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BLINDED BY THE LIGHT; BUT NOW I SEE

LEONARD M. BAYNES*

INTRODUCTION

In the United States, interracial discrimination is considered the norm. The use of the word “discrimination” brings to mind George Wallace standing in the doorway of the University of Alabama to bar the entry of African American students. It brings to mind slavery. After all, we ostensibly fought the Civil War over slavery and the right to hold Black people as slaves.¹ White-against-Black discrimination occupies an almost sacred historical position in our society.

Today, discrimination often comes in more subtle forms,² and, of course, White people now claim that they are victims of so-called “reverse discrimination.”³ Racial discrimination by Whites against Blacks is not the exclusive discrimination paradigm. African American society has its own internal form of discrimination—often light against dark—which sadly was modeled on the White-against-Black

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1. See DERRICK A. BELL, JR., *RACE, RACISM AND AMERICAN LAW* 6-20 (3d ed. 1992).

2. See, e.g., Charles R. Lawrence III, *The Id, the Ego, and Equal Protection: Reckoning with Unconscious Racism*, 39 *STAN. L. REV.* 317 (1987).

3. See generally *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200 (1995) (invalidating the U.S. Department of Transportation’s minority set aside program for contractors); *Metro Broad., Inc. v. FCC*, 497 U.S. 547 (1990) (validating the FCC’s minority licensing policies), *overruled by Adarand Constructors, Inc. v. Peña*, 515 U.S. 200 (1995); *City of Richmond v. J.A. Croson, Co.*, 488 U.S. 469 (1989) (invalidating the City of Richmond’s minority set aside program); *Fullilove v. Klutznick*, 448 U.S. 448 (1980) (validating an affirmative action plan in hiring construction workers); *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265 (1978) (invalidating the University of California at Davis’s minority admissions quota); *Defunis v. Odegaard*, 416 U.S. 312 (1974) (dismissing a “reverse discrimination” action because it was moot); *Hopwood v. Texas*, 78 F.3d 932 (5th Cir.) (invalidating the University of Texas School of Law’s race-based admissions program), *cert. denied*, 116 S. Ct. 2581 (1996).

paradigm. It was not uncommon for very light-skinned Blacks (sometimes nicknamed the blue vein society because their veins could be seen through their skin) to exclude dark-skinned Blacks from their clubs and activities based on skin color. Other organizations would discriminate based on whether a person's skin color was lighter than a brown paper bag.⁴ Many of these organizations have changed and now include African Americans of a wide rainbow of colors.⁵

These days, discrimination in the African American community is often dual-sided—light versus dark and dark versus light. Spike Lee, in the film *School Daze*, which takes place on an all Black college campus, underscores this duality and divides the students into two groups: (1) the wannabees (more often light-skinned, and middle class) who are members of fraternities and sororities and (2) the jigaboos (more often dark-skinned, and from lower economic backgrounds) who are often members of Black militant groups.⁶ In the film, it was evident that the two groups despised and intimidated each other.⁷

For many Blacks, discussion of this internal discrimination is still a taboo subject. It is understood, but rarely discussed or investigated. But recently, critical race theorists have begun to examine the complex foundation and mechanisms of color-based discrimination. Professor Judy Scales-Trent of State University of New York at Buffalo is the author of the book entitled *Notes of a White Black Woman: Race, Color, Community*, and Dean Gregory Howard Williams, dean of the Ohio State University College of Law, is the author of the book entitled *Life on the Color Line: The True Story of a White Boy Who Discovered He Was Black*. Both books are exceptional personal narratives, which allow the reader to examine first-

4. As a teenager growing up in Queens in the 1960s, my sister Pearl attended a Jack and Jill party. However, to gain entry to the party she had to undergo the "paper-bag test." Pearl was horrified. Jack and Jill was a club for mostly middle class young black kids, and the paper-bag test entailed putting a brown paper bag next to one's skin to see whether she was lighter. Having light skin gained you entry. Even though Pearl was admitted, she felt that the club members were only interested in being friends with, and dating, people who were much lighter than she.

