

CIVIL RIGHTS DIGEST

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AND THE
COMMUNITY



CIVIL RIGHTS DIGEST

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FOOD FOR FIRST CITIZENS

Hunger and poverty walk hand in hand nowhere more often than on the Indian reservations of America.

While much, though not enough, is being said about the fact of hunger and malnutrition in the Nation, most commentary is without specific reference to precisely who it is that is hungry. American Indian tribes are generally ignored in the national inquiry concerning hunger and malnutrition.

It is known that race and ethnic difference intensify the burden of poverty. Negroes, for example, comprise 11 percent of America's households but account for almost one-third of poverty households: they probably also comprise a disproportionate share of those who are hungry. Although the evidence is mixed, there are signs that American Natives, also, are among the last to receive help in obtaining an adequate diet.

One such indication, which combines the effects of poor diets and poor sanitary and living conditions, is the health status of the American Indian.

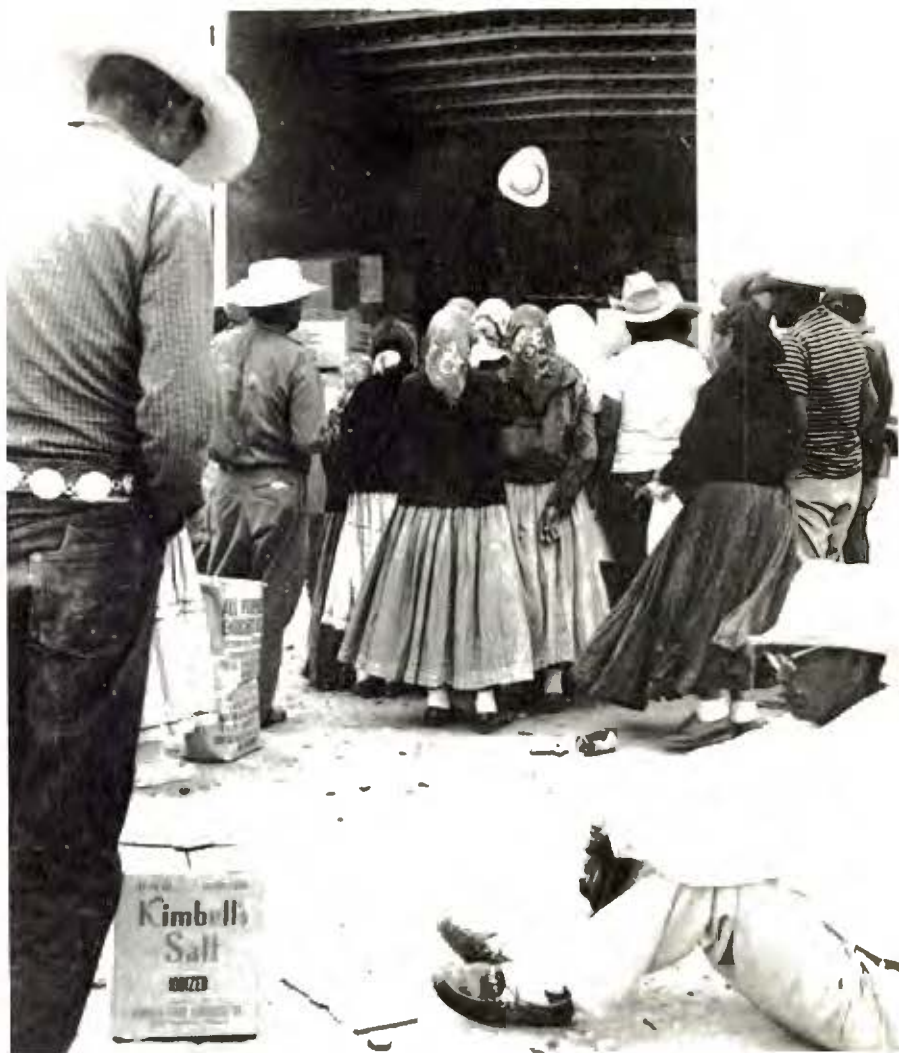
The infant mortality rate for Indians, for example, is one and a half times that of the rest of the United States; the death rate of infants between one month and one year old is three times the United States average. Nearly

twice as many Indian mothers die in childbirth as mothers in the rest of the country. Deaths from tuberculosis and gastritis among Indians are five times more frequent than in the United States as a whole. Twice as many Indians die from influenza and pneumonia as do other Americans.

And these are just mortality rates. Incidence rates are even more alarming. Proportionately, 49 times as much amoebic and bacillary dysentery strikes American Indians as the rest of our population. The incidence of tuberculosis among Indians is more than seven times the national average.

Despite higher death rates, the American Indian population is growing, and it is basically very young. By latest estimate there are approximately 450,000 Indians living on or adjacent to reservations. The median age of such Indians is only 17 years as compared to a median age of nearly 30 for the rest of the country. The birth rate among American Indians is twice that for all other races in the United States, but the average age at death for Indians is 44 compared to 64 for the remainder of the population. (The average age at death for the Alaskan native is alarmingly lower—34 years.)

The median school years completed by American Indians is approximately eight (although it ranges as low as 2.7 in Arizona and 4.3 in New Mexico). The median income of a reservation family (between five and six members) averages between \$1,500 and \$1,700 a year—less than 60 percent that of non-Indian rural families in this country. On many reservations, poverty afflicts between seven and eight out of every



10 American Indians with unemployment rates running almost as high.

Such are the general figures. What lies behind them?

The Standing Rock Reservation, encompassing nearly 900,000 acres of rural America, straddles the North Dakota-South Dakota border along the western bank of the Missouri River. It is home for approximately 4,700 American Indians, descendants of the Middle and Teton Sioux who, at earlier

times in this country's history, were the dominant tribe of the Northern Plains. Ancestors of the present reservation inhabitants were among those who, under the leadership of Sitting Bull, defeated General George Custer in the valley of the Little Big Horn in June 1876. Many are also descendants of those whose families were massacred at Wounded Knee in the winter of 1890.

There are a total of 705 houses on the Standing Rock Reservation.

Only 136—less than one in five—have sanitation facilities. In 1960, 84 percent of the reservation inhabitants were considered “in poverty” by Federal standards. Infant mortality among the Standing Rock is two and one-half times the rate for the rest of the United States and death rates attributable to certain diseases of early infancy are five times as high. Deaths from tuberculosis of all forms is 12½ times as high and deaths due to influenza and pneumonia are four times as high.

Of the reservation's population, some 2,314 persons are receiving federally donated surplus commodities. The Standing Rock tribe pays for transporting the commodities from a central warehouse in Jamestown, North Dakota some 180 miles away, to the tribal headquarters in Fort Yates where they are stored in the basement until they are trucked to eight distribution points on the reservation.

That nearly half the Standing Rock Sioux are receiving food aid reflects both this country's sense of responsibility and the unspeakably high rate of poverty among American Indians. Behind the Standing Rock food participation figures lies a modern day tragedy.

Although the U.S. Department of Agriculture makes some 23 food groups available for distribution in this country, the Standing Rock Reservation distributes only 12 of these commodities. Several reasons might account for this: less than the full number of available commodities are ordered, cultural dietary differences exist, adequate storage facilities are lacking, and tribal financial resources are extremely limited. None of these are as important as the fact that with distribution of only 12 com-

modities, there is no way in the world that Indian families at Standing Rock can be assured an adequate diet. Even if all foods that were available were distributed, a recipient would still not be obtaining recommended allowances of two out of eight basic nutrients. The full U.S. Department of Agriculture package of 23 items falls short of recommended allowances in calories and Vitamin C. At least part of the reason for the poor health status of Standing Rock Indians is obvious.

The Standing Rock Reservation is not the worst example of a low level of commodities being provided to American Indians. On the Crow Reservation in South Central Montana, where 63 percent of the 1960 population was in poverty, only nine commodities are distributed to some 2,373 of the tribe's 3,800 members. Furthermore, many tribes in Montana discontinue commodity distribution during periods of seasonal work when members leave the reservations for farm labor work. What those tribe members who do not leave the reservation eat during these periods is unknown. They must find food or starve. Assuredly, they are not receiving food assistance.

Generally speaking, the picture is somewhat better on other Indian reservations where a larger number of commodities are distributed. Except where private food outlets are close by, only commodities are distributed on Indian reservations. Some reservation Indians in Nebraska and Minnesota participate in the food stamp program. The Cheyenne River Reservation in South Dakota attempted a food stamp program, but when participation

dropped by 50 percent, it was decided to return to the surplus commodity program.

