

FOCUS

JCPS Conference Report No. 6:
The Civil Rights Act—
Two Decades Later.

A Modest Achievement

Professor John Hope Franklin says the Civil Rights Act of 1964 was only a first step toward decency in human relations.

Health Problems, Political Cures

Politics, not biology, is to blame for the health risks borne by poor women and children.

A Dangerous Indifference

TV programming reveals our hidden attitudes toward our children and their education.

Blacks and the 1990 Census

There are many reasons to get involved now in planning for the next Census.

Perspective

Voter turnout will be the key to the November elections, despite what the polls and the polls say today about who is ahead. The groups, the candidates, and political parties that do the best job of mobilizing their troops are likely to come out ahead on election day. That is why so much attention is focused on voter registration and turnout and why so much money is being spent to mobilize voters.

Both the Republican party and the Democratic party are reportedly spending millions to mobilize support. Voter registration campaigns, once considered the special province of Democrats, have caught fire among Republicans and among a host of conservative groups closely allied with the Reagan candidacy. Most notable among these groups are the Moral Majority and the National Conservative Political Action Committee (NCPAC). Some new groups have also been added this year, and they are making hard pitches to their constituents.

One such group is Americans for Responsive Government (ARG), which describes itself as a non-partisan, tax-exempt organization. Its pitch to corporate executives and others is quite clear:

We must do everything possible to increase the participation of *all* Americans in the electoral process—not just certain special groups such as those Jesse Jackson and the AFL-CIO are working with. It is hoped, however, that the large majority of those we register will be strong supporters of the free enterprise system and those who understand the importance of contributions of the private sector to the future of our great country.

The thrust of this appeal is about as subtle as a ton of bricks. But just in case the letter's text did not hit the right mark, it concluded with the following post-script:

If you are planning to be at the Republican National Convention, please have your

office contact (name). I am planning a reception and would like you to attend.

Another voter registration drumbeat was sounded by the National Wholesale Hardware Association. In a voter mobilization effort aimed exclusively at its "white collar and managerial personnel," a recent NWhA newsletter urged: "We and others in the business community must implement our own non-partisan registration program among our white-collar workers to ensure that free enterprise views will be fully represented at the polls on November 6th."

Nonpartisan voter mobilization activities oriented toward liberals have also proliferated. They are focusing on potential voters who are more likely to support moderate to liberal candidates, especially among Democrats.

What we have, then, is a voter mobilization war. The battles are being waged in the media, in the mail, in meetings, and wherever another footsoldier can be recruited to register and vote. It behooves those of us who have a real stake in the outcome of the elections to go into battle with fervor.

And there is much more at stake on November 6 than the presidency, although that is the single most important position in the land. The Congress—all 435 House seats and one-third of the Senate seats will be contested—is also extremely important both as a legislative body and as a bulwark against an imperial presidency. And in each of our states, counties, and towns, local races are vital to our social, economic, and political welfare.

The elections offer an opportunity to be heard, to be counted, and to make a difference. Even when the candidate of your choice does not win, the size of his or her vote communicates a message. None of us can afford to sit out even one election.

Eddie N. Williams
President

FOCUS

Copyright © 1984 Joint Center for Political Studies, Inc. The monthly newsletter of the Joint Center for Political Studies, 1301 Pa. Ave., N.W., Suite 400, Washington, D.C. 20004, (202) 626-3500. The Joint Center for Political Studies is a national, nonprofit, tax-exempt institution that conducts research on public policy issues of special concern to black Americans and promotes informed and effective involvement of blacks in the governmental process. Founded in 1970, the Joint Center provides independent and nonpartisan analyses through research, publication, and outreach programs. The Joint Center does not fund or participate in voter registration, lobbying or campaigning. JCPS is funded by foundations, other organizations, and private gifts. Signed FOCUS articles are presented solely for the information of readers, and they do not necessarily represent the views of the Joint Center for Political Studies. FOCUS is published monthly, \$12.00 per year by JCPS, Inc.

president: Eddie N. Williams
vice president: Eleanor Farrar
director of community development programs: L. E. Jackson, Jr.
director of development: Kathleen Vander Horst
director of finance: Brenda Watkins Noel
director of information resources: Auriel Pilgrim
director of publications: Catherine Iino
director of research: Milton Morris
staff writer: Kevin D. Armstrong
editorial assistant: Constance B. Toliver

Board of Governors

Wendell Freeland, Attorney at Law, *Chairman*
William B. Boyd, Johnson Foundation, *Vice Chairman*
Louis E. Martin, Howard University, *Treasurer*
Bishop John Hurst Adams, Congress of National Black Churches
Hortense Williams Dixon
Mervyn Dymally, U.S. House of Representatives
Marian Wright Edelman, Children's Defense Fund
Luther Hilton Foster, Moton Memorial Institute
Jayne Brumley Ikard
Glenn E. Watts, Communications Workers of America
Eddie N. Williams, Joint Center for Political Studies
James D. Wolfensohn, James D. Wolfensohn, Inc.

Eleanor Farrar, Joint Center for Political Studies,
Secretary to the Board

A Modest Achievement

by John Hope Franklin

(The author is professor of history at Duke University. This is an abridged version of a speech given by Mr. Franklin at a JCPS dinner commemorating the Civil Rights Act of 1964.)

This year marks the twentieth anniversary of the enactment of the Civil Rights Act of 1964. That act extended to black Americans a body of simple but quite fundamental rights that members of any civilized society expect to enjoy. This, then, is the twentieth anniversary of black Americans being able to secure a room in a public inn, eat a meal in a public dining facility, have an equal opportunity to secure a job, and be protected in their efforts to secure and enjoy these and other rights. It is nothing short of astounding that we feel moved to observe an anniversary such as this. The fact that we do so is a measure of the begrudging manner in which this nation has conceded equality to all of its citizens. By any standards, it is, at most, a modest achievement.

Real Intentions

There never was any intention to treat Africans as equals, even when they were free. In the seventeenth century, white colonists discriminated against black indentured servants who were free. It was all right for Patrick Henry, George Washington, Thomas Jefferson, and John Adams to fight Britain because they found taxation without representation repugnant, but it was unacceptable for free black Americans to expect to vote when they were required to pay taxes. Afro-American soldiers in the Civil War were expected to risk their lives fighting for freedom and union, but were court-martialed when they insisted on receiving the same pay that white soldiers received.