5. One of my nephews who is dark-skinned is currently a member of Jack and Jill in New Jersey.

6. See *SCHOOL DAZE* (Forty Acres and a Mule Filmworks 1988).

7. See *id.* I have at least one very light-skinned relative who was discriminated against in a job interview by a dark-skinned African American. The interviewer saw that my relative was active in Jack and Jill and assumed that she was one of the people who had prevented her from joining in the past. She told my relative, "now I am going to discriminate against you!"

hand, incidents and introspection surrounding color-based discrimination in the United States. Both authors describe many experiences of discrimination that they have encountered within the African American community, as well as by Whites.

Many African Americans are dark enough so that racial recognition is never at issue. Many who are very easily recognized as Black often wonder what it would be like to be so light.⁸ Both Scales-Trent and Williams answer that question. They both highlight those unique issues that they encounter as light-skinned African Americans who are so light that they cannot easily be racialized. Both authors contribute to the color analysis by challenging our historical conceptions of race, identity, and racial solidarity. Ultimately, they help us to better understand and address how they have encountered discrimination by both sides. It is also very important to point out that both of these people could have passed as White if they wanted to, but they did not. They chose to stay Black and be involved in the African American community.

In this Book Review, I discuss the law regarding intra-race discrimination based on color. I then discuss excerpts from the books of Professor Scales-Trent and Dean Williams, concluding that it is sometimes difficult to be an African American who is too light.

I. INTRA-RACE DISCRIMINATION IS ILLEGAL

In *Walker v. Secretary of the Treasury*,⁹ the United States District Court for the Northern District of Georgia acknowledged the existence of intra-racial discrimination within the African American community based on skin color. The *Walker* court held that an intra-racial discrimination claim brought by a light-skinned African American employee against her dark-skinned African American supervisor was actionable under Title VII of the Civil Rights Act of 1964.¹⁰ The holding in the *Walker* case exposed a well known fact

8. Blacks in the Western Hemisphere are a mixed-race people ranging in color from ebony to ivory. On average, people of African ancestry in the United States are approximately 20% White. See *Tony Brown's Journal: Interview of Judy Scales-Trent* (PBS television broadcast, 1995); see also JOHN CERNY, *THE SOURCE: A GUIDEBOOK OF AMERICAN GENEALOGY* 579 (1984) (estimating that some 75% of African Americans have at least one White ancestor and 15% have predominately White ancestry). Because of slavery, most people of African ancestry in the Western Hemisphere are of mixed-race ancestry. Of course, I acknowledge that the mixed-race ancestry of most people of African ancestry was not a matter of choice; it often resulted from coercion, exploitation, subordination, or rape.

9. 713 F. Supp. 403 (N.D. Ga. 1989).

10. See *id.* at 406. "[T]he purpose of Title VII is 'to assure equality of employ-

that African Americans still struggle to face: Blacks discriminate against each other on the basis of skin color.

Interestingly enough, the claim was brought by a light-skinned African American against a dark-skinned African American. Tracy Walker, a light-skinned federal employee at an Atlanta branch of the IRS, brought an employment discrimination suit against Ruby Lewis, her dark-skinned supervisor.¹¹ The *Walker* court first noted that the historical predecessor to Title VII was the Civil Rights Act of 1866 and section 1981 of Title 42.¹² The *Walker* court observed that, in *McDonald v. Santa Fe Trail Transportation Co.*,¹³ the United States Supreme Court made "repeated reference" to the fact that section 1981 was to apply to citizens of "every race and color."¹⁴

The *Walker* court also examined the Supreme Court opinion in *Saint Francis College v. Al-Khazraji*¹⁵ and found that it interpreted Section 1981, "at a minimum [as reaching] discrimination against an individual because he or she is genetically part of an ethnically and physiognomically distinctive sub-grouping of homo sapiens."¹⁶ In *Saint Francis College*, the Supreme Court allowed a racial discrimination claim under section 1981 by one Caucasian of Arab ancestry against someone of the same "race," another Caucasian.¹⁷

ment opportunities by eliminating those practices and devices that discriminate on the basis of race, color, religion, sex, or national origin." *Id.* (quoting *Alexander v. Gardner-Denver, Co.*, 415 U.S. 36, 44 (1974)).