On the Black Feet Reservation in Northern Montana, where some 70 percent of the 1960 population was in poverty and where 1961-62 nutrition surveys found 77 percent of the diets of Indians either “poor” or “very poor”, some 3,639 of the reservation's current 6,500 inhabitants are receiving 15 food group items (17 separate items altogether).

On the Pine Ridge Reservation in Southwestern South Dakota, where some 74 percent of the 1960 population was in poverty, some 6,576 of the reservation's 11,000 inhabitants are receiving 17 food group items (18 separate items altogether). On the neighboring Rosebud Reservation, where 88 percent of the 1960 population was in poverty, some 4,442 of the reservation's 7,100 inhabitants are receiving 20 food group items (21 separate items altogether).

The Navajo Reservation, largest of all in terms of size (more than 15 million acres) and population (over 119,000 by latest estimate), occupies a large chunk of some of this country's most picturesque yet barren land in the great Southwest, taking in large portions of Arizona and New Mexico. Truly among the first Americans, direct ancestors of the Navajo are believed to have migrated to this country from Asia across the Bering Strait when it was a land bridge. Like other American natives, the Navajo have suffered greatly at the hands of the white man. In 1864, a military expedition under the command of Kit Carson slaughtered all of the Navajo sheep, destroyed their fields, and herded the Navajo fam-

ilies to the Bosque Redondo (near Fort Sumner, New Mexico) where they were forced to remain in a futile four-year experiment of "civilizing" them.

In the last five years according to officials at the Cuba City Hospital on the Navajo Reservation, there have been 28 cases of marasmus (a severe nutritional disease generally limited to underdeveloped countries) among Navajo infants of which some 14 have died. Infant mortality and death rates attributable to diseases of early infancy are twice as high among the Navajo as for other racial groups in the United States. Deaths from tuberculosis are over five times the national average. Deaths due to gastroenteritis and similar diseases associated with living in unsanitary conditions are 11 times that of the United States average. (Only one-fourth of the estimated 20,000 homes on the Navajo Reservation have sanitary facilities.) Respiratory and digestive system diseases accounted for over 4,100—or one-fourth-of all hospital admissions in the Navajo area in 1968.

Approximately 81 percent of the Indians on the Navajo Reservation were considered to be in poverty in 1960. The median family income for all persons in Arizona in 1960 was over \$5,500. For Arizona's American Indians, it was less than \$1,500. The median school years completed of all persons in Arizona in 1960 was 11.3 years. For American Indians there it was only 2.7 years.

Of the Navajo Reservation's population of almost 120,000, only 22,204—less than 19 percent—are receiving Federal surplus commodities. Unlike the Crow and Standing Rock Reservations,

where only a fraction of the available commodities are being distributed, there are 19 commodities distributed on the Navajo Reservation. In addition, a special supplemental package for mothers, infants, and young children, consisting of eight fortified and enriched food items, is being distributed to 412 recipients.

Thus we have the case of the Navajo Reservation, where a nearly adequate subsistence diet is provided to only one-fifth of the reservation inhabitants, while on the Standing Rock Reservation, the nearly one-half of the inhabitants who participate in the commodities program are underfed and undernourished. Not only, then, are American Indians in general discriminated against in food programs; there is a marked difference in food services provided various tribes and reservations which can only be viewed as unequal and discriminatory treatment.

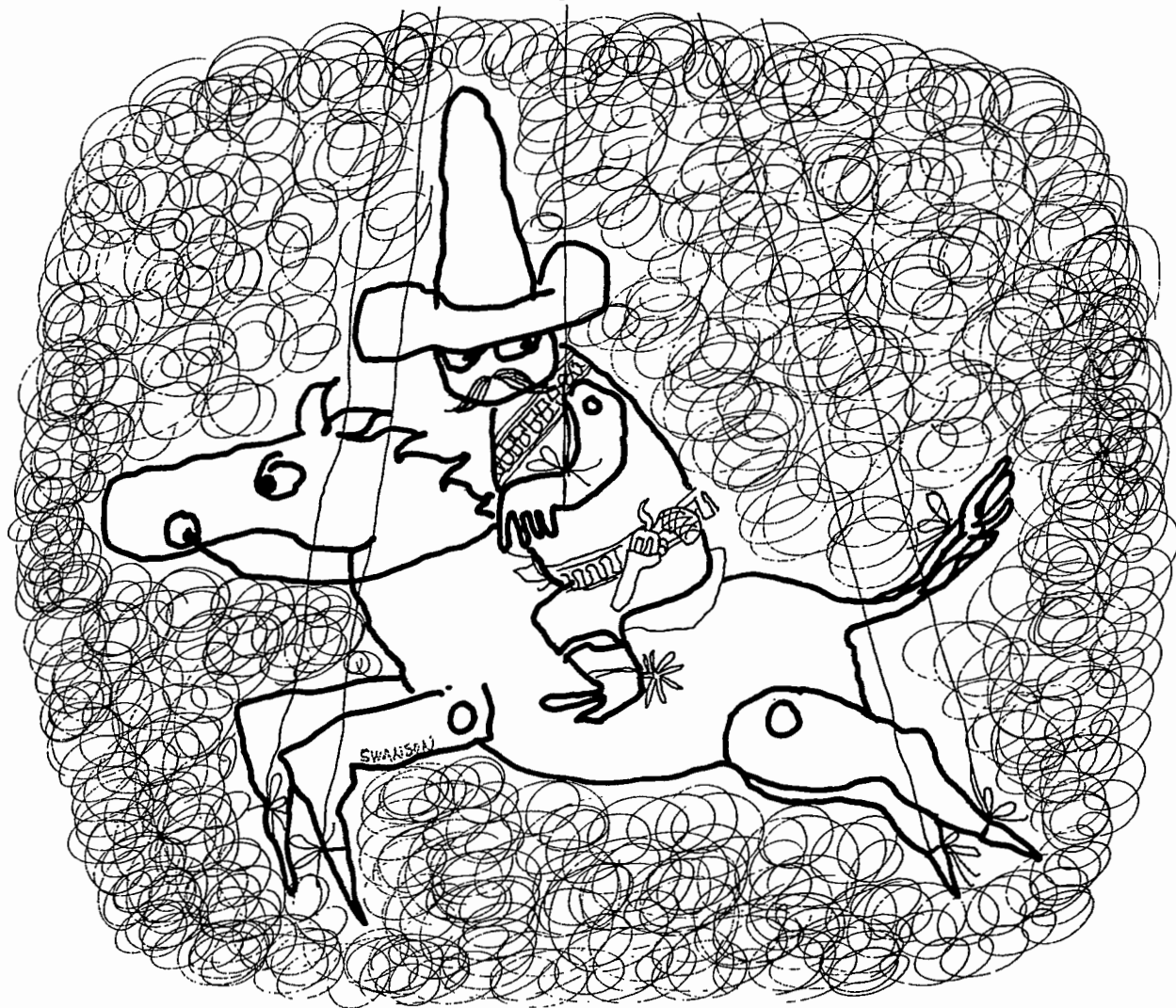
In this Nation, at this time, it is unconscionable that anyone must be hungry or undernourished; it is an unspeakable crime that American Indians, who have been victimized by the greatest injustice in the country's history, should be deprived of food programs which provide, at best, only partial nutritional requirements.

America—with its wealth, power, and scientific and technological skills—can put a man on the moon. Should the Nation not also be expected to assure adequate food for the descendants of its first inhabitants?

WILLIAM PAYNE

Mr. Payne is a Program Analyst for the Office of Civil Rights Program and Policy of the U.S. Commission on Civil Rights.

