroes: Protecting Home, Community, and Nation in a Chicago Neighborhood* (Berkeley, 2003); and Joshua B. Freeman, *Working-Class New York: Life and Labor since World War II* (New York, 2000), 228–55. For recent works on affirmative action by historians, or with a historical perspective, see John David Skrentny, *The Ironies of Affirmative Action: Politics, Culture, and Justice in America* (Chicago, 1996); John D. Skrentny, *The Minority Rights Revolution* (Cambridge, Mass., 2002); John David Skrentny, ed., *Color Lines: Affirmative Action, Immigration, and Civil Rights Options for America* (Chicago, 2001); Gareth Davies, *From Opportunity to Entitlement: The Transformation and Decline of Great Society Liberalism* (Lawrence, 1996); Hugh Davis Graham, *The Civil Rights Era: Origins and Development of National Policy, 1960–1972* (New York, 1990); Paul D. Moreno, *From Direct Action to Affirmative Action: Fair Employment Law and Policy in America, 1933–1972* (Baton Rouge, 1997); and Melvin I. Urofsky, *Affirmative Action on Trial: Sex Discrimination in Johnson v. Santa Clara* (Lawrence, 1997).

⁶ Bruce Nelson, *Divided We Stand: American Workers and the Struggle for Black Equality* (Princeton, 2001), 254; Vron Ware, "Otherworldly Knowledge: Toward a 'Language of Perspicuous Contrast,'" in *Out of Whiteness: Color, Politics, and Culture*, by Vron Ware and Les Back (Chicago, 2002), 19. For recent critiques of "whiteness studies," see Eric Arnesen et al., "Whiteness and the Historians'

Imagination," *International Labor and Working-Class History*, 60 (Fall 2001), 3–92; and Peter Kolchin, "Whiteness Studies: The New History of Race in America," *Journal of American History*, 89 (June 2002), 154–73. The best-known historian of "whiteness" is David Roediger. See David Roediger, *Colored White: Transcending the Racial Past* (Berkeley, 2002).

⁷ Robert M. Collins, *More: The Politics of Economic Growth in Postwar America* (New York, 2000), 132–65; James Patterson, *Grand Expectations: The United States, 1945–1974* (New York, 1996), 790; *New York Times*, Nov. 10, 1974, sec. 3, p. 1; *ibid.*, Jan. 5, 1975, sec. 3, p. 30; *ibid.*, Jan. 29, 1975, p. 17; *McDonald v. Santa Fe Trail Transportation Company*, 427 U.S. 273 (1976); Barbara Lindeman Schlei and Paul Grossman, *Employment Discrimination Law* (1976; Chicago, 1983), 775.

⁸ Catherine H. Milton, "The Future of Women in Policing," in *The Future of Policing*, ed. Alvin W. Cohn (Beverly Hills, 1978), 186; W. Marvin Dulaney, *Black Police in America* (Bloomington, 1996), 102, 122; James B. Jacobs and Jay Cohen, "The Impact of Racial Integration on Police," *Journal of Police Science and Administration*, 6 (1978), 169, 175; Stephen Leinen, *Black Police, White Society* (New York, 1984), 22–33; Andrew Hacker, *Two Nations: Black and White, Separate and Unequal* (New York, 1992), 121. Relevant cases include *Baker v. City of St. Petersburg*, 400 F.2d 294 (5th Cir. 1968); *National Association for the Advancement of Colored People v. Allen*, 340 F. Supp. 703 (M.D. Ala. 1972); *Bridgeport Guardians, Inc. v. Bridgeport Civil Service Commission*, 497 F.2d 1113 (2nd Cir. 1974); *Arnold v. Ballard*, 390 F. Supp. 723 (N.D. Ohio 1975); *Afro-American Patrolmen's League v. Duck*, 538 F.2d 328 (N.D. Ohio 1976); *United States v. City of Chicago*, 411 F. Supp. 218 (N.D. Ill. 1976); and *Shield Club v. City of Cleveland*, 538 F.2d 329 (N.D. Ohio 1976).