11. *See id.* at 404.

12. *See id.* at 405. The *Walker* court stated that "[t]he stated purpose of § 1981 is the 'protection of citizens of the United States in their enjoyment of certain rights without discrimination on account of race, color, or previous condition of servitude.'" *Id.* The court also noted that "in a suit such as this one, the legal elements and facts necessary to support a claim for relief under Title VII are identical to the facts which support a claim under § 1981." *Id.*

13. 427 U.S. 273 (1976).

14. *Walker*, 713 F. Supp. at 405.

15. 481 U.S. 604 (1987).

16. *Walker*, 713 F. Supp. at 406 (first emphasis added); *see also* *Franceschi v. Hyatt Corp.*, 782 F. Supp. 712, 721 n.14 (D.P.R. 1992). The *Franceschi* court stated the following:

Saint Francis stands for the proposition that a person's physical appearance as a Caucasian is not determinative in discrimination cases. It is the perception, by the discriminator, of the discriminatee's race that is important for purposes of § 1981. Thus, *Saint Francis* obviates the need to determine the race or ethnicity of the discriminatee and focuses instead on the perception of that person by the discriminator.

Id.

17. *Saint Francis College*, 481 U.S. at 607. The *Saint Francis* Court acknowledged that when Congress passed what is now 42 U.S.C. § 1981, the protections were not

Given this precedent, the *Walker* court observed that the relevant case law and statutes refer to race and color as separate and distinct from each other. Therefore, "'race' is to mean 'race' and 'color' is to mean 'color.'"¹⁸ The court further found that although color may be a rare claim, in certain contexts, color may be the most sensible claim to present.¹⁹

The *Walker* court did acknowledge the genuine and substantial difficulty that some courts have identified: the judiciary being placed in the "unsavory business of measuring skin color and determining whether the skin pigmentation of the parties is sufficiently different to form the basis of a lawsuit."²⁰ However, the *Walker* court still held that no matter how difficult a determination, discrimination based on color was an issue of fact for the jury to decide.²¹

The *Walker* court teaches us that intra-racial discrimination by African Americans against each other based on color is actionable. However, like the White-against-Black form of discrimination, many victims of Black-against-Black discrimination are not likely to bring suit, and are therefore unlikely to have a remedy. In fact, since many African Americans are economically powerless, they are not often in positions to discriminate. So much of the Black-against-Black discrimination is still in the social arena. Therefore, even though the *Walker* court acknowledges this unique form of discrimination, it does not give many of its victims a viable remedy.

In the following Parts, this Book Review discusses and analyzes excerpts from the books of Professor Scales-Trent and Dean

limited only to groups who were considered racially distinct from the defendant. *See id.* This meant that although the Arab plaintiff was considered by current racial classifications as Caucasian, he could still maintain his § 1981 claim. *See id.*

18. *Walker*, 713 F. Supp. at 406 (stating that "[t]o hold otherwise would mean that Congress and the Supreme Court have either mistakenly or purposefully overlooked an obvious redundancy").

19. *See id.* (stating that "color may be a rare claim, because color is usually mixed with or subordinated to claims of race discrimination, but considering the mixture of races and ancestral national origins in Puerto Rico, color may be the most practical claim to present").

20. *Id.* at 408 (quoting *Sere v. Trustees of Univ. of Ill.*, 628 F. Supp. 1543, 1546 (N.D. Ill. 1986)).

21. *See id.*; *see also Franceschi*, 782 F. Supp. at 724.