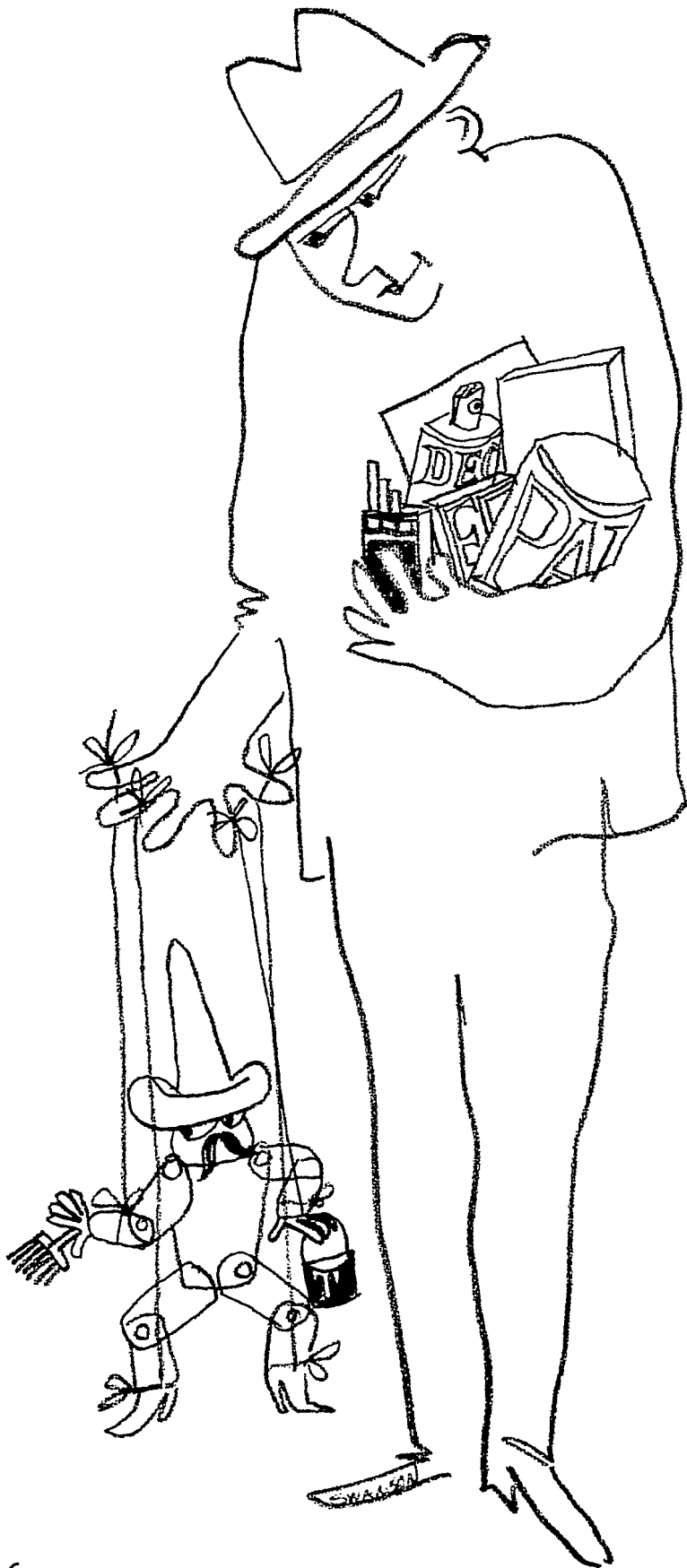
HOW ADVERTISERS PROMOTE RACISM



Emerging from a cloud of dust, appears a band of hard-riding, ferocious-looking Mexican banditos. They are called to a halt by their sombrero-covered, thick-mustachioed, fat-bellied leader, who, upon stopping, reaches with the utmost care for a small object

from his saddle bags. He picks up the object, lifts up his underarm, smiles slyly—to spray Arrid deodorant. An American Midwestern voice is then heard over the television, “If it works for him, it will work for you.” Message—Mexicans stink the most.

Flipping through the pages of a recent issue of *Life* magazine, one will encounter a picture of a man painting a house, who appears to be of Mexican descent. He is covered with spilled paint, except for his face, and the caption next to him reads, “You may



get the shade you asked for." Underneath this is a description of Lark cigarettes, ending with, "Tell someone about Lark's EASY TASTE and hardworking GAS TRAP FILTERS. Who knows? He may do something nice for you." Message—Mexicans are sloppy workers, and do not always do what is requested of them on the job.

The Functions of Advertising in American Society

Seldom a day goes by in the United States without at least one young Mexican American being called, "Frito Bandito." Indeed, this cartoon caricature of a short, mustachioed, two-gunned thief is a very effective prejudicial form of anti-locution — effective in terms of making the out-group appear inferior, and the in-group superior. The Mexican American children are paying the price in loss of self-esteem for the Frito-Lay Corporation's successful advertising attempt at product association. To understand how advertising can create such racial stereotypes and inflame racism, we need to examine the functions of advertising in American society.

Advertising, like legal statutes and decisions, serves at least two functions: instrumental and symbolic. Instrumentally, an advertisement is meant to sell a product; its instrumental worth is measured in terms of how well the product sells due to the advertisement. Similarly, the instrumental function of law is to maintain order; how well these laws are obeyed, helped through enforcement, is a measure of their instrumental value.

The symbolic function of law, according to Joseph Gusfield (Social Problems, Fall 1967),

refers to, "a dimension of meaning in symbolic behavior which is not given in its immediate and manifest significance but in what the action connotes for the audience that views it." For example, the burning of a draft card is less noteworthy for its instrumental abuse than for its symbolic significance. Gusfield maintains, "A courtroom decision or legislative act is a gesture which often glorifies the values of one group and demeans those of another." Thus, laws maintain the pecking order.

Likewise, TV commercials and magazine advertisements of the type referred to symbolically reaffirm the inferior social status of Mexicans and Mexican Americans in the eyes of the audience. Exaggerated Mexican racial and cultural characteristics, together with some outright misconceptions concerning their way of life, symbolically suggest to the audience that such people are comical, lazy, and thieving, who want what the Anglos can have by virtue of their superior taste and culture. The advertisements suggest to the audience that one ought to buy the product, because it is the duty of a member of a superior culture and race.

Racist Messages and the Mass Media

The symbolic function of advertising is one level of understanding the racist implications of the mass media, especially regarding the Mexicans and Mexican Americans. For another way of understanding, we turn to Marshall McLuhan. In his attempt to explain the influence of technological changes in communication, he told us, "The medium is the message." Later, of course, he termed

it, "The medium is the message," but the meaning is essentially similar; that is, *what* is said is less important than *how* it is said. As we move from the spoken, to the written and to the televised, the media somehow, somehow transforms our thoughts about ourselves, other persons, places, and things, as well as our relationship to them. The written world and the televised world (together with movies) have brought us closer to one another than the spoken world. Consequently, we are supposedly becoming involved in a "global village."

However, if McLuhan had been more sensitive to prejudicial racial and cultural stereotyping, he might have felt less inclined to shift attention away from what is both said and pictured, especially in commercials and ads, regardless of media. Simply because different cultural and racial groups are brought into the close proximity of our minds does not automatically lessen the influence of *cultural relativism*—we see different cultural and racial traits through eyes that are conditioned to see goodness and beauty as they are defined by our own cherished culture. We see beauty in things that we have come to accept as beautiful. That which is especially different from our own standards of beauty is often deemed distasteful. Television travelers and magazine mobiles take with them sacred values and beliefs that influence them to perceive selectively and interpret in a consistently self-fulfilling manner. A Peace Corps worker sometimes labels a foreign country as "primitive", an impression likely to be shared by television and popular reading audiences who judge from similar value standpoints.

Advertising media that utilize Mexicans and Mexican Americans selectively present and exaggerate racial and cultural characteristics. The consequence is logical: an ethnic group is portrayed in a manner that renders esteem to the values and beliefs of the audience and, conversely, the ethnic group is perceived as "naturally inferior." To find nothing objectionable or distasteful about advertising's image of Mexicans and Mexican Americans suggests tacit agreement with the image.

No matter what medium sends the message, the content and context of the message still have important ramifications, which in some cases supersede the importance of difference in media. Whether or not the "Frito Bandido" is pictured in a magazine or seen on TV (although the impact may be more widespread over the latter), he still reaffirms the inferior social status of the people he is supposed to represent, which, to judge from advertising, encompasses everyone of Mexican descent. When Camel cigarettes presents a "typical Mexican village" in one of their commercials, it may, in McLuhan's sense, serve to involve the viewers in their village life. But, what kind of village life is shown? All of the residents are either sleeping on the boardwalk, or walking around seemingly bored. The involvement, in this case, is one of the Anglo American sensing superiority over the lazy Mexican villagers.

If we assume that the content and context of a message, as well as the medium, are extensions of man's thought system, then the conclusion is logically inescapable: almost all advertisers presently utilizing Mexicans or Mexican Americans to sell their prod-

ucts are exhibiting racist thinking.

Not only are advertisers exhibiting racist thinking at the expense of everyone of Mexican descent, but they are also creating, in many cases, unfavorable racial and cultural stereotypes in minds that previously did not harbor them. When the image of an ethnic group is consistently similar throughout the mass media, there is the strong suggestion to the viewer that there is some validity to the image. Add to this power of suggestion the feeling of superiority that is aroused when another group is portrayed as inferior. Then the result of such an insidious combination of forces might be the expectation, sprinkled with some desire, of perceiving the ethnic group as having many inferior traits, the worst one being that they are what they are—a mass of inferior traits. Individual members of such a group should not be expected to be exempt from these inferior traits (except perhaps in a very few cases) because this is how prejudiced minds think.