Later, the practices that had evolved during slavery became the pattern for racial policies established after emancipation. The racially segregated schools of Massachusetts and Connecticut in the 1840s became the models for racially segregated schools of Mississippi and Alabama in the 1880s. The federal Constitution, with its Bill of Rights, did not guarantee equality for black Americans, and neither did the Fourteenth and Fifteenth Amendments. If anything, the reconstruction amendments merely confused the issue and laid the foundation for states and local governments to deprive Negroes of what few civil rights they did have.

In 1875, Congress passed the first Civil Rights Act, which held that all persons should be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement. As the *New York Times* boasted at the time, however, this act was a dead letter from the beginning. It never provided any substantial protection for blacks in their efforts to secure and enjoy their rights. This was so not only because of the massive resistance of white business establishments but also because of the appalling dereliction on the part of officials of the U.S. government in enforcing the law. During the eight years of its life, the act was virtually ignored by U.S. presidents, enforcement officers, and courts.

Ceding Authority to the States

In 1883 the United States Supreme Court struck down the Civil Rights Act of 1875, declaring that

Congress did not have power to pass laws regulating the conduct and transactions of individuals unless it was clothed with direct and plenary powers of legislation over a whole subject. The "wrongful acts of an individual," declared Mr. Justice Bradley, "unsupported by state authority in the shape of laws, customs, judicial or executive proceedings were simply a private wrong or a crime of that individual." Relief or redress must be sought from the state, the Court said, and not from the federal government. Upon reading the verdict one depressed Afro-American said, "We have been baptized in ice water."

The remarkable thing about the 1883 decision is that it not only withheld fundamental rights from some eight million black Americans, but at the same time it encouraged white Americans to degrade and humiliate blacks even further. In telling them to seek relief from the state, the Court sent black Americans back to their most relentless oppressor. At the same time, it stimulated the enactment into law of those practices that fixed on Negroes the status of pariahs of the land and invited any and all to heap scorn on those they wished to degrade.

States and towns passed laws requiring blacks and whites to use separate elevators, separate telephone booths, separate drinking fountains, separate warehouses for storing school books used by black and white children, separate waiting rooms, separate cemeteries for pets of black and white owners, separate entrances and exits in buildings. Whites could, of course, violate the law without the slightest fear that anything would be done about it. It is doubtful that the states would have succeeded in erecting the complete system of apartheid they built before World War I had not the federal government removed itself from the picture altogether and assigned to the states full responsibility in this area.

The federal government made a dramatic, final departure from the area when the Supreme Court gave its blessing to racially separate facilities in 1896 in the celebrated case of *Plessy v. Ferguson*. Although it nodded in the direction of the Constitution by suggesting that facilities be equal, the Court made no ringing declaration in favor of equality that the states could not ignore. Consequently, no president, no court, no U.S. attorney, no governor, no sheriff, no constable seemed the least bit interested in enforcing the principle of equality. From the outset, separate was inherently unequal.

Pursuing Civil Rights

As late as the end of World War II, the prospects for achieving full civil rights for black Americans within the foreseeable future were not at all bright. Since blacks were virtually without political power, there was little hope of securing any significant legislation on their behalf until they had established their claim to certain rights under the Constitution. Other approaches had already been tried and had failed.

Ever since Reconstruction, Negro Americans had organized in an effort to force the government to live up to its professed ideals. In Washington, D.C., they organized the Progressive and Cooperative Union; in New Orleans it was the Young Men's Progressive Association. In Kansas, Rhode Island, and Texas they held state conventions, and in Chicago in 1890 some 147 delegates from 21 states and the District

(Continued on page 4)

(Continued from page 3)

of Columbia organized the Afro-American League of the United States. The league called for a more equitable distribution of school funds, a fair and impartial trial for accused Negroes, and resistance "by all legal and reasonable means to mob and lynch law and tyrannical usages and abuses by railroad, steamboat, and other corporations, the destruction of color bars wherever they exist, and the enjoyment of the franchise by all qualified voters."

Despite repeated protests and demands, however, Negroes remained subject to an American racism that was as vicious and cruel as it was pervasive and successful. Blacks had been effectively disfranchised, becoming the victims of segregation statutes that revealed a perverse resourcefulness and imagination. Lynchings were increasing with every passing year.

These were things that W. E. B. DuBois and his fellow members of the Niagara Movement saw in 1905 when they said: "We believe that Negroes should protest emphatically and continually against the curtailment of their political rights. We believe in manhood suffrage; we believe that no man is so good, so intelligent, or wealthy as to be entrusted wholly with the welfare of his neighbor."

Experience had shown, though, that it would take more than words to change things significantly. Indeed, it would take an enormous amount of energy, dedication, and concentrated assault over two generations to begin to dismantle the carefully erected racial caste system that had been in the making since 1883. It was not merely that Negroes could not enter a theater or get a cup of coffee or ride in comfort on public transportation. It was also that as a degraded people, without a semblance of political power, they could not wield any influence to get jobs or to secure a decent education for their children and adequate housing for their families. Hence, their turn to the courts, where they began, gradually, to see some encouraging results.

There was, for example, the final blow dealt the Democratic white primary in the Supreme Court's decision in *Smith v. Albright* in 1944. There was the successful attack on segregated housing in the celebrated case of *Shelley v. Kraemer* in 1948. There were the victories against segregated education at all levels in a series of significant decisions ranging from *Sweatt v. Painter* in 1950 to *Brown v. The Board of Education* in 1954.

After these decisions the tide began to turn. The legislative branch of the federal government began work in the area of civil rights in 1957, and the executive branch, which initially prodded Congress to do more, began to take the initiative itself by issuing executive orders to improve the condition of civil rights. Pressed rather courteously by President John F. Kennedy and prodded relentlessly by his successor, Lyndon B. Johnson, Congress finally passed an act whose comprehensive nature was indicative of the denial of basic human rights from which Negro Americans had long suffered.