But that is precisely the import of the decision: the recognition that physiognomic characteristics are no longer considered the indispensable magic recipient for a cause of action under the statute. Rather, it is the subjection of a person to intentional discrimination—because of the belief that he or she belongs to a given race—that renders such behavior actionable.

Id. (citation omitted).

Williams concerning Black-against-Black discrimination. In addition, the following discusses the unique White-against-Black discrimination that the two authors encountered.

II. NOTES OF A WHITE BLACK WOMAN: RACE, COLOR, COMMUNITY

Professor Scales-Trent explores this complex intra-race prejudice in her book, *Notes of a White Black Woman: Race, Color, Community*.²² As a very light-skinned African American woman, Scales-Trent views this notion of race²³ as a “socially created metaphor.”²⁴ “Like my parents, I am a black American with white skin, an African American with both African and European ancestors.”²⁵

Scales-Trent traces the foundation of African American color bigotry to slavery.²⁶ She implies that racial purity laws of the South created a society where the most important tangible asset to slaves was the amount of White ancestry that they possessed,²⁷ and to free

22. JUDY SCALES-TRENT, *NOTES OF A WHITE BLACK WOMAN: RACE, COLOR, COMMUNITY* (1995).

23. Scales-Trent discusses that intra-racial discrimination in the African American community is not limited to issues of color. It includes discrimination against those Blacks who act “White” and in essence become bicultural. *See id.* at 114; *see also* Leonard M. Baynes, *Who is Black Enough For You?: The Stories of One Black Man and His Family’s Pursuit of the American Dream*, 11 *GEO. IMMIGR. L.J.* 97 (1996).

Scales-Trent writes the following: “[A] black student who becomes bilingual and bicultural, black/white, is often considered suspect by members of the black community who become anxious if white America is engaged too deeply.” SCALES-TRENT, *supra* note 22, at 114. “This is a true story: The black students at a predominantly white college formally voted Heather ‘out of the race’ after she joined the school’s debating team. . . . We must do better than this.” *Id.*

24. SCALES-TRENT, *supra* note 22, at 7. Professor Scales-Trent described how her views on race were structured by the fact that she is an African American with white skin. “[M]y position does not allow me the luxury of thinking that the notion of race makes any sense. If you are black and white at the same time, once you finally realize that it is not *you* that is strange, you realize that something very strange is going on in this society.” *Id.*

25. *Id.*

26. *See id.* at 4. During slavery, the South developed the “one-drop” or “hypodescent” rule, which stated that any amount of African ancestry, no matter how small, made that individual black and therefore a slave. *See id.*

27. *See id.* at 5. Scales-Trent writes the following:

As slavery developed in the black-belt plantations, ownership of African women soon included owning their sex life also It was . . . common for the master . . . to bring a particular slave woman to live and work in his home, in order to facilitate his sexual attacks [As a result,] the children they had with the slave owners . . . were often able to acquire certain skills because they lived in close proximity to the slave master’s white family.

Id.

men, how light their skin was.²⁸

In some instances, the slaves' mixed-race background provided them with their only opportunity for freedom.²⁹ Once freed, many of these mixed-race slaves used their skin color to construct elitist social groups that excluded dark-skinned African Americans.³⁰ This history created, within the race, a hierarchy based on skin color, where the lighter you were, the better chance you had of success.³¹ Many believe that this light-skinned hierarchy still exists, as does the resentment felt by dark-skinned Blacks.³² The resentment by dark-skinned Blacks was clearly illustrated by the vicious color based attacks on W.E.B. DuBois, the light-skinned leader of the NAACP, by Marcus Garvey, the dark-skinned leader of the Universal Negro Improvement Association ("UNIA").³³

In 1924, the UNIA convention resolved to "ostracize DuBois from the Negro race."³⁴ As far as Garvey was concerned, DuBois was "an enemy of the black people of the world." In Garvey's mind, DuBois's NAACP wanted all Blacks, "to become white . . . and we of the [UNIA] do not want to become white."³⁵

28. *See id.*; *see also* Cheryl I. Harris, *Whiteness As Property*, 106 HARV. L. REV. 1707, 1710-12 (1993) (discussing how the author's grandmother passed for white in order to get a good job).