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- ¹⁷ Coleman Young and Lonnie Wheeler, *Hard Stuff: The Autobiography of Coleman Young* (New York, 1994), 210, 212–13; Rich, *Coleman Young and Detroit Politics*, 209–12; Thompson, *Whose Detroit?*, 236–39.
- ¹⁸ The only issues of the *Tuebor* held by the Reuther Library are those for 1974–1975. *Tuebor*, April 1975, p. 4; *ibid.*, Nov. 1974, pp. 7, 19, 32; *ibid.*, Aug. 1975, p. 22; *ibid.*, June 1975, p. 13.
- ¹⁹ *ibid.*, Oct. 1974, p. 24; *ibid.*, July 1975, p. 9; *ibid.*, Aug. 1975, p. 7.
- ²⁰ Eva Schlesinger Buzawa, "The Role of Selected Factors upon Patrol Officer Job Satisfaction in Two Urban Police Departments" (Ph.D. diss., Michigan State University, 1979), 53n2; Darien, "Patrolling the Borders," 366; Anthony V. Bouza, *The Police Mystique: An Insider's Look at Cops, Crime, and the Criminal Justice System* (New York, 1990), 142. In the 1970s West Virginia coal miners' wives threatened to form a picket line when women went to work in the mines for the first time. Mary Margaret Fonow, *Union Women: Forging Feminism in the United Steelworkers of America* (Minneapolis, 2003), 77.
- ²¹ Reiss, *Police and the Public*, 36, 44–45; *Tuebor*, Oct. 1975, p. 5.
- ²² *Tuebor*, March 1975, p. 11; Martin, "Outsider Within' the Station House," 395; Rich, *Coleman Young and Detroit Politics*, 215; *Detroit News*, Aug. 1, 1974, p. A1; *Detroit Free Press*, June 2, 1984, p. A3; *Detroit News*, Sept. 14, 1980, p. A1; *ibid.*, Sept. 9, 1980, p. B2; *ibid.*, Sept. 4, 1980, p. A1; *ibid.*, April 25, 1980, p. B3. Women industrial unionists united across racial lines on many occasions. See Deslippe, "Rights, Not Roses," 130–34, 143, 165; Fonow, *Union Women*, 56–63, 95–103, 172; Nancy F. Gabin, *Feminism in the Labor Movement: Women and the United Auto Workers, 1935–1975* (Ithaca, 1990), 158–59; and Dorothy Sue Cobble, *The Other Women's Movement: Workplace Justice and Social Rights in Modern America* (Princeton, 2003), 43–44, 202–3, 244n96.
- ²³ *Tuebor*, July 1975, p. 2; *ibid.*, April 1975, p. 3.
- ²⁴ Jonathan Rieder, *Canarsie: The Jews and Italians of Brooklyn against Liberalism* (Cambridge, Mass., 1985), 111; Reiss, *Police and Public*, 29; *Tuebor*, Dec. 1974, p. 42; *Detroit News*, Dec. 28, 1975, p. A1; *ibid.*, Aug. 13, 1977, p. A1.
- ²⁵ Michele Lamont, *The Dignity of Working Men: Morality and Boundaries of Race, Class, and Immigration* (New York, 2000), 2–3, 51, 56–57, 66; *Tuebor*, Oct. 1974, p. 42; *ibid.*, July 1975, p. 16; Alex, *New York Cops Talk Back*, 37.
- ²⁶ Frank Murphy was the Democratic mayor of Detroit, 1930–1933, and a U.S. Supreme Court justice. *Detroit News*, Dec. 28, 1975, p. A1; Leonard N. Moore, *Carl B. Stokes and the Rise of Black Political Power* (Urbana, 2002), 116–20; *Tuebor*, April 1975, pp. 16, 38; Ashton, "Race, Class, and Black Politics," 331–32; *Tuebor*, Jan. 1975, pp. 13, 7; *Detroit News*, Aug. 19, 1976, p. A3; *Tuebor*, July 1975, pp. 10, 14; *ibid.*, Aug. 1975, p. 22; *ibid.*, Sept. 1974, p. 28; *Detroit News*, Aug. 1, 1974, p. A1.
- ²⁷ Formisano, *Boston against Busing*, 172, 176, 235; *Tuebor*, Jan. 1975, p. 22; *ibid.*, June 1975, p. 18; *ibid.*, April 1975, p. 16.
- ²⁸ Figures from two years later, 1974, show that the lowest-ranking officers made up 72% of the force: there were 3,622 patrolmen, 1,114 sergeants, 197 lieutenants, and 70 who ranked as inspectors or higher. "Present Manpower by Rank, June 30, 1974," *DPOA v. Young Case Files*, 75-71376/74-71838, U.S. District Court, Eastern District of Michigan (Federal Archives Records Center, Chicago, Ill.). Detroit Urban League, "Employment Progress of Black Officers in the Detroit Police Department," typescript, Oct. 24, 1972, p. 11 (General Collection, Purdy/Kresge Library, Wayne State University).
- ²⁹ *Detroit News*, Aug. 2, 1974, p. A3; *Detroit Police Officers Association v. Young*, 446 F. Supp. 979 (E.D. Mich. 1978). In contract negotiations the Detroit Police Officers Association (DPOA) proposed that the written examination count for 70%, performance evaluation (service ratings) for 7%, seniority for 20%, and veterans' preference for 3%; the city wanted the written exam to count for only 40%, the promotional evaluation (oral boards) for 45% (the DPOA wanted it eliminated), performance evaluation for 7%, college credit for 3%, and veterans' preference for 2%. See "DPOA Promotional Demands," typescript, [Nov. 1977], *DPOA v. Young Case Files*; "City of Detroit Proposals," typescript, Nov. 21, 1977, *ibid.*