Whether or not this prejudice was learned through advertising or parents, the effect is similar. Even unprejudiced parents (of which there are few) are not equipped to counter the steady and subtle bombardment of prejudicial suggestions that advertisers conveniently communicate to their children. To many children, the "Frito Bandito" is highly representative of Mexicans. Besides, they can always have some fun calling the Mexican kid at school, "Frito Bandito."

Advertising is a significant part of what C. Wright Mills called the *cultural apparatus*, which involves all mass media. The control of the cultural apparatus has important

implications, as pointed out by Harold Cruse in his book, *The Crisis of the Negro Intellectual*: "Only the blind cannot see that whoever controls the cultural apparatus—whatever class, power group, faction, or political combine—also controls the destiny of the United States and everyone in it." That is to say, advertising, at least in the treatment of Mexicans and Mexican Americans, is an exercise in reaffirming the superior social status of one group (guess which one) and the inferior status of another. Advertising, then is a tool of racist elites.

Where Lies The Blame?

Since advertisement is commonly conceived as a product of the advertising agency, there might be the tendency to put the bulk of the blame for creating and supporting racist notions on the agencies, rather than the advertiser. I say "blame" instead of "responsibility" because neither group could be considered socially responsible when they collaborate on racism.

It would be a simple explanation, not warranted by the complexity of the situation, to suggest that advertising agencies are amoral, image-exploiters, freely damning the image of anyone they damn please, or at least those who cannot damn them back. This is rejected out of hand, because advertising men and women are very much concerned with making a beautiful moral image of not only the product, but also themselves.

Indeed, the advertising men and women see themselves as the most beautiful kind of people. It is not out of lack of insight, for instance, that Joseph Bensman in his book, *Dollars and Sense*, conceptualizes the psychological state

of advertising men in terms of narcissism, which is an intensified sense of self-love. In his job, the advertising man must convince the public of the product's superiority. All the while, he must keep his cool. To "crack" is to admit weakness and invite failure, admitting that one is human. Under such working conditions, it is useful to develop the self-image of a "superman", in order to be really successful. The superman hangup, as we learned from Nazi Germany, is racist in nature, and scapegoating is taken for granted. The advertising supermen and women no doubt feel at ease in making an ad in which the advertiser, their client, finds no objectionable features, but which nevertheless casts someone of Mexican descent in an unflattering and stereotypical role.

An important point, however, is that ads are sold to clients; clients buy ads. The question then becomes, why are so *many different kinds* of corporations (See chart) willing to be sold ads which support racial and cultural prejudice against people of Mexican descent? Searching for the most logical answer, the logic of illogical prejudice on the part of the corporations and advertising agencies is glaring.

This prejudice was probed by students in a racial and cultural minorities course, who wrote critical letters to firms who paid for commercials and ads that communicate racism. Not unexpectedly, the Frito-Lay Corporation was high in the racist standings. Their written reply took the following form:

In response to your letter dated February 25, we did not and never have had any racist intentions in presenting the Frito Bandito cartoon character. It was meant to be

a simple character which is intended to make you laugh, in turn we hope that this laughter will leave our trademark implanted in your memory.

Again, our apologies if we have offended you.

Very truly yours (sic)

*Director of Advertising
Frito-Lay Corporation*

Tell this to the Mexican American kids. They have the Frito-Lay Corporation to thank for adding another racial stereotype to our language.

Why would a business firm care so much about implanting their trademark "in your memory", when the implantation is fertilized with the seed of prejudice against Mexicans and Mexican Americans? Again, is it really necessary to spell out the most logical answer?

Returning to the symbol of their racism, simply because the Frito Bandito is supposed to be a comical character, "to make you laugh", we might ask, is humor less harmful or more insidious than outright verbal statements expressing deeply held racial prejudice? Why are there so few, if any, jokes about rich Anglo-Saxons? And does it make any difference if some of the members of the victimized group itself freely laugh at the jokes about themselves?

Noting the rise in "Polish" and "Italian" jokes a few years ago, a reasonably sound answer to these questions came in the form of B'nai B'rith's denunciation of all racial and cultural jokes on the ground that jokes which ridicule exaggerated ethnic group characteristics promote ethnocentric thinking. Inasmuch as Polish and Italian jokes are usually similar,



and often exactly the same except for the name, there is good reason to deem all ethnic jokes as ethnocentric.

Jokes in the form of comical characters seem to mislead the audience, as all ideal-types do when they are based upon biased data. The audience is deluded into thinking there is enough likeness between the comical character and his ethnic affiliations to render the character believable.

Freud believed that humor was a reflection of unconscious, repressed feelings. Our true feelings are those which, due to social pressures to conform and not ruffle others too often, we seldom make known or put forth as seriously-held beliefs. Many of the same people who claim not to be prejudiced easily laugh at ethnocentric jokes, and are amused by stereotyped characters (include audience reaction to Jose Jimenez here). Does our laughter betray us? It most certainly does.

Others contend that it is healthy and harmless to laugh at oneself. However, it depends upon what aspect of self is being laughed at.

For instance, if a person such as Jimmy Durante makes fun of his big nose because it is uniquely structured and smiles at people, then this is not psychologically damaging to him. If, on the other hand, a person makes fun of his nose because he believes it to be an easily recognizable sign that he is a member of an ethnic group which he is somewhat ashamed of, then this person is temporarily identifying with the superior group which looks down at such obvious traits. Self-ridicule in this latter sense is a form of self-hatred.

Shakespeare might differ with me: "What's in a name? That which we call a rose/By any other name would smell as sweet." Yet, why do we call loved ones, "Honey"? Does not "Honey" suggest an image of something? Call her "Vinegar" and watch her reaction. Apparently, the Bard did not appreciate the influence of labels upon our perception and thinking. Ponder the thoughts of Erdman Palmore: "It may well be that if a rose were labeled 'stinkweed', it would be perceived as smelling less sweet." This idea tends to cast doubt on Shakespeare's insight into and sensitivity toward racial stereotyping, not to mention the forces that keep racial prejudice alive. But, then, he contributed his share through his creation of "Shylock."

The Brown Shadow

Today, no major advertiser would attempt to display a black man or woman over the mass media in a prejudiced, stereotyped fashion. Complaints would be forthcoming from black associations, and perhaps the FCC. Yet, these same advertisers, who dare not show "step'n fetch it" charac-

ters, uninhibitedly depict a Mexican counterpart, with additional traits of stinking and stealing. Perhaps the white hatred for blacks, which cannot find adequate expression in today's ads, is being transferred upon their brown brothers.

Much of the plight of Mexican Americans is reflected in their collective powerlessness to combat the advertiser's image of them.

Hanging onto the lowest economic rungs in American society, Mexican Americans have been unable to cast a collective shadow in the minds of everyday Anglo Americans, much less the power structure. We are invisible, and an invisible man has no visible shadow. The only racial shadow that advertisers have recognized and reacted to, in addition to their own, is the black shadow, not unusual since

all shadows are black; that is, any group which develops enough political power to influence their image-exploiters is visible. Mexican Americans do not cast a shadow in this political sense.

Where, then, is the Mexican American, with his brown shadow? He has been, and still is, at the bottom of the white race ever since white Europeans invaded the New World. Until recently,

PROMOTING RACISM: A PARTIAL LISTING

	The medium	The message
Granny Goose	†*Fat Mexican toting guns, ammunition	Mexicans=overweight, carry deadly weapons
Frito-Lay	†*"Frito Bandito"	Mexicans=sneaky, thieves
Liggett & Meyers	*"Paco" never "feenishes" anything, not even revolution	Mexicans=too lazy to improve selves
A. J. Reynolds	*Mexican bandito	Mexicans=bandits
Camel Cigarettes	*"Typical" Mexican village, all sleeping or bored	Mexicans=do nothings, irresponsible
General Motors	†*White, rustic man holding three Mexicans at gunpoint	Mexicans=should be and can be arrested by superior white man
Lark (Liggett & Meyers)	† Mexican house painter covered with paint	Mexicans=sloppy workers, undependable
Philco-Ford	†*Mexican sleeping next to TV set	Mexicans=always sleeping
Frigidaire	*Mexican banditos interested in freezer	Mexicans=thieves seeking Anglo artifacts
Arrid	*Mexican bandito sprays underarm, voice says, "If it works for him, it will work for you."	Mexicans=stink the most

†=newspaper or magazine ad

*=TV commercial

the main races were distinguished by only four colors—black, red, yellow, and white. Brown people were considered to be members of the white race, on paper at least. There seemed to be little desire on the part of the whites to call Mexican Americans anything other than white; more concern came from many militant browns. It was too comfortable standing on top of the brown people, as opposed to recognizing them officially as a distinct group, although they have been treated in a disdainfully distinctive way. It thus became easy to conceive of Mexican Americans as embodying all that is worst in the white man. This analysis is supported by another response to a student letter complaining of racism in a specific advertisement:

This acknowledges your letter of February 25 about an L&M commercial.