29. The skills some bi-racial slaves were able to learn "became an important way for slaves to find extra work, and thus earn enough money to buy their freedom and that of their loved ones." SCALES-TRENT, *supra* note 22, at 5.

30. *See id.* at 5-6. The light skin, language, education, and skills these freed slaves possessed made the creation of this elite subculture possible. Many in this subculture saw their complexion as an "independent mark of status." *Id.* at 6. Many dark-skinned Blacks who possessed similar language, education, and skills "were often excluded from the social life of these elite communities because of their dark skin." *Id.*

31. Before the Civil War, dark-skinned slaves often remained field hands while their owners repeatedly picked bi-racial slaves for the coveted indoor assignments. Masters tended to select light-skinned slaves for this work because they believed that an infusion of White blood overcame the basic inferiorities of Blacks. *See generally* KATHY RUSSELL ET AL., *THE COLOR COMPLEX: THE POLITICS OF SKIN COLOR AMONG AFRICAN AMERICANS* (1992).

32. *See id.* at 128.

33. *See* E. DAVID CRONON, *BLACK MOSES: THE STORY OF MARCUS GARVEY AND THE UNIVERSAL NEGRO IMPROVEMENT ASSOCIATION* 131 (1969). Garvey grew to hate DuBois so much that Garvey called DuBois "purely and simply a white man's nigger." *Id.* Garvey also accused DuBois "of being the archvillain responsible for the Garvey failures in America." *Id.*

34. *Id.* at 192.

35. *Id.* at 192-93. Garvey opposed race-mixing and believed that it was the duty of both the Black and White races "to thoughtfully and actively protect the future of the two peoples, by vigorously opposing the destructive propaganda and vile efforts of the miscegenationists of the white race, and their associates, the *hybrids* of the Negro race." *Id.* at 193 (emphasis added).

Professor Scales-Trent argues that these historical notions concerning African American skin color have created an environment where, “at any given time, many light-skinned black Americans and dark-skinned black Americans despise, are attracted to, fear, reject, and are rejected by each other simply because of the color of their skin.”³⁶

In *Notes of a White Black Woman: Race, Color, Community*, Professor Scales-Trent explores how she has experienced this intraracial prejudice. In a particularly emotional passage she describes how difficult it is for “white-skinned” Black people to “come-out” as Black and then convince other Blacks that they can be trusted.³⁷

I come out to black people—how painful it is to have to do it, to say “I am family. You are safe with me. I am you.” But, of course, if you have to *say* that you are black, if your skin doesn’t say it for you, then how safe are you, really? How can you be family?³⁸

Scales-Trent points to one of her nightmares where she would not even be given the opportunity to “come-out” as a Black person. She says that she fears being attacked by Black males who mistake her for a White woman during a race riot.³⁹

According to Professor Scales-Trent, light-skinned Blacks need not try to act “mo’ black” to appease their dark-skinned siblings for past injustices.⁴⁰ At a social gathering of professionals, Professor Scales-Trent confronted a dark-skinned African American man who she believed was trying to make her feel guilty due to her growing up in a middle class section of Harlem.⁴¹ She states the following:

I have been in that kind of exchange so many times I have finally figured out how to handle it. He pushed the middle-class-kid-with-light-skin guilt button: how high would I jump? I was supposed to feel awkward, confused, embarrassed, guilty at my good fortune. He also pushed the “mo’ black” button—for the more

36. SCALES-TRENT, *supra* note 22, at 7.

37. *Id.* at 29.

38. *Id.*

39. *See id.* at 86. “This is my nightmare. It is during race riots in the city. I am in my car, trying to reach safety, and am pulled from the car and beaten by four young black men as I drive through a black neighborhood: ‘You white bitch!’” *Id.*

40. *Id.* at 68 (quoting a light-skinned Black professor: “Why do we have to feel guilty all the time about how we look? Why do we have to keep being ‘mo’ black,’ trying to make up for all the wrongs we have done? I haven’t done *anything* wrong. I was just born looking like this.”).