- [30](#) Tuebor, Feb. 1975, p. 14; *ibid.*, Nov. 1974, p. 16; *ibid.*, Sept. 1974, p. 4; *Schaefer v. Tannian*, 10 Fair Empl. Cas. (BNA) 896 (E.D. Mich. 1974); Ashton, "Race, Class, and Black Politics," 351-55.
- [31](#) Tuebor, Dec. 1974, p. 29; testimony of David R. Watroba, Oct. 20, 1977, *DPOA v. Young Case Files*; closing argument of Sheldon Adler, Dec. 22, 1977, *ibid.*
- [32](#) *Detroit News*, May 24, 1974, p. 9A; testimony of Bruce Balmas, Oct. 6, 1977, *DPOA v. Young Case Files*; testimony of Harvey Thomas Harris Jr., Oct. 6, 1977, *ibid.*; deposition of Erik Beckman, Dec. 14, 1977, *ibid.*; closing argument of Walter Nussbaum, Dec. 22, 1977, *ibid.*
- [33](#) *Reeves v. Eaves*, 411 F. Supp. 531 (N.D. Ga. 1976); *Commonwealth v. Flaherty*, 404 F. Supp. 1022 (W.D. Pa. 1975); *Doores v. McNamara*, 476 F. Supp. 987 (W.D. Mo. 1979); "Plaintiff's Brief in Support of Findings of Fact and Conclusions of Law," Dec. 21, 1977, *DPOA v. Young Case Files*; Tuebor, Dec. 1974, p. 16; Thomas J. Sugrue, "Breaking Through: The Troubled Origins of Affirmative Action in the Workplace," in *Color Lines*, ed. Skrentny, 44-45.
- [34](#) *Detroit News*, Aug. 1, 1974, p. A1; Mitchell Skazalski to Douglas Fraser, July 23, 1974, folder 21, box 3, Vice-President, United Automobile Workers, Douglas Fraser Collection (Reuther Library); Evan Marshall to Fraser, July 28, 1974, *ibid.*
- [35](#) Formisano, *Boston against Busing*, 193; Edsall with Edsall, *Chain Reaction*, 9, 123; Benjamin J. Wolkinson, *Blacks, Unions, and the EEOC: A Study of Administrative Futility* (Lexington, Mass., 1973), 13; Rieder, *Canarsie*, 118; Tuebor, Nov. 1974, p. 27.
- [36](#) *Detroit News*, June 23, 1977, p. A1; deposition of Coleman A. Young, May 24, 1977, *DPOA v. Young Case Files*.
- [37](#) *Detroit News*, May 1, 1975, p. A1; *ibid.*, May 8, 1975, p. A21.
- [38](#) Nelson Lichtenstein, *State of the Union: A Century of American Labor* (Princeton, 2002), 206. Historians have noted that the goal of family security was central to the defense of seniority. See *ibid.*, 61; Carl Gersuny and Gladis Kaufman, "Seniority and the Moral Economy of the U.S. Automobile Workers, 1934-1946," *Journal of Social History*, 18 (Spring 1985), 463-73; Durr, *Behind the Backlash*, 184; and David Montgomery and Ronald Schatz, "Facing Layoffs," in *Workers' Control in America: Studies in the History of Work, Technology, and Labor Struggles*, by David Montgomery (New York, 1979), 139-52.