We sincerely regret your reaction to this commercial because we did not intend to be derogatory to any ethnic group.

'Paco' is a warm, sympathetic and lovable character with whom most of us can identify because he has a little of all of us in him, that is, our tendency to procrastinate at times. He seeks to escape the violence of war and to enjoy the pleasure of the moment, in this case the good flavor of an L&M cigarette.

This commercial is the first in a new series for L&M, and it was tested carefully with many audiences, including Mexican Americans, before it went on the air with no negative indications of any kind.

'Paco' is one of several commercials in the present L&M series, all with the same flavor, spirit and

good humor, including the 'office secretary', the Maine fisherman, 'the musical composer', and the 'gypsies'.

We appreciate your taking the time to write and express your opinion. We are bringing your viewpoint to the attention of the advertising agency which produces our L&M commercials, and we will continue to examine all of our advertising carefully in our effort to avoid offending any individual or any minority group.

Sincerely,

*Director of Public Relations
Liggett & Meyers*

According to this letter, "Paco" is an escapist, who embodies the undesirable trait of procrastination. Yet, advertising men detest procrastination (they made the ad), and so do capitalists (L&M bought it). L&M, whether or not their public relations director realizes it, is actually revealing their prejudice against Mexican people by allowing such a commercial to be shown in their name.

It is noteworthy that L&M sent an almost exact replica of the above letter to another student, who complained about the commercial that presented gypsies in a stereotyped fashion. To L&M, the only difference between the gypsies and "Paco" is the name: "The gypsies," replies L&M, "are warm, sympathetic and lovable characters with whom most of us can identify because he has a little of all of us in him; that is, our tendency to procrastinate at times." This easy exchange between ethnic groups strikingly resembles the phenomenon of ethnocentrism via Polish and/or Italian jokes.

L&M's justification for their ads, "a little of all of us in them,"

is a good example of *projection*, one of the dynamics of prejudice. Gordon W. Allport's words on projection from his famous book, *The Nature of Prejudice*, are still instructive:

Suppose there are unwanted traits in oneself—perhaps greed, lust, laziness, and untidiness. What the sufferer needs is a caricature of these attributes—a sinner-pure incarnation of these evils. He needs something so extreme that he need not even suspect himself of being guilty. The Jew is therefore seen as wholly concupiscent; the Negro as completely lazy; the Mexican as filthy. One who holds such extreme stereotypes need not suspect himself of having these hated tendencies.

"Paco" represents L&M's caricature of undesirable traits within Anglo Americans. And again, L&M, among others, takes it for granted that Mexicans are very amenable to caricaturization. We can also assume that the Mexican Americans who supposedly were shown the commercial prior to its public release may not have had the insight into stereotyping and projection to offer more viable opinions on its offensiveness. Perhaps they have become accustomed, or conditioned, to accept "Paco" and others like him, as a reality, rather than as an advertising fabrication.