41. *See id.* at 70.

deprived your childhood, the “mo’ black” you be!⁴²

Scales-Trent confides that she believes that many Blacks continue to try to deny her membership into the Black American family.⁴³ She states that some Blacks see themselves as more authentic than herself. They believe that they are “tribal elders, able to grant or deny tribal membership at their whim.”⁴⁴ She states that either “[t]hey will enroll me, or they won’t. It must be intoxicating, exhilarating, to arrogate this power to exclude, especially if one has so little power to begin with.”⁴⁵

Scales-Trent offers candid insights into the depths of this prejudice, and how color prejudice dictates and decides even our most personal choices. First, she tells how Washington, D.C. Mayor Marion Barry sent his former wife Effi to a resort in South Carolina to tan because he felt that her light skin would be a detriment to him in all-Black Washington, D.C.⁴⁶ Then she looks into the letters of DuBois and finds a passage where the great Pan-Africanist stated that he “gave up courtship” with a “colored girl because she looked quite white.”⁴⁷

Scales-Trent, in several moving passages, talks about the discrimination that she also received from Whites. For instance, she talks about how when she was married to a dark-skinned African American man, she would encounter White hostility because Whites thought that she was part of an interracial couple.⁴⁸

Scales-Trent also discusses that when she was hired by a high school in New Jersey as a teacher, the faculty and staff did not realize that she was an African American. When Scales-Trent mentioned to her colleagues that she and her husband were having difficulty finding an apartment because they were African Americans, the principal called her into his office and confided to her that

42. *Id.*

43. *See id.* at 77.

44. *Id.*

45. *Id.* “The black student who received a poor grade in my course used his small power like a rapier: [‘]Frankly, I don’t understand why you thought you hired a black professor when you hired Prof. Scales-Trent. She looks white to me.[’]” *Id.*

46. *See id.* at 79. Scales-Trent relates a conversation as follows: “Did you get this week’s *Jet*? No? Well, listen to this headline, right on the front cover: ‘EFFI BARRY reveals: Mayor Wanted Her Skin Darkened To Protect His Image As A Black Man.’” *Id.*

47. *Id.* at 81. Scales-Trent writes the following: “It is both amazing and profoundly disheartening to learn that even Du Bois did not understand that rejecting someone because of their color (dark) is the same as rejecting someone because of their color (light).” *Id.* at 82.

48. *See id.* at 84-85.

he didn't know he hired an African American. He asked whether he should announce over the public address system that an African American was teaching at the school.⁴⁹

The classic story that many African Americans can all relate to is the inability to get a cab. Scales-Trent writes movingly about how she can easily get a cab, but when she tells the cab driver where she wants to go—the Black section of town—she often gets hostile stares.⁵⁰ The racial mis-recognition is so bad that sometimes Scales-Trent has been asked by White people where in Europe her family came from.⁵¹ She has also been asked how she gets her hair to stay in the style that it does.⁵²

Scales-Trent summed it up best when she said, “it is hard not to lose hope.”⁵³ Scales-Trent leaves her readers with a sense that the historical implications of slavery may have left a mark on the Black psyche that no amount of group introspection can remove. She illustrates this point with a story of a light-skinned African American college administrator who told a group of Black high school students that college would be very difficult for them because “there is a lot of writing required at this school, and black people are not used to writing. We come from an oral African tradition.”⁵⁴ Scales-Trent wondered, “[d]id that mean that she as well as the light-skinned students in the room, carried the writing code on their European genes, whereas the students with dark skin carried only drums on their African genes? And if so, were some of the black students therefore more likely to be better writers than others?”⁵⁵

III. LIFE ON THE COLOR LINE: THE TRUE STORY OF A WHITE BOY WHO DISCOVERED HE WAS BLACK

In his book entitled *Life On The Color Line: The True Story of a White Boy Who Discovered He Was Black*, Dean Gregory How-

49. *See id.* at 43-44.