Despite its comprehensive nature, the Civil Rights Act of 1964 proved inadequate. It was, as I have said, a modest achievement. It dealt with voting rights, and yet it became necessary to enact a stronger, more definitive voting rights act the very next year. It

strengthened and made more independent the U.S. Commission on Civil Rights. Yet, during this past year, the independence of the commission has been seriously compromised and its status reduced to that of a political arm of the present administration. There was an air of optimism in the way in which the Equal Employment Opportunity Commission went about its work, but in time it became clear that neither the existence of the commission nor the diligence of its members could break the log-jam of discrimination against blacks in the workplace. All of this reflects the durability and tenacity of the racism that has flourished virtually unchecked over the previous seven decades.

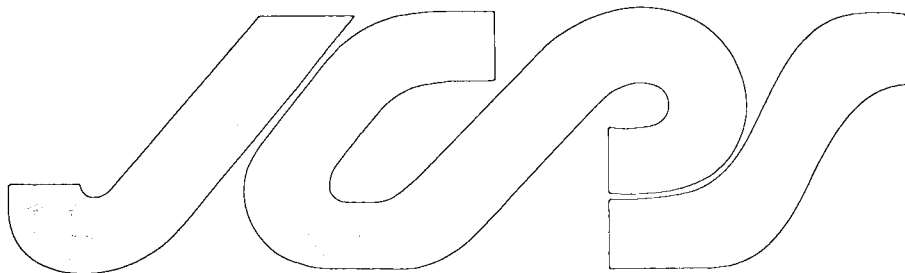
This is not to say that things have not changed, for indeed they have. The decision in *Brown*, the Civil Rights Act of 1964, and the Voting Rights Act of 1965 effected some changes that can be described as significant. By the end of the sixties, the changes in the status of blacks in American life were apparent even to the casual observer. But as Martin Luther King, Jr. said so often, "We have come a long way, but we still have a long way to go."

At the beginning of the seventies Negro Americans—who had adopted the motto "Free by '63" and who cheered President Lyndon B. Johnson when he repeated the words "We shall overcome"—really did not have much to celebrate. Their leaders—Malcolm X, Dr. King, W.E.B. DuBois, Whitney Young, and others—were gone or going. Almost as disturbing as the loss of leadership was the evident inappropriateness of the old approaches and techniques for the new and tougher problems. Marches and demonstrations that excited everyone and aggravated many in the sixties were no longer effective. More often than not, decisions affecting blacks were being made in the board rooms of corporations and banks, on the nineteenth hole of the country club, or in the lounge of the city club. One could demand new legislation, but who could devise a law comprehensive enough and ingenious enough to deal with the subtleties of clever evaders or faithless law enforcement officers?

A Step toward Decency

These comments on the status of the civil rights of Negro Americans indicate, I hope, both the complexity of the problem and the inadequacy of all efforts to solve it so far. They are meant to suggest that in any effort to clear away the brambles and, yes, the jungle brought on by three centuries of the deliberate denigration of black Americans, more than the Civil Rights Act of 1964 is necessary. Thus, in observing its anniversary, we commemorate a *step* toward decency in human relations that should have been taken in 1619. History has taught us that when we betray ourselves and our promise in 1776, 1787, 1865, and 1868, it becomes increasingly difficult for a so-called egalitarian nation to get back on the track of justice and equality.

Until we achieve the long-delayed equality for all of our citizens, the criticisms we level at other nations for their denial of human rights must be regarded as empty and hypocritical. Our observance of this important anniversary should inspire us to work to bring to pass all that the Civil Rights Act of 1964 promised.



The Civil Rights Act: Two Decades Later

On June 28 and 29, the Joint Center for Political Studies sponsored a conference on "The Civil Rights Act Two Decades Later: An Assessment of Change and Challenge." Held at the National Academy of Sciences in Washington, D.C., the conference featured well-known scholars and political leaders, attracted audiences of several hundred persons, and received extensive news coverage in major media such as the New York Times. Mrs. Coretta Scott King served as honorary chair. David Garrow, now professor of political science at the City University of New York, coordinated the conference for the Joint Center and prepared this account.

The twentieth anniversary of the Civil Rights Act of 1964—widely cited as one of the most important pieces of legislation in American history—provided an excellent occasion for analyzing the goals that underlay the law, the effects it has had on American society, and the challenges that remain unmet. The conference was divided into three sessions to cover each of these topics separately.

But throughout all three sessions, speakers revealed an underlying dichotomy in scholarly views of the 1964 act and its effects upon American society over these last twenty years. Professor **John Hope Franklin** of Duke University, in his keynote address at the kick-off dinner just before the conference (see p. 3 of this issue of *Focus*), emphasized that the 1964 act was "at most, a modest achievement," because its substantive provisions, important as they were, targeted only the most blatant of America's centuries-

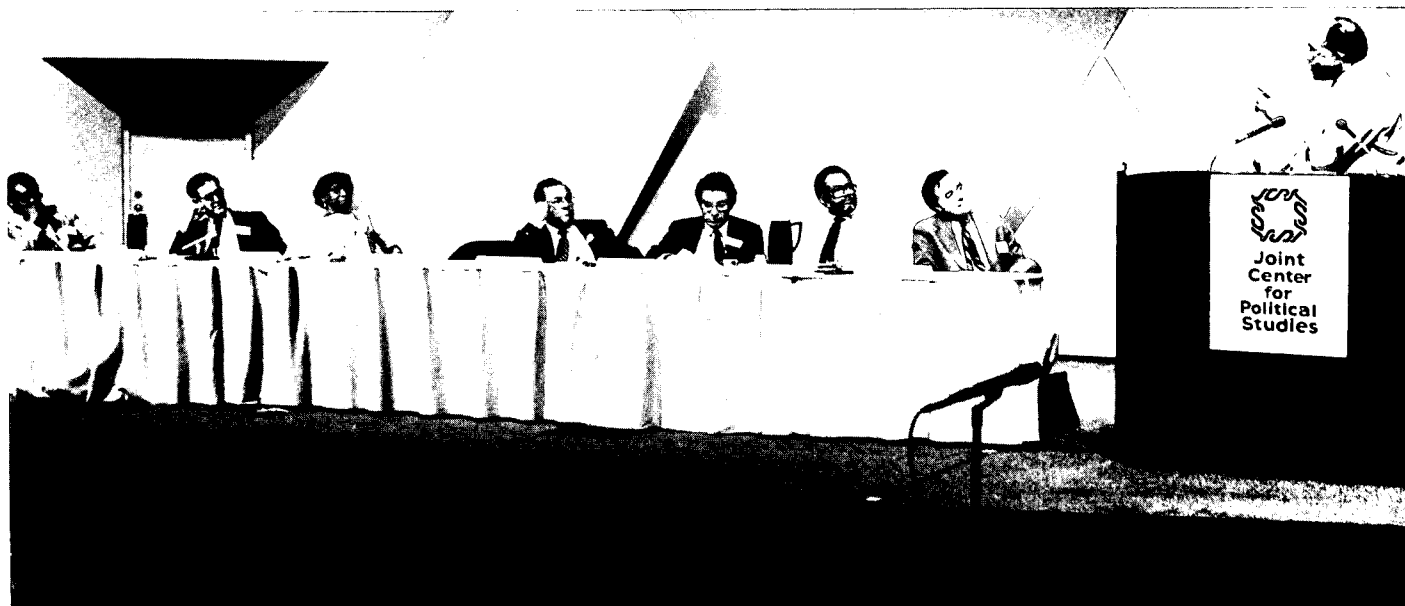
long racial injustices. Experiences since 1964, historian Franklin noted, have further highlighted