- [39](#) "On Seniority," *John Herling Labor Letter*, Dec. 27, 1975, p. 3; *Detroit News*, May 8, 1975, p. A1; Tony Connole to Fraser, May 12, 1975, folder 18, box 3, Fraser Collection; *Detroit News*, May 14, 1975, p. A1. National liberal organizations, especially civil rights and feminist organizations, faced off against labor leaders and their allies. See Judith Stein, *Running Steel, Running America: Race, Economic Policy, and the Decline of Liberalism* (Chapel Hill, 1998), 184-86; Minutes, Leadership Conference on Civil Rights Executive Committee Meeting, Nov. 21, 1974, box 16, series I, Papers of the Leadership Conference on Civil Rights (Manuscript Division, Library of Congress, Washington, D.C.); William E. Pollard to Ethel Bent Walsh, April 11, 1975, folder 1, box 12, Philip W. Buchen Files (Gerald R. Ford Library, Ann Arbor, Mich.).
- [40](#) *Detroit News*, May 8, 1975, p. D10; *ibid.*, May 1, 1975, p. A1; *ibid.*, May 12, 1975, p. B8; *ibid.*, May 9, 1975, p. B10; *ibid.*, May 11, 1975, p. G8.
- [41](#) Timothy J. Minchin, *Hiring the Black Worker: The Racial Integration of the Southern Textile Industry, 1960-1980* (Chapel Hill, 1999), 112, 139, 201, 233; Deslippe, "Rights, Not Roses," 189-90, 192-94; Fonow, *Union Women*, 129; "CBTU Replies to Meany," *John Herling Labor Letter*, Sept. 13, 1975; "Ad Hoc Hearing on Affirmative Action and Equal Employment Opportunity," typescript, Nov. 11, 1975, folder 27, box 2, Coalition of Black Trade Unionists Collection (Reuther Library); *Detroit News*, May 25, 1975, p. A4.
- [42](#) Sugrue, "Breaking Through," 34; Statement of Tom Turner, President, Metropolitan Detroit AFL-CIO, Police Officers Assoc. (DPOA) Membership Meeting, typescript, May 11, 1976, folder 50, box 56, Turner Collection; Press Release, Tom Turner, President, Metropolitan Detroit AFL-CIO, Feb. 2, 1979, folder 8, box 43, *ibid.*; *Detroit News*, May 10, 1979, p. B1. For the Metropolitan Detroit AFL-CIO's criticism of Detroit police officers, see clipping, "Citizen's Police Board Backed by Labor Council," *Detroit Free Press*, Jan. 20, 1961, folder 4, box 1, Turner Collection; Graten Little to Jerome P. Cavanaugh, Dec. 17, 1963, *ibid.*; and Alex Fuller to Louis C. Miriani, Oct. 6, 1959, *ibid.* For an example of the labor federation's complaint against civil rights organizations as employers, see Milton Tambar to Urban League, Board of Directors Officer, Jan. 12, 1972, folder 38, box 17, *ibid.*
- [43](#) Tuebor, Oct. 1975, p. 12; Ashton, "Race, Class, and Black Politics," 374n9; John E. Teahan, "A Study of the Values and Attitudes of Black and White Police Officers," typescript, Department of Psychology, Wayne State University, 1972 (General Collection, Purdy/Kresge Library).