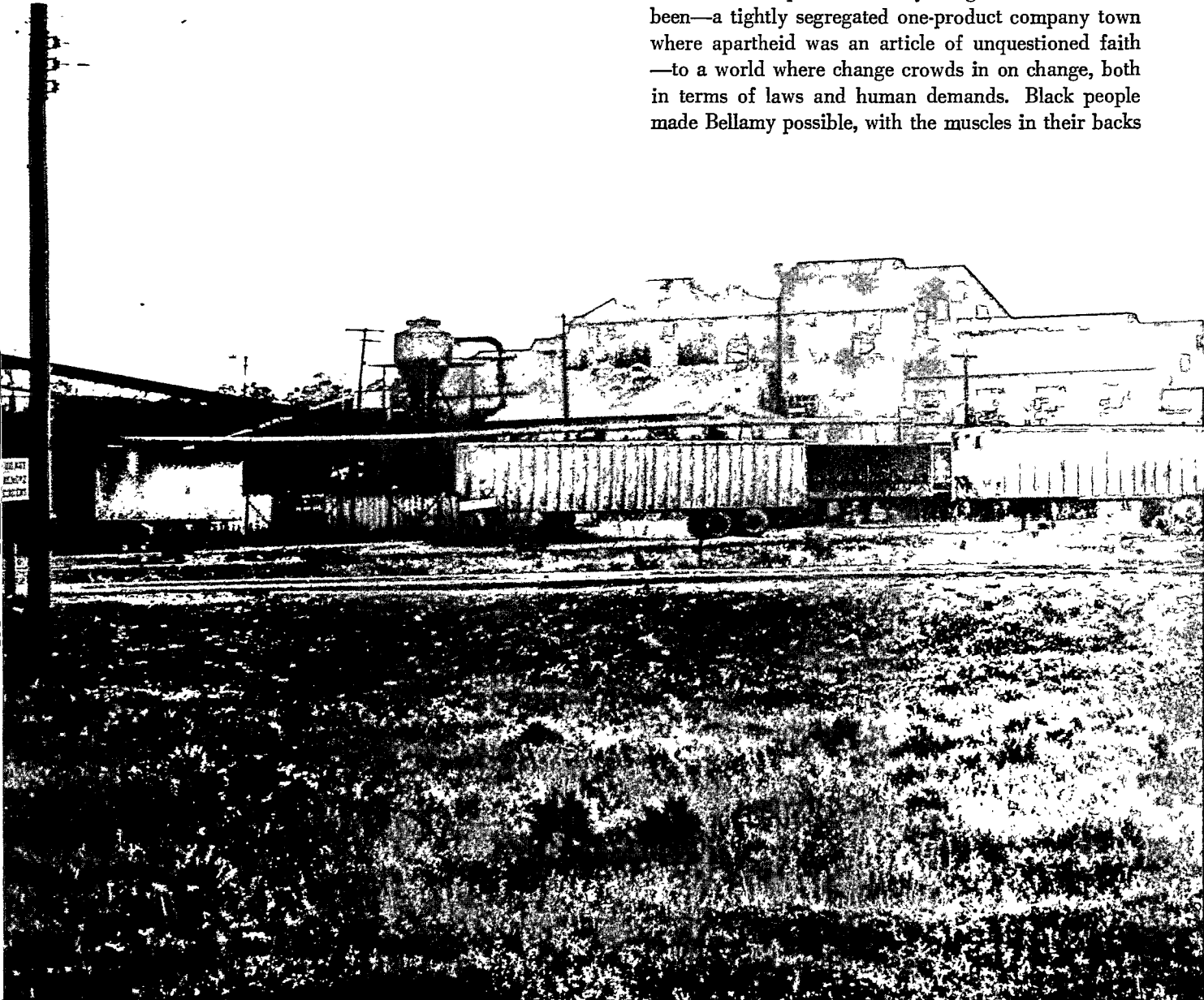
THOMAS M. MARTINEZ

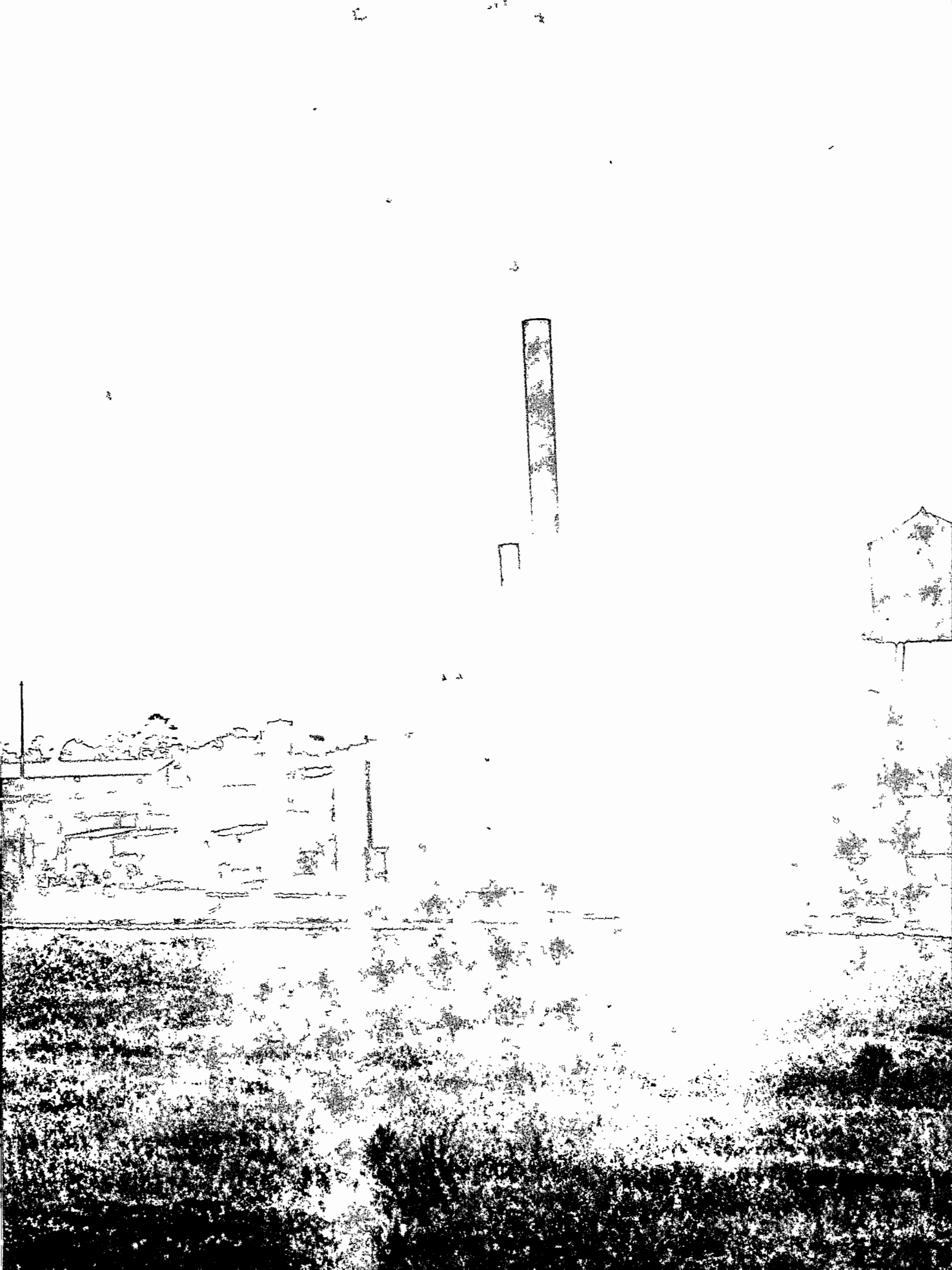
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BELLAMY ALABAMA Company Town Revisited

The sharp scream of the sawmill's whistle sets the tempo of life, the pace of movement in Bellamy, Alabama. Waking up time, working time, quitting time, the blast slices through the hazeless air with the urgency of unquestioned authority, and another day begins or ends as days have done here since late in the 19th century. The sprawling mill is the heart of Bellamy, its only reason for being. The blood it pumps is represented in the pine logs that are thrust like bark-rough kitchen matches into one end of the mill and spit out at the other as smooth sheened lumber to be shipped to a thousand places the people in Bellamy will never see. Without the mill, Bellamy would die.

Bellamy lives on from another time and another age, faced with the problem of adjusting from what it had been—a tightly segregated one-product company town where apartheid was an article of unquestioned faith—to a world where change crowds in on change, both in terms of laws and human demands. Black people made Bellamy possible, with the muscles in their backs





and the callouses on their hands. They performed the harsh and low paying tasks and it was accepted as right and proper that as inferiors, they should be treated as inferiors and they were.

In May, 1968, time caught up with Bellamy. During a hearing in Montgomery, the U.S. Commission on Civil Rights listened to testimony about this small unincorporated settlement, set up close to the Mississippi border in Alabama's Black Belt, that showed just how little it had changed over the years. When Bellamy was established by the Allison Lumber Company the only way in or out was by rail and while a two-lane asphalt highway later linked Bellamy to the outside, the testimony indicated it was almost as if the highway had never been built and time had stood still. The civil rights movement had washed through Selma to the east and touched Meridian to the west, but Bellamy remained as it had always been.

Black workers were still scrunched down at the lower end of the skill ladder and the pay scale, their houses were still pitiful when compared to those occupied by whites, their school remained an abomination, and not infrequently they were in debt up to their eyeballs to the single store in Bellamy. With the sawmill as the only employer, what opportunity existed for a young black man in Bellamy was the opportunity to get out.

A company town though it was, Bellamy was not a small operation. It housed the largest southern pine mill east of the Mississippi River and was owned by the New York based American Can Company, a multi-million dollar government contractor whose sales in 1968 were over a billion and a half dollars. The mill's work force numbered 334 with blacks representing 78 percent of the total. While there was no requirement that workers and their families had to live in the settlement, some 1,000 did with blacks in the majority. American Can purchased the approximately 125,000 acres of timber land, the sawmill and associated housing from the Allison Lumber Company in 1960, and in 1968 the place was still segregated. An invisible line was drawn through Bellamy, separating the white from the black. All of the homes the company rented to white workers were substantial dwellings with bathrooms and running water, while only eight of the homes rented to blacks had similar facilities. If there were not separate jobs for black and white, as the company claimed, the fact was that the average black made substantially less than the average white, the only dark face in the company office be-

longed to an office boy—an adult well past the age of even late adolescence—and it was not until two weeks before the Commission hearing that two blacks were finally promoted to supervisory positions in the plant.

American Can did not establish the racial patterns in Bellamy, but until 1968 it had done little to break them. Similarly, the Federal establishment had moved in snail-like fashion. The General Services Administration (GSA) with a more than \$1 million contract with American Can had never conducted a compliance review. Speaking for GSA, George Dorsey, Director, Civil Rights Program Policy Staff, told the Commission at the Montgomery hearing:

"I was not aware officially of the housing situation (in Bellamy) until I read it in this morning's paper about the testimony last night. Although I had heard it mentioned casually in the office, I was not aware of it otherwise."

In his testimony, Owen Hanson, Resident Manager, Alabama Operations, American Can, said this. "The problems we have been living with here have been gradually evolving; we are trying to formulate a plan so that we can do what has to be done and at the same time treat our employees fully as fairly as possible."

Shortly after the hearing changes did begin to occur in Bellamy, changes that many of the long time residents had little cause to believe would ever take place. Whether the hearing produced the changes or whether they would have occurred on their own is a matter that can be speculated on, but occur they did and Bellamy revisited is not the Bellamy of the first time around.

In late July of 1968, American Can submitted a proposed affirmative action program to the General Services Administration dealing with the disposal of company housing, the creation of a cooperative store and credit union, and promising company cooperation in the establishment of a local government for Bellamy. With some amending, the proposal was accepted by GSA as constituting compliance with Executive Order 11246 and implementing regulations. GSA also warned that failure to take aggressive action to assure early and complete implementation of the approved plans might result in termination of any or all outstanding contracts.

Even while the hearing was still in progress, however, the company had begun to move toward divesting itself of ownership of the houses on which it had been losing, according to its records, between \$77,000 and \$80,000 a year. Discussions opened with government

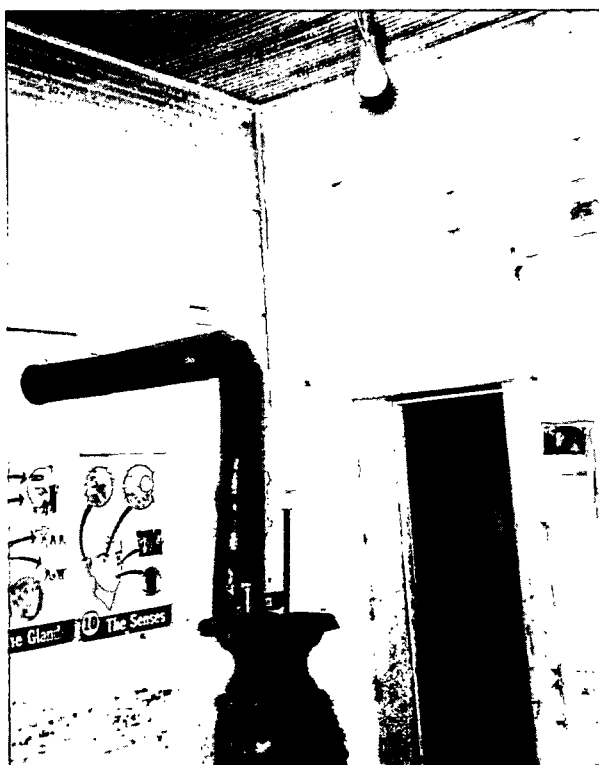
officials over methods by which the company could dispose of the housing. Several approaches were proposed, including competitive bidding and a lottery, before the solution of deeding the homes and land for \$1 to three classes of individuals—employees, retired employees, widows of employees—was settled upon and accepted by GSA. The Department of Justice and the Office of Federal Contract Compliance, who were also involved in the discussions, officially neither rejected nor accepted the plan, while the Commission on Civil Rights rejected it on the basis that the gift of houses represented a form of compensation that discriminated against most blacks.