both the complexity of the problem and the inadequacy of all efforts to solve it so far. They suggest that in any effort to clear away the brambles and, yes, the jungle brought on by three centuries of the deliberate denigration of black Americans, more than the Civil Rights Act of 1964 is necessary.

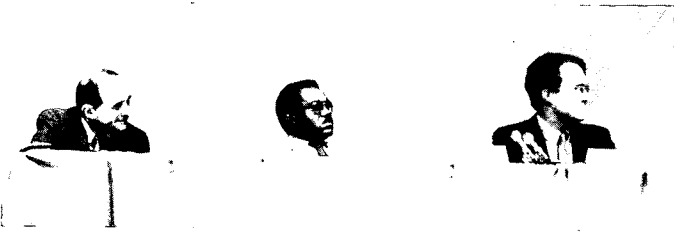
That statute, Franklin declared, was only a "step toward decency in human relations that should have been taken in 1619," and merely an early step in a lengthy, ongoing journey.



Vernon Jordan, John Hope Franklin



Left to right: Glenn Loury, Henry Aaron, Phyllis Wallace, Wiley Branton, Louis Nunez, John Slaughter, Gary Orfield, Arthur Fletcher



Left to right: Louis Harris, Julius LeVonne Chambers, David J. Garrow

Basic Goals and Public Attitudes

Franklin's sober comments were echoed by political scientist **David J. Garrow** at the conference's first session on June 28. Garrow, a professor at the City University of New York and author of three books on Martin Luther King, Jr. and the southern civil rights movement, stressed "how relatively modest the actual provisions of the 1964 Act were when compared to the far larger agenda the movement was then setting for itself." Garrow noted the erroneous assertions by some present-day commentators "that 'by 1968, the entire legislative agenda of the civil rights movement had been enacted'. . . that the civil rights movement simply sought the elimination of explicit, formal racial discrimination, that it trumpeted a 'colorblind' approach to American life, that it was concerned with 'process' and 'opportunity,' and not with substantive outcomes or tangible results." Criticizing the "stunning inaccuracy" of such portrayals of the civil rights movement's goals, Garrow said that the movement's more basic challenge to America's *economic* subordination and exploitation of racial minorities is often ignored or downplayed today. Numerous socioeconomic indicators reflect that most black Americans have benefited little, if at all, from the statutory changes of the 1960s, and Garrow foresaw little possibility of present-day activists generating much support for the "truly redistributive economic policies" that Dr. King and other movement leaders had advocated in the mid- and late-1960s. He conceded that some might find his perspective "excessively pessimistic," but noted that the conclusions of numerous scholars, such as University of Chicago sociologist William J. Wilson, point toward a bleak economic future for black America and "the urban black underclass" in particular.

Noted civil rights attorney **Julius LeVonne Chambers**, now executive director of the Legal Defense and Educational Fund, took issue with what he saw as the unduly critical assessments of the 1964 Act propounded by Franklin and Garrow. Chambers said that such emphasis on the law's modesty seemed to parallel current efforts "to limit its reach." Such interpretations, he continued, might "serve as a further vehicle for this administration to limit the intended meaning of the Act" and seemed contrary to "what we considered then and what I would consider today the real meaning of the Act."

Pollster **Louis Harris**, offering an expert's view of public opinion on civil rights since the 1960s, highlighted the growing political

awareness of America's black electorate but voiced a less hopeful outlook for genuine understanding between the races. "Blacks sense correctly," Harris explained,

that the white community simply doesn't know what it's like to be black in America in the mid-1980s. They feel that white America by 1984 has not progressed a whole lot from white America all through their long history on this continent. Indeed, we tested this recently by asking the public what they thought had happened to the status of blacks since Ronald Reagan came into office. Among blacks, only 33 percent said nothing had changed and only 8 percent said they were better off. A clear majority of 57 percent said they were worse off. Among whites, by contrast, 53 percent saw no change for blacks under Reagan, 17 percent said they were worse off, and a *higher* 25 percent said they were *better off*.

Such a tremendous gap between black and white perceptions of black economic conditions, Harris suggested, could only bode ill for America.

Former National Urban League executive director **Vernon E. Jordan, Jr.** explicitly endorsed Franklin's and Garrow's characterizations of the 1964 Act and emphasized that implementation of the act's provisions has been a recurring problem, especially in recent years. The act has had the important effect, however, of "democratizing" black leadership, and thus, according to Jordan, there have emerged over twenty year's time "five new definable classes of black leadership that were virtually nonexistent in 1964"—black elected officials; "blacks who hold quasi-public, quasi-private positions," and "directly affect public policy" (foundation executives, for example); "blacks who have pierced the corporate veil," either by sitting on corporate boards or by holding management positions; "indigenous leadership" at the local level, whose valuable role has recently acquired added political influence; and "the new black entrepreneur."