⁴⁴ *Detroit News*, July 30, 1976, p. B3; *New York Times*, May 15, 1975, p. 27.

⁴⁵ *Detroit News*, June 11, 1975, p. A1; *ibid.*, July 31, 1975, p. A6; *ibid.*, Aug. 3, 1975, p. B5; Young and Wheeler, *Hard Stuff*, 208; *Detroit News*, June 24, 1976, p. B1; *ibid.*, June 26, 1976, p. A3; *ibid.*, June 17, 1976, p. B1.

⁴⁶ *Detroit News*, June 15, 1975, p. A1; Thompson, *Whose Detroit?*, 273n73. The Sixteenth Precinct was 97.7% white in 1970. See "Population Characteristics for Detroit—By Precinct, Profile of Detroit, 1970," tables I and II, typescript, *DPOA v. Young* Case Files.

⁴⁷ Buzawa, "Role of Selected Factors upon Patrol Officer Job Satisfaction in Two Urban Police Departments," 115; *Detroit News*, Aug. 19, 1976, p. A3; *ibid.*, Oct. 11, 1978, p. B1; *Detroit Free Press*, Oct. 22, 1986, p. A3.

⁴⁸ *Franks v. Bowman Transportation Company*, 424 U.S. 747 (1976); *Teamsters v. United States*, 431 U.S. 324 (1977); *Detroit Free Press*, Feb. 23, 1984, p. A1; *ibid.*, Feb. 24, 1984, p. A1; *ibid.*, Nov. 8, 1984, p. A1; *Firefighters Local Union No. 1784 v. Stotts*, 467 U.S. 561 (1984); *Detroit Free Press*, June 13, 1984, p. A15.

⁴⁹ *Detroit Police Officers Ass'n. v. Young*, 446 F. Supp. 979 (E.D. Mich. 1978), 608 F.2d 671 (6th Cir. 1979), 452 U.S. 938 (1981); *Detroit Free Press*, Oct. 22, 1983, p. A3; *ibid.*, Jan. 29, 1990, p. A1.

⁵⁰ *Baker v. City of Detroit*, 483 F. Supp. 930, 940 (E.D. Mich. 1979); *History of the Federal Judiciary, Federal Judges Biographical Database* < <http://air.fjc.gov/history/home.nsf> > (June 4, 2004).

⁵¹ *Baker v. City of Detroit*, 483 F. Supp. at 980, 994, 996, 1002.

⁵² Hugh Davis Graham, "Civil Rights Policy," in *The Reagan Presidency: Pragmatic Conservatism and Its Legacies*, ed. W. Elliot Brownlee and Hugh Davis Graham (Lawrence, 2003), 284–85; Amaker, *Civil Rights and the Reagan Administration*, 126; Wolter, *Right Turn*, 208–9; *New York Times*, Feb. 10, 1985, p. 28; *ibid.*, Dec. 11, 1983, p. E4; *ibid.*, Dec. 5, 1983, p. B13; U.S. Commission on Civil Rights, *Statement of the U.S. Commission on Civil Rights concerning the Detroit Police Department's Racial Promotion Quota* (Washington, 1984).

⁵³ Stephen Steinberg, *Turning Back: The Retreat from Racial Justice in American Thought and Policy* (Boston, 1995); Lee Cokorinos, *The Assault on Diversity: An Organized Challenge to Racial and Gender Justice* (Lanham, 2003); *San Francisco Police Officers' Association v. San Francisco*, 812 F.2d 1125 (9th Cir. 1987); *Hayes v. North State Law Enforcement Officers Association*, 10 F.3d 207 (4th Cir. 1993); *Quinn v. City of Boston*, 325 F.3d 18 (1st Cir. 2003); *New York Times*, April 9, 2002, p. A21; *ibid.*, Aug. 28, 2003, p. A26; "Just the Beginning Foundation: Affirmative Action Panel Discussion," *Journal of Law in Society*, 1 (Winter 1999), 73.

⁵⁴ *Detroit Police Officers Ass'n. v. Young*, 989 F.2d 330 (6th Cir. 1993); *Detroit News*, March 25, 1993, p. B1; "Order Approving Proposed Settlement Pursuant to Federal Rule of Civil Procedure 23(e)," Sept. 20, 1995, *DPOA v. Young* Case Files.

⁵⁵ Leinen, *Black Police, White Society*, 40, 154; *Detroit Free Press*, Jan. 29, 1990, p. A1; *ibid.*, July 9, 2001, p. A1.

⁵⁶ Carl T. Rowan, "Keith Ruling on Police More Vital Than Bakke," clipping, *Detroit News*, Oct. 15, 1979, folder 35, box 114, Turner Collection.

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