The black homes had an average value of \$1,200 while the white homes were valued at \$6,000. While both whites and blacks were given homes for token payments, what most of the blacks received was much less—on the basis of quality and value—than what white workers received.

As a part of its plan, American Can offered \$500, to be expended on home improvements, to all of the new homeowners who had been paying \$20 or less a month in rent. Since only those homes with bathrooms rented for \$20 or more, the proviso restricted the list of eligibles to black families.

At the time of the transfer, October 1969, 139 of the company homes were occupied by blacks, 37 by whites, and five homes previously occupied by whites were vacant. These empty houses were offered to a list of the most senior black employees in exchange for their older homes, and five out of the 13 approached agreed to break Bellamy's color line. Additionally, two model homes were built in formerly all-white sections at a total cost of \$14,600 and turned over to black employees in exchange for their old homes. Since then eight of the black workers have qualified for FHA loans to build new homes, two of them to be located in formerly white neighborhoods, and several others are in the process of receiving FHA approval. American Can is actually building the homes, resulting in a savings on construction costs.

The sweet smell of fresh and available money brought a swarm of salesmen to Bellamy all eager to cash in on the bonanza of new opportunity. In the first few weeks after the transfer, 25 of the new home owners had signed up with a single firm for home improvements, primarily indoor plumbing. The \$500 from the company, however, was only a start with each of the



final bills running up to several thousand dollars. Then to add a further headache, not long after work began on the alterations, the new home owners began to grumble that they were being overcharged for inferior work.

By this time the improvement firm had discounted the notes to a Birmingham bank, and the home owners turned to plant management for assistance. The Legal Defense Fund of the NAACP was contacted and it brought in an independent black contractor who examined the work that had been done and gave what he considered a fair estimate of what it should have cost. The bank and the improvement firm agreed to accept this evaluation and the net reduction to the homeowners was approximately 10 percent. A more prudent approach on the part of the black homeowners toward improvements on their properties was evident after this first experience with salesmen, and American Can also arranged with Farmers Home Administration to send in representatives to explain how improvements could be financed through government programs, even before the salesmen began their pitches.



When the company turned over the houses in Bellamy to the workers, it included some 30 flimsy dwellings in Whitfield, a small settlement in an isolated section of its vast property. Some notes on the social structure of a company town can be drawn through a comparison of two settlements. Whitfield is not only isolated from the larger settlement of Bellamy in terms of space, but in terms of amenities as well, however sparse they may be. Whitfield was once the home of the loggers and Bellamy that of the mill folks. The social scales of the all-black society in which they functioned set the loggers apart and several steps down from the more sophisticated mill workers and the communities reflect this.

The homes in Whitfield are shabbier than those in Bellamy, and while the large settlement gives some semblance of being planned, Whitfield gives the impression of houses being put down in the woods and left to decay by themselves. What passes for the main street is little more than a wide foot-worn walkway with the structures, trembling on each side. Chickens roam freely through the settlement, picking at dirt as hard as rock. Here and there a thin dog dozes in the warmth, life moves so slowly as to be almost imperceptible. For water, there is a well, complete with bucket and rope. At night, the only illumination streams from the windows of the houses.

Efforts to improve the homes in Whitfield have not been as extensive or as expensive as those in Bellamy, and this is due in part to the presence of John Barnes, one of the principal figures in the Montgomery

hearing. In the manner of an elder of the tribe, he has cautioned his people against going too far too fast. He points to a house, down at the end of the path, where a home improvement company persuaded the owner to sign a contract calling for the installation of aluminum siding at a cost of \$2,400. The owner ruefully admits "I should have asked him what he was doing before he did anything." The cost of the lesson—a monthly note of \$39.03 and aluminum siding when the owner would have preferred a bathroom.

"I'm trying to keep my people away from this," Barnes says. His way of accomplishing this goal is by preaching the gospel of "do-it-yourself" in Whitfield. With a crew of frequently changing helpers and the owners themselves, Barnes has worked on some half-dozen of the homes, building extensions, and sheet-rocking and painting the interiors. The remodeled structures cannot be described as top quality housing, but Barnes has managed to complete them all within the \$500 allotted by American Can. "I'm not trying to make a profit, just trying to help," he says. He shows one bill that lists \$276.63 for materials, and when the cost of labor is added, Barnes estimates he came out of the job with \$15.

Barnes is a giant of a man, his hands rough from almost a life time at the mill, his eyes red rimmed and perpetually squinted against the Alabama sun. Pine is a soft wood. Barnes is more like seasoned oak. He talks in slow measured tones, not an easy man to know. Whatever else, he is certain that he has done the right thing for "my people," and his role in Bellamy has not

been a minor one. Barnes and a friend, Frank Fenderson, were the source of much of the information about Bellamy at the Montgomery hearing, with Barnes reaching a level of eloquence when he described what his people wanted.

"I know they want improvement. I talk with some of them in the last week and they say they want improvement, they want restroom in the house, different things. They want to beautify their houses, and different things. If they'd get an opportunity, they want it too. We want some of the same things that the white have."

Since the hearing, Fenderson has left Bellamy and Barnes no longer works for the company. On June 16, 1969, a day after he had been assigned a new job, Barnes called in ill and said he was going to see an eye doctor. He worked for the last time on June 25th and then began a series of communications by letter, phone, and in person between Barnes and company officials. The company asserts that Barnes was given the opportunity to return to work, and indeed was offered training as a lumber grader, a position not previously held by a black person. Barnes failed, however, to keep a number of promises he made to return, the company says. Barnes contends he was ill during the period, while American Can says he was working in Whitfield while all this was going on. Finally, the company ordered him to report for duty on August 13th with medical evidence of the disability that kept him from work. Barnes claims that despite his illness, he could not produce the type of records the company demanded and he accepted the last communication as his dismissal.

Barnes gives the impression of accepting his severance with complete equanimity that leaves no room for rancor or even regret that 20 years and more on the job have been washed down the drain. One senses in this approach something of the attitude that came over many of the vigorous leaders of the southern civil rights movements in the early 60's when after months of continued pressures and frustrations they reached a point where it became almost impossible for them to be concerned about jobs, families, or the other material things that figure so prominently in the lives of other people. Whether consciously or unconsciously, the person's role in the movement became everything thus making it possible for them to persist in the pursuit of goals they knew in their own minds were right, no matter what the cost to themselves.

When Barnes says, in a matter of fact voice, "after

the hearing, things were changing so fast that some of the whites said they were going to kill me if Negroes moved next door to them," it isn't easy to dismiss the words, not when set against the number of times such threats have been carried out.

Violence, however, has not occurred in Bellamy and what changes have taken place seem to have been at least on the surface, accepted in good grace.

The company says this, the people of Bellamy say this, and it has to be believed. There was an admitted reluctance on the part of some of the black people to move into the formerly all-white section of Bellamy. It would be expecting too much to believe that it could have been otherwise, not after so many years of existing in and being a part of a tightly segregated community.

Percy Johnson, who has spent almost all of his 62 years in Bellamy, is the head of one of the black households to move into the all-white section. The dwelling he received was one of the two model homes, and even with the conveniences it offered, Mr. Johnson did some soul searching before he agreed to the move. "I had the best house in town as far as colored people are concerned and I just didn't want to live with them (the whites) but it's working out okay. Now the people (once again the whites) laugh and talk with you and try to get you like you ought to be."

From this conversation and others with blacks who have moved into the once all-white sections, integration can be said to be working. And yet, behind the words, there is a certain degree of wariness; a reluctance to seek friends among the new neighbors, and perhaps too this is a legacy of a segregated past, not quickly undone.