Effects of the Civil Rights Act

The conference's second session, which focused on the impact of the 1964 Civil Rights Act, was chaired by attorney **Wiley Branton**, former director of the Voter Education Project. Economist **Phyllis A. Wallace**, professor of management at the Massachusetts Institute of Technology, presented a detailed analysis of how Title VII of the 1964 act, which prohibited discrimination in all aspects of the employment process, has affected black economic progress over the ensuing twenty years. "Statistics on employment and income in the 1980s indicate that, relative to whites, blacks are apparently no better off than they were two decades ago," Wallace observed. "Great economic disparities separate blacks and whites." While studies "indicate some success for affirmative action in increasing employment and upgrading occupational status between 1974 and 1980," since then "we have suffered a major setback." Although numerous individual economic success stories can be cited, Wallace concluded, "the economic gains attained by blacks during the past twenty years that can be associated with implementation of the

Left to right: Milton D. Morris, David Broder, Charles V. Hamilton, Mervyn Dymally, Antonia Hernandez, John Lewis



employment discrimination laws are far less than what advocates of these policies had initially expected. . . ." **Henry Aaron**, a senior economist at the Brookings Institution, Harvard professor **Glenn Loury**, and former assistant secretary of Labor **Arthur A. Fletcher** discussed Wallace's analysis, placing it in the context of historical developments and current socioeconomic trends.

University of Chicago political scientist **Gary Orfield**, a nationally known expert on educational desegregation, presented the second major paper at this conference session. He implicitly took issue with the more critical perspectives of Franklin, Garrow, and Wallace. The impact of the 1964 act's education provisions "has been pervasive and has extended far beyond the issues to which enforcement was initially addressed," Orfield said. "Its enforcement transformed southern education. Between 1964 and 1970, the South changed from the most to the least segregated region in the United States." However, Orfield noted, meaningful enforcement of the Act's school desegregation mandate ended with the Johnson administration in 1969, and "there has been very little significant progress since that period ended." Not only has the Reagan administration "refused to enforce the Civil Rights Act," but "it has stopped collecting much of the basic data essential for enforcement of the law," Orfield pointed out. Thus, he concluded, "in spite of the proof that the Civil Rights Act can powerfully reduce discrimination," its longstanding nonenforcement has sapped its provisions of their remarkable potential strength. Unless "there is a rededication to enforcement of the law, the Civil Rights Act could become as meaningless as the Reconstruction era civil rights laws that were vitiated in the late nineteenth century." Dr. **John Slaughter**, Chancellor of the University of Maryland, and **Louis Nunez**, president of the National Puerto Rican Coalition, affirmed Professor Orfield's pessimistic view of current trends in educational opportunity.

Politics, Coalitions, and Civil Rights

The conference's third and final session, chaired by the Joint Center's director of research, **Milton D. Morris**, considered developments in black political empowerment since 1964 and the major alterations that the civil rights coalition has undergone over the past twenty years. Columbia University political scientist **Charles V. Hamilton** discussed the question of an economically oriented civil rights agenda that had been raised at the conference's initial session. Such an agenda, Hamilton stated,

inevitably calls for a proactive government, one that sees government doing more, not less as a stimulant to effect socioeconomic change. But many former allies in the old civil rights coalition do not sincerely and philosophically believe in such a governmental role. In fact, they do not see this as a "civil rights" matter in the traditional sense of that term. They favor a more market-oriented economy: less government regulation, less government initiative and intervention. They are fiscal conservatives, and they do not see this as inconsistent with their earlier support for a civil liberties-oriented civil rights movement.



Donna Shalala, Arthur Flemming

"The old coalition," Hamilton explained, has fractured over basically philosophical differences over the role of government in the economy. If this is the problem, its implications are reasonably clear. It requires new coalitions that might well not depend on the same active participants of the old coalition. Some of those earlier participants simply have a different relationship to the economy. They are not prepared to enlist in a political struggle that challenges the fundamental premises of a market economy. They are less vulnerable, less at risk than some of their previous allies. They do not perceive or feel the same threat from current economic conditions as their former civil rights allies. Thus, the new coalition will have to build on the convergence of interests of those who share similar positions of economic vulnerability.

What this then suggests, Hamilton said is "more conscious efforts to fashion policies and strategies that seek 'deracialized' solutions to economic policies. For example, 'full employment' and government-supported health policies ought to be seen as beneficial to an array of groups that cuts across racial lines." However, Hamilton noted, "the liberal-progressive coalition that might be formed to pursue the economic agenda" likely would not be a coalition able to agree on many of the affirmative action legal remedies that civil rights proponents have emphasized in recent years. "Some people," he said, "will see the latter as containing zero-sum results they are not willing to live with, notwithstanding their otherwise liberal leanings. And in the process of deciding what goals to pursue, the present-day civil rights movement has to make some clear strategic choices."

"In the final analysis," Hamilton concluded, the basic challenge to the civil rights movement twenty



years after the 1964 Act is to confront the difficult choices of whether to continue to emphasize race-specific goals (in recognition of obvious past ills) or to emphasize more holistic policies and strategies that are aimed at advancing racial interests while at the same time incorporating other groups in a political alliance aimed at challenging fundamental socioeconomic structural problems. To choose the latter is to alter the traditional understanding of the 'civil rights movement.' But at the same time it puts that movement precisely where it has always been—at the vanguard of leadership for change in American society.

Washington Post political correspondent **David Broder**, Atlanta city council member and movement veteran **John Lewis**, and **Ralph Neas**, executive director of the Leadership Conference on Civil Rights, all added their thoughts to Hamilton's analysis. Neas, sounding a distinctly different note than other speakers, contended that "the last three and a half years on Capitol Hill have generally been good years" for the civil rights coalition, and that that record of success—extension and strengthening of the Voting Rights Act, passage of the Martin Luther King, Jr. national holiday bill, and blunting of various "new right" initiatives—oftentimes had been "an untold story in the press."

Neas gave equal emphasis, however, to the way the Reagan administration "seizes every opportunity to weaken the law and to restrict the remedies that have long been available to minorities, to women, and to other parts of the civil rights constituency," efforts that can be defeated only if civil rights proponents energetically communicate this story to the American people. "It's no different from the states' rights talk of the fifties and sixties: 'separate but equal,' 'freedom of choice.'"

The conference's final session also featured a panel discussion involving U.S. Representative **Mervyn Dymally** (D-CA); Hunter College President **Donna Shalala**; Mexican American Legal Defense and Educational Fund (MALDEF) vice-president **Antonia Hernandez**; **Judith Lichtman**, executive director of the Women's Legal Defense Fund; and former U.S. Civil Rights Commission chairman **Arthur Flemming**, now chairman of the Citizen's Commission on Civil Rights. The participants offered several prescriptions for building and expanding the present-day political

strength of the "civil rights coalition." Ms. Hernandez of MALDEF observed that "our coalition building has begun at the leadership level, but it has not filtered down to our respective groups, and unless we take it upon ourselves to educate our people and to educate other groups about why it's important for us to coalesce . . . this broad coalition and the potential political power that it might bring will not be fulfilled."