50. *See id.* at 13, 17.

51. *See id.* at 58, 133-34.

52. *See id.* at 51-58.

53. *Id.* at 82.

54. *Id.* at 138. Scales-Trent states the following:

The more I thought about her statement, the more curious it became. If she believed that there was some bizarre genetic connection between being from Africa and not being able to write well, what should we make of the fact that she, a light-skinned black person, must have had some ancestors from Europe?

Id.

55. *Id.*

ard Williams writes about his perspective of not truly belonging to either the Black or White communities yet having to find his place in between.⁵⁶ Williams was the son of a bi-racial man and a White woman. Although Williams was one-quarter African American, he was raised, for the first ten years of his life in Virginia, as a White child.⁵⁷ Once Williams's parents divorced, he moved with his father and brother to Muncie, Indiana, and he became forever Black.⁵⁸

Williams and his brother, Mike, were rejected by their mother's White family in Muncie. However, they found a hard-earned acceptance of sorts within its Black community. In one episode, Williams fought a Black child, who had made a derogatory comment about Williams's "white skin" at a local "colored" YMCA center.⁵⁹ Williams was warned by his father that as a mixed race child, acceptance from Whites was impossible and acceptance from Blacks would be difficult.⁶⁰

Williams was eventually grudgingly accepted by Muncie's Black community. By the time he reached high school, Williams fully established his allegiance to them.⁶¹

I realized that, on the very first day, I had to make a fateful choice. If I sat with the white students . . . the blacks would believe I didn't want to associate with them. Yet, if I joined the black students, I would be an all-too-conspicuous "white" face in a sea of the multiple hues of brown.⁶²

56. See GREGORY HOWARD WILLIAMS, *LIFE ON THE COLOR LINE: THE TRUE STORY OF A WHITE BOY WHO DISCOVERED HE WAS BLACK* 284 (1995).

57. See *id.* at 33. In response to his father informing him that his grandmother (his father's mother) was Black, young Gregory stated, "I didn't understand Dad. I knew I wasn't colored, and neither was he. My skin was white. All of us are white, I said to myself. But for the first time, I had to admit Dad didn't exactly look white." *Id.*

58. See *id.* Williams's father had "passed" for White during the time they lived in Virginia, but in the father's hometown of Muncie, Indiana, everyone knew the elder Williams was Black. See *id.* Williams's father told him and his brother that "'life is going to be different from now on. In Virginia you were white boys. In Indiana you're going to be colored boys. I want you to remember that you're the same today that you were yesterday. But people in Indiana will treat you differently.'" *Id.*

59. *Id.* at 118-19. "I ain't white!" I said, smacking him with the paddle. His eyes widened. I dropped the paddle and charged headfirst, butting him backward and sprawling on top of him. 'I ain't white! I ain't white!' I pounded him again and again in the chest." *Id.* at 119.

60. See *id.* at 38. Williams explains a discussion with his father as follows: "'This is the Projects, boys,' Dad explained. 'Colored families live on this side of Madison, and crackers on the other. Stay outta there. If the crackers learn you're colored, they'll beat the hell out of you. You gotta be careful here, too. Coloreds don't like half-breeds either.'" *Id.*

61. See *id.* at 191.

62. *Id.*

Williams chose to sit with Black students and as one Black student remarked later in conversation, "Greg is making his life less complicated Don't bother Greg. He's where he belongs."⁶³

Even within the Black community, however, Williams discovered that his white skin was seen as something of value to be cherished and taken advantage of in order to escape from the Black world if one could.⁶⁴ In one dramatic passage, Williams discusses how his father attempted to force him to accept and take advantage of his white skin.⁶⁵ In a very real sense, his father equated light-skin color with opportunities and intelligence. He communicated to Williams that only as a "white boy" could he make it out of the despair of their existence.⁶⁶