Arthur Flemming, echoing Ralph Neas's remarks, noted that over the last three and one-half years "the executive branch has provided the kind of leadership that has moved us backward instead of forward in the civil rights area." Agreeing with Hernandez, Flemming said that the coalition must work at the grass roots level to focus voters' attention on the administration's civil rights record and dedicate itself "to bringing about a reversal of what has been taking place during the last three and a half years."

Each of the conference's sessions highlighted the underlying tension between two different but not opposite perspectives on civil rights developments since the landmark 1964 act became law. One perspective, articulated by speakers like Chambers, Orfield, and Neas, stressed the substantial gains and potential that the Civil Rights Act exemplified. The second, articulated by Franklin, Garrow, and Wallace, emphasized the relative modesty of recent gains. Yet speakers for both perspectives took a dim view of the present political climate and threatening future facing traditional civil rights forces. Nonetheless, as Hamilton's, Hernandez's and Flemming's remarks all indicated, current activists take this situation as a challenge to develop new coalitions and strategies that will prove effective in the present environment.

JCPS Conference Report, Number 6
©1984, Joint Center for Political Studies
Suite 400
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
(202) 626-3500



Left to right: Coretta Scott King, Frank Press, Eddie N. Williams

Health Problems, Political Cures

by **Christiane B. Hale**

(Dr. Hale is an associate professor in the Department of Epidemiology at the University of Alabama (Birmingham) School of Public Health. This paper reflects her views and not those of the school or the university.)

Nearly three years after the 1981 Omnibus Budget Reconciliation Act, which embodied the "Reagan Revolution" in social programs, students of public health—including elected officials charged with policy implementation—are clamoring for news of its effects. But the information needed to measure effects nationwide is not readily available. It seems that one consequence of budget-cutting is a clogging of the information pipeline: it is late 1984, and detailed information about the health status of Americans is available only for 1981.

We do, however, have some information from states, counties, cities, and towns that signals where the burdens are falling. This information suggests that women and children have suffered most under the budget cuts. For example, according to annual statistical reports from each of the 50 states, it appears that by 1982:

- The percentage of pregnant women receiving prenatal care late in their pregnancies or not at all increased from a range of 3-5 percent to one of 6-10 percent. Black women were twice as likely to have late care or none.
- Program freezes or reductions created numerous situations in which poor women and children were unable to obtain any medical care: money available for medical care of indigent women was cut by 18 percent, and the number of children living in poverty rose by 30 percent with no commensurate increase in health care funding. Also, the benefits paid to these children's families by Aid to Families with Dependent Children (AFDC) declined.

These cuts affect the black community disproportionately. The reasons for this are complex, and include differences in the age structure of the black population (which is younger than the white population), the dependency of blacks on the now vulnerable public health system, and a pattern among black women of beginning childbearing at younger ages and before stable unions are established.

Overall, in 1980 the U.S. population was about 12 percent black. Yet over 16 percent of the babies born in 1981 were black, and almost 16 percent of preschoolers and children 5 to 14 years old are black. Cuts in programs aimed at these age groups, then, will affect blacks more heavily than whites. Such cuts include reductions in Medicaid expenditures for children and a drastic redesign of AFDC.

In discussions of the "safety net," women and children tend to be grouped with the elderly. Yet, as William O'Hare noted in the July issue of this journal, benefits to the elderly have been maintained or increased, while expenditures for children have been cut.

Comparing Health Status

Budget cuts appear to have increased the long-standing disparity between the health status of black women and children and their white counterparts. The infant mortality rate (the number of deaths in a group of babies who have not yet had their first birthday) is widely accepted as the best measure of a

group's health status. Despite its apparently high standard of living, the United States has one of the highest infant mortality rates of all industrialized nations—higher, even, than those of Spain, Ireland, or Italy.

In fact, however, the infant mortality rate for whites is about 7 deaths per thousand births, almost as low as the infant mortality rates of Sweden, Norway, and other nations with the lowest rates. It is the rate for dark-skinned minorities (over 90 percent of whom are black) that pushes the overall rate up so high; the minority rate is 14 to 16 per thousand live births, nearly twice that of whites.

There are no obvious biological reasons for this difference. Rather, blacks are more likely to be poor, putting them at risk in a country that, alone among industrialized nations, has a dual health care system for women and children. Those who have the means purchase health care in the private sector. Those who do not are dependent on the public sector. And because of poverty, black mothers and children are disproportionately dependent on public-sector care. Since funding for public health care has been reduced drastically by the recent cuts, black women and their children have borne the burden.

Many studies from local communities suggest that the infant mortality gap has widened, especially in the last two years. In some areas, infant mortality rates of blacks are like those in developing nations; in Washington, D.C., for example, 29 black babies per thousand die before reaching one year of age, compared with a rate of 34 deaths per thousand births in Honduras. In those same areas, infant mortality rates of whites are at or below the U.S. rate for whites. This pattern is particularly likely to occur where there is no public sector care (an increasingly common phenomenon in the 1980s) and where private practitioners are either nonexistent or unwilling to accept Medicaid. In 12 of Alabama's 67 counties, for example, there is no prenatal care for poor women.

Many black families that are dependent on public sector care are without a father or other adult male (over 70 percent of black children live in such families). Many of these families are headed by women who first became pregnant as teenagers. Teenage mothers often leave school—frequently under pressure from school authorities. Poorly educated, these mothers are unable to compete in an increasingly demanding job market. They tend to get less-than-adequate prenatal care and their babies are twice as likely to be low weight (under 5-½ lbs.) at birth. Low-weight babies are more likely to die or to suffer lifelong handicaps than normal-weight babies.

These children's fathers are disproportionately unemployed or underemployed, and in 27 states, if they live with their families the families lose eligibility for AFDC and related benefits, including Medicaid coverage. In other words, in over half the states, poor families with men living at home are barred from benefits paid to equally poor families headed by women. This policy is rooted in the attempt 50 years ago to alleviate the Depression-era plight of widows and orphans, but ironically, policies originally intended to protect families now are harmful to them. These policies, too, affect black women and children disproportionately.

(Continued on page 7)

Blacks and the 1990 Census

by William O'Hare

(The author is a senior research associate at the Joint Center.)

Although 1990 may seem a long way off, people at the Census Bureau are already planning the next census. Because of the massive size of the census-taking operation (over 100 million census questionnaires will be printed and probably more than a quarter million employees hired and trained), plans have to be made early. During the next year or two, some of the most crucial questions regarding how the census will be conducted will have to be resolved to make sure everything is ready by April 1, 1990.

Part of the planning process consists of a series of public meetings in which the Census Bureau solicits input from interested citizens. Several of these meetings have already been held, and many more will be conducted over the next several months. Listed below are the dates and locations of the forthcoming meetings, which provide an opportunity for citizens to bring up the problems their communities encountered in the 1980 census and to discuss ways in which the Census Bureau might eliminate the problems in 1990.

A few issues are of particular importance to blacks. In the 1980 census, as in previous ones, blacks were missed at a much higher rate than whites. This "undercount" has negative ramifications that may not be immediately apparent. A large number of federal and state programs use census figures to distribute public funds. Over \$100 billion in federal funds alone are allocated to states and localities on the basis, in part, of census figures. Consequently, undercounts by the census can result in a community not receiving all the federal and state funds to which it is entitled. In many other areas as well, such as politics or business, undercounts diminish the perceived size of a group or community and, perhaps indirectly, the amount of attention it receives. For example, businesses use census figures to make marketing and site location decisions.

Reapportionment of the U.S. Congress is based on census data, and the census figures are also used to draw new political districts in states and localities every 10 years. To assess the likely impact of a redistricting plan on black voting strength, it is important to have an accurate reflection of where the black population lives. Undercounts obviously muddle the picture.

Another aspect of the census-taking process that is especially important to blacks is the temporary jobs the decennial census creates. Over a quarter million people were hired for the 1980 census. While most of these jobs are not very high paying, for low-income blacks, the money could be a welcome addition to regular income. Furthermore, hiring black enumerators for black neighborhoods is thought to reduce resistance to the census-taking process, and thus reduce the undercount of blacks.

One of the big questions in planning for the 1990 census is how much the process will be automated. A high level of automation could mean that many of the jobs formerly available at census time would be lost. Those who are hired, however, should receive valuable training and experience in automated data processing.

In the current political climate, the budget for the 1990 census could be a target for cutbacks. Some of

the cost-cutting recommendations may have negative effects on the count of blacks. Outreach efforts in the 1980 census appear to have reduced the undercount of blacks from about 7.5 percent in 1970 to 5.0 percent in 1980. But these outreach and promotion efforts cost money and are likely candidates for elimination if the bureau's budget is tight.

The year 1990 seems very distant, but to ensure that the needs and viewpoints of black communities are reflected in the 1990 census, blacks must become involved now, during the planning stages.

Dates and Locations, Census Bureau Public Meetings (starting time is around 8:30 a.m.)

11/1/84	Louisville, KY—	Jefferson County Courthouse
11/8/84	Albany, NY—	Cultural Education Center Auditorium, Empire State Plaza
11/15/84	Oklahoma City, OK—	Myriad Convention Center
11/27/84	Los Angeles, CA—	Water and Power Auditorium
11/29/84	Sacramento, CA—	State Capitol, Hearing Rm. 4202
12/4/84	Little Rock, AR—	Univ. of Arkansas, Little Rock, Conference Center Excelsior Hotel
12/6/84	Baton Rouge, LA—	Louisiana State Library Auditorium
1/10/85	San Francisco—	to be announced
3/5/85	San Juan, PR—	"
3/9/85	Montgomery, AL—	"
3/15/85	Washington, DC—	"
3/26/85	Phoenix, AZ—	"
4/17/85	Providence, RI—	"
4/18/85	Hartford, CT—	"
4/24/85	Richmond, VA—	"
5/7/85	Topeka, KS—	"
5/8/85	Jefferson, MO—	"
6/16/85	Harrisburg, PA—	"
5/23/85	Pittsburg, PA—	"
6/11/85	Anchorage, AK—	"
6/12/85	Juneau, AK—	"
6/18/85	St. Paul, MN—	"
6/19/85	Des Moines, IA—	"

Telescope

BEO Business Meetings

Several of the organizations of black elected officials will be holding meetings during the next couple of months. For further information, contact people are listed for the forthcoming sessions.

National Conference of Black Mayors

Mid-Year Meeting

October 26-27, 1984

Howard Inn

Washington, D.C.

Contact: Sam Tucker (202) 628-1411

National Black Caucus of State Legislators

Annual Meeting

November 27-December 2, 1984

Los Angeles Hilton

Los Angeles, California

Contact: Reesa McMurtry (202) 624-5457

National Black Caucus of Local Elected Officials

Annual Meeting

November 23-28, 1984

Indiana Convention Center

Indianapolis, Indiana

Contact: Alice Hans (202) 626-3510

To all black elected officials:

Each of you should have received at least one questionnaire from the Joint Center asking for current information for the 1985 edition of *Black Elected Officials: A National Roster*.

We thank those of you who have returned the questionnaire and urge the rest of you to do so promptly.

Employment Recovery Bypasses Blacks

After many months at record-breaking levels, the unemployment rate—7.5 percent—is back down to about where it was just prior to the 1981-82 recession. But for many segments of the population—blacks, Hispanics, youth—the unemployment rate is considerably higher than the overall figure and higher than it was prior to the recession. And the number of discouraged workers (those who have given up looking for work and who are not counted among the officially unemployed) has increased by more than 200,000, up from about 1 million in 1981 to 1.3 million in August 1984.

The biggest unemployment problems continue to be among blacks and teens. While the unemployment rate for blacks has declined significantly below its peak during the recession, when it was 20 percent, it is still more than double the overall rate and significantly higher than it was in July 1981. And one out of every three discouraged workers is black. The unemployment rate for black teens—41 percent, the highest unemployment rate for any subgroup by far—is 2.6 times that of white teens.