In the end, however, Williams vowed to remain true to the Black community that had accepted him and his brother.⁶⁷ "If Walter White could choose to remain in the Black community and make a difference, so could I. . . . I knew who I was and what I wanted to be."⁶⁸ Williams was able to discover what should be, and sometimes is, the most beautiful and encouraging African American experience, the acceptance and inclusion of all colors of Black.⁶⁹ "All of the children were black. That is, none of them were white. There was every imaginable hue of brown [W]ith the growing list of honey, brown, and chocolate relatives, it was becoming harder and harder to perceive myself as white."⁷⁰

Williams also faced discrimination by Whites. He discusses how his file at school indicated that "he looks white, but is colored."⁷¹ He also discusses the time that he took a dark-skinned African American girl to a school dance and many of the Whites

63. *Id.* at 191-92. Williams explains that this statement arose when "a third boy asked me point-blank why I didn't sit with the white students. I could only muster a weak 'I don't want to.'" *Id.* at 191.

64. *See id.* at 191. "It all began when one boy speculated about what he might do if he had skin like mine. He claimed he would leave Muncie, pass for white, and get a good job." *Id.*

65. *See id.* at 157.

66. *Id.* at 156 ("Your smart enough to make it out of this hellhole. Your brother's not. . . . [H]e's never gonna climb to the top of the mountain. You need to be a white boy to do that.").

67. *See id.* at 157.

68. *Id.* "White had been the executive director of the NAACP for ten years until he died in 1955. . . . Negro communities around the nation greeted him with open arms. Yet he had blue eyes, blond hair, and, most of all, white skin." *Id.*

69. *See id.* at 51.

70. *Id.* at 50 ("It all sounded so complicated, but the boys seemed to accept our relationship without question.").

71. *Id.* at 257.

shouted out to him: "Nigger lover!"⁷² When his White wife's family found out that he was Black, they were reluctant to give the couple their blessing.⁷³ He also relates the fact that one time a White woman thought he was White and was so congratulatory of his success at becoming dean, but when she found out he was Black, stated that she hoped he was qualified.

CONCLUSION

The *Walker* court recognized that a cause of action exists which allows African Americans to sue each other based on color discrimination under Title VII.⁷⁴ Both Scales-Trent and Williams validate the existence of such discrimination within, and its destructive effect on, the Black community. But it is Scales-Trent who provides the most corroboration of *Walker's* fact pattern. Through her insights and experiences, Scales-Trent demonstrates how sometimes resentment by some dark-skinned Blacks played itself out towards light-skinned Blacks.

Scales-Trent reminds us that intra-race discrimination still exists. Inclusion does not always take place. Within the Black community, separation, discrimination, and denial remain based on skin color. While Williams's experience speaks to what is best about the color difference among Blacks, he shows that many Blacks are willing to accept and embrace those of mixed race whom White society has rejected.

Until Blacks de-emphasize color, the light-skin versus dark-skin antagonism will continue to permeate all Black interactions. This prejudice emanates from White racism. African Americans need to talk about it in order to eliminate it. It will take more sincere and intelligent critical race narratives and analyses, like those of Dean Williams and Professor Scales-Trent, in order to fairly address and attempt to resolve this exceedingly complex social issue.

Even though the *Walker* court gives African Americans a cause of action to pursue for intra-race discrimination, that remedy alone is not likely to solve such a complex social problem. Since this type of discrimination more often takes place in the social sphere, litigation will not provide redress. Although litigation may be useful to secure recompense in some circumstances, it may cause

72. *Id.* at 166-67.

73. *See id.* at 269.

74. *See Walker v. Secretary of the Treasury*, 713 F. Supp. 403, 406 (N.D. Ga. 1990).

further breakdown to intra-group relations. Unlike the *Walker* case, which focused on the adversarial and somewhat hostile intra-group strife within the Black community, through thought-provoking introspection in their books, both Professor Scales-Trent and Dean Williams use their books to promote discussion of this very difficult issue.