The Full Employment Action Council, along with the Americans for Democratic Action, the Children's Defense Fund, the Roosevelt Centennial Youth Project, and other groups, has issued a report entitled *Whose Recovery Is It Anyway?* which takes a close look at unemployment among those segments of the population that the recent recovery seems to have overlooked. The report is available from the Full

Employment Action Council, 815 16th Street, N.W., Washington, D.C. 20006 (202/393-7415).

Unemployment Rates

	July 1981	August 1984
Overall	7.0%	7.5%
Whites	6.2%	6.4%
Blacks	13.6%	16.0%
Hispanics	9.9%	10.7%
Teens	18.1%	18.4%
Black teens	40.0%	41.7%

Figures are from the U.S. Bureau of Labor Statistics and the Full Employment Action Council.

District of Columbia Honors Frank D. Reeves

On September 28, District Mayor Marion Barry and City Council Chairman David Clarke signed legislation naming the new D.C. Municipal Center at 14th and U Streets, N.W., in honor of Frank D. Reeves. Mr. Reeves, who died in 1973, was the Joint Center's first executive director, serving from 1970 to 1972. He also played a major role in the center's founding. Prior to his work with the center, Mr. Reeves had distinguished himself in several areas: he advised President John F. Kennedy on minority affairs; as assistant counsel to Thurgood Marshall, he was involved in many civil rights cases during the 1950s and 60s; he served on the faculty of Howard University's School of Law, and just prior to joining JCPS, he was a fellow at the Metropolitan Applied Research Center.

... Political Cures

(Continued from page 5)

Solving the Problems

By now it should be clear that the health problems of mothers and children—infant mortality, low birth weights, teenage pregnancy—are actually social and political problems. Infant mortality rates among blacks do not *have* to be twice those of whites. Teenage pregnancy does not *have* to trigger a life of chronic despair. Being a poor family does *not* have to mean living without a father. Nor do female-headed families *have* to be poor.

Moreover, the health problems of mothers and children are important *black* issues. If a state legislature fails to appropriate funds to supplement the ever-decreasing federal funding of Medicaid, Title V (prenatal and well-child care), and Title X (family planning), most of those who do without care will be black. If a state fails to cover "optional Medicaid" families (those with a man at home), most families driven apart will be black. If a city or town cuts support for local hospitals, most of those suffering will be black mothers and children.

Although we cannot yet be certain of the health effects of recent budget cuts, we can reasonably guess that those who suffer most will be mothers and children dependent on public health programs, most of whom are black. Their suffering is needless, but it will continue unless the leadership at all levels of government appreciates the importance of the issues discussed here. If we allow the children now enduring poverty—one child in five generally and one of every two black children—to suffer today, we will all suffer tomorrow.

A Dangerous Indifference

by Joan Ganz Cooney

(Ms. Cooney is president of the Children's Television Workshop. The following article is adapted from a speech she gave before the American Association of University Women.)

Indifference is the prevailing national attitude toward children. While our major political and industrial rivals are spending billions to realize the potential of their youth, we tighten school budgets and cut back on science education. Even now, science and mathematics form the core of educational programs in Germany, Japan, and the Soviet Union.

Indifference becomes dangerous neglect when considered in light of the assertion by Karl Menninger, a renowned American psychiatrist, that "what a society does to its children, they—the children—will do to that society." And if children generally are met with indifference, consider the plight of poor children, a virtually mute minority who lack vocal and potent representatives.

I wonder whether we, as a nation, are aware that we risk losing our position as a leading industrial power if we persist in our indifference toward children. We seem to have forgotten that cuts in social spending are *not* risk-free in an advanced industrial society such as ours. We should know by now that cutting budgets does not eliminate the needs; it only allows them to pile up. Not only will we lose the productive adults this country needs, but at the same time we will continue to incur enormous social costs such as welfare payments and increased crime.

What's more, there is no "economy" involved if, in the end, we must spend \$30,000 each year to keep a person in jail when a comparable amount, invested earlier for education and training, might have made that same person a productive member of society. Spending to improve the health, literacy, and math and science skills of our children must be seen as an investment in the country's future. *Changed Lives*, a recently released study of a preschool project in Ypsilanti, Michigan, showed that by age 19 children who had had the advantage of a high-quality preschool education were twice as likely to have jobs or attend college; they were also involved in 20 percent fewer arrests, detentions, and dropouts.

As Adam Smith noted two centuries ago, "The skill, dexterity, and knowledge of a nation's people is the most powerful engine of its economic growth." And this engine is fueled by education.

A Role for Television

Children's television is another excellent indicator of how this country views its children. Television is our most powerful and most pervasive medium for educating (as well as entertaining and informing) the nation's youth. In a time of compressed educational budgets, television is still a cost-effective way to reach millions of young people. Yet this valuable resource is sorely underused.

Right now, there is not a single daily quality show for children on commercial television. Public television, once the premier source of quality children's programming, now has only one original daily series on the air year-round: "Sesame Street." The science series, "3-2-1 Contact," adds new programs each year, but does not yet have enough new shows coming on stream to broadcast throughout the year. Other PBS children's shows are either being repeated or have been cancelled.

One can only conclude that our society does not value children highly enough to offer them something more than mindless cartoons on Saturday mornings or empty, so-called "adventure" series in prime time. Current television programming, then, would seem to confirm further our national indifference toward children.

This is especially troubling in an age when children are watching so much television that the medium has acquired a formative role in their social and intellectual development. Its impact seems particularly strong on low-income children, making it doubly important that we use it constructively.

Research has confirmed television's great potential for developing the skills, knowledge, mind, and character of children. Although the precise methods for the effective educational use of television are still being developed, we must not allow its promise to go unfulfilled. Nor can we become complacent in the search for other means of overcoming a dangerous indifference to our children—our future.

FOCUS

**Joint Center for
Political Studies**

1301 Pa. Ave., N.W., Suite 400
Washington, D.C. 20004
(202) 626-3500

**ADDRESS
CORRECTION
REQUESTED**

**Postmaster:
Form 3547 requested**



PRICE \$1.25

NOTICE TO READERS: Please notify FOCUS of any change of address or title. YOU MUST ATTACH THE MAILING LABEL FROM THE BACK COVER when writing about service or change of address. No change can be made without this information. Allow 6 weeks for change of address to take effect. Thank you.

NON-PROFIT
U.S. POSTAGE
PAID
PERMIT No. 44958
Washington, D.C.