Essentially, Bellamy is an uncomplicated and unexciting place in which to live. There's the mill, the store, a gas station, the school, a post office, and the homes. There is little to do except work and go home, and this, combined with limited job opportunities, has resulted in a visible shortage of young adults. Only recently have the blacks who have remained been given anything approaching an equal opportunity for job advancement. Where, until shortly before the hearing, there were no black foremen, there is now one, and six blacks have been designated assistant foremen and one young woman has been employed in the office as a receptionist. In a 6-month period, from March 1969 to September, 10 of the 12 promotions made at the mill went to blacks.

For most of the black workers, however, the new job

opportunities have meant very little. Some 92 percent of them are classified as either laborers or semi-skilled workers, compared to 11 percent of the white workers. The average tenure in the mill is approximately 13 years for the blacks and 6 years for whites. What is reflected in these figures is the bitter result of racial discrimination that made it necessary for blacks to accept and remain on low skilled jobs, while the opportunities for advancement went to whites. The tragedy of this is not peculiar to Bellamy, or to the South, but is rather reflective of many areas of the country where fair employment has come too late to help blacks who have already spent their most productive years under a system that offered them no room for upward mobility.

Under the old system, when Bellamy was the fiefdom of the Allison Lumber Company, paternalism was rampant, with the company playing the role of Big Daddy, who took care of his children as long as they observed his rules. Even under the more enlightened management of the American Can Company, there is still some reluctance on the part of the people who live in Bellamy to let go completely of this relationship. In the latter part of 1968, the residents were presented with an opportunity to turn Bellamy from an unincorporated settlement into an incorporated town with its own elected officials. The American Arbitration Association was called in by the company to work with community residents and a meeting was scheduled. Out of this, a mixed group of about a dozen citizens was elected to determine if in fact the residents did want to submit a petition to the county court asking for a referendum on incorporation. When it reported back, it was with the conclusion that it felt the community was not ready at that point to assume the obligations, and that further, it could sense no consensus among the residents. The meeting was adjourned to convene at some later date—a date that has not come as yet. What the lack of action really meant was that the plan had floundered on the rocks of financial reality. A new water system would have to be constructed, as the company would no longer be responsible for this; a garbage collection system would have to be set up, as the company would no longer be responsible for this, and all the other services provided for Bellamy by American Can, would have to be paid for out of tax money. Faced with these facts, the movement came to a halt and the people still remain to some degree the wards of the company. Finding fault with what seems a lack of community interest is not difficult for an outsider, but against this must be set the fact of how thoroughly a system can become ingrained over a

period of time, so that those who have grown up and lived under it, are reluctant to change. This attitude is made even more critical by the absence of young adults who could be expected not to be so tied to the past.

The absence of young adults does not mean the complete absence of young people in Bellamy. They are there, but they are of school age and not yet ready to follow the road to Detroit, Chicago, and points outside of Bellamy. Education for these children begins in a red wooden school house, sagging with age, its sides buckled by weather, heated by pot-bellied stoves and lighted by bare electric bulbs casting a yellowish glow on the faces of the children. Outside there is a privy for the little boys and girls, straight out of the 19th century with hot and cold breezes. Only black children—140 of them from grades one to eight—attend this mockery of an institution of learning. The few white children in Bellamy and a number of the blacks are bused out for their education.

The school is the black sheep of the community. No one pretends that it is anything more than what it is—an oppressive relic that should have been torn down years ago. No one really seems to want it. In 1926 the building was deeded to the County Board of Education by the Allison Lumber Company. In 1950 it was deeded back to the company, and in 1968 American Can deeded it back to the Superintendent of Education, in whose hands it now rests. On several occasions, American Can has offered the county 17 acres of free land to construct a new school, providing it will agree to vacate the old building. The offer has not been accepted.

Under a freedom of choice plan, offered by the county and accepted by the United States District Court for the Middle District of Alabama, four substandard black schools were closed at the beginning of the present school year and their students given a choice as to other schools. Bellamy, which was just as bad or worse than any of the other schools, was not included and thus seems destined to remain just as it is until at least December 1, 1969, when the school board has been ordered by the court to present a plan for the end of the dual school system in the county. But until then, education, such as it is, limps slowly on in Bellamy.

At the Montgomery hearing, the Commission was told of an arrangement by which the company deducted sums of money from the pay checks of its workers for the bills they owed at the single store in Bellamy. One of the witnesses, Frank Fenderson, pro-

duced a pay stub for a 2-week period, that showed his take home pay, after all deductions including one for the store had been made, was \$5. While there were other stores outside of Bellamy, the proximity of the one inside the settlement gave it, to some degree, a captive market. Following the purchase of the Bellamy operation in 1960, American Can operated the store until 1963, when it leased it to private operators. It did not end the deduction arrangement, however, until 1968.

About a year after the hearing, in March 1969, American Can turned the store and its companion gas station over to a cooperative organized by ten Bellamy employees, five white and five black. The Farmer Cooperative Service of the Department of Agriculture provided guidance on the setting up of the cooperative and is still providing advice on its operation. The company subscribed to \$25,000 in nonvoting stock, remodeled the building and leased it to the co-op for \$1 a year, and underwrote a loan at a commercial bank for inventory and operating capital. Membership shares have also been offered to the mill's employees and a credit union is on the drawing board.

One part of life that remains untouched in Bellamy, despite the other changes, is that revolving around the churches. They are still segregated, one with a black membership and the other with a white membership. The company turned over both buildings and the two swimming pools to the congregations, but despite a covenant in the deeds prohibiting segregation, religion and swimming remain segregated.

Taken as a totality, the changes that have occurred in Bellamy over the past few months have begun to dismantle a system that was created and maintained to insure the superiority of white and the inferiority of black. For the system to work, the role of each racial group had to be carefully delineated and there could be no blurring of the lines that proscribed how each group was to function and relate to the other. Thus blacks were regarded as a source of cheap and compliant labor and those who could not or would not conform to the patterns had no other choice but to leave. Bellamy was certainly not unique in this approach toward blacks, but the fact that it was a company town made it easier to control the role of people here, than in some other community where individuals were not quite so dependent on a single source of employment.

What was wrong in the old Bellamy is symptomatic of what is wrong in many black communities—

employment, education, housing and political power. In facing up to its responsibilities, American Can in the new Bellamy has made a beginning toward solving these problems, but all plans for progress have to take account of the negative legacy of the past.

The lumber industry, to begin with, is not an attractive field in which to work. It is dirty, noisy, and except for a few jobs—and these are traditionally reserved for whites—demands very few skills. It is also an industry in which the labor force is declining as machines are built that can do the same work cheaper. Bellamy, therefore, faces the possibility that it is a dying community, unless new industry can be persuaded to locate there or unless new products can be fabricated to supplement the production of lumber. To their credit, officials of American Can are aware of this and are seriously examining the possibility of attracting new industry.

Bellamy suffers because no effective black leadership has been permitted to develop in a settlement where the population is predominantly black. The cruel fact is that its most stable citizens, those who have worked here for 20 years or more, have been too conditioned by the old system to take full advantage of the opportunities now being made available. A new generation will probably have to come of age before effective community leadership can be produced, but even if such leadership does develop, it will probably not remain if employment opportunities are not expanded.

There are lessons to be learned from the Bellamy experience that demonstrate what can be done to change situations that had been accepted as unchangeable. American Can was in a peculiarly favorable position to cause a turnabout in Bellamy because of the power it had at its disposal, but at the same time its actions can instruct other companies faced with similar problems in the art of the possible.

In the case of Bellamy, the letter of the law was followed, and to this, was added the important ingredient of understanding on the part of the company that its role in change could not be a passive one.

Bellamy is a better community than when the Commission found it in 1968. Not perfect, but better.

JAMES D. WILLIAMS

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In San Diego, in Cleveland, in Jackson, in Boston, and in scores of other cities and rural areas throughout the country we have witnessed the inadequacies of the present welfare system and have heard sharp condemnation of public assistance programs. Criticism is voiced not only by those whom the system purports to aid, but by public administrators, social workers, economists, political scientists, and others. Moreover, critics of the system range across a wide spectrum of political, economic, and social thought—from Congressman Wilbur Mills of the House Ways and Means Committee to George Wiley of the National Welfare Rights Organization. Most recently President Nixon in introducing his proposals for reform stated: "Nowhere has the failure of government been more tragically apparent than in its efforts to help the poor, and especially in its system of public welfare."

Different reasons are advanced to explain why the system does not "work" and suggestions are put forth for modifications, but there is little agreement on the role which public assistance should fill and little understanding of the dynamics which underlie the present arrangement. The common thread of criticism, the

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single area of agreement, is that the system is wasteful from a human as well as from an economic standpoint and has failed to alleviate poverty or reduce dependency.

Historically, our society has scorned the poor. While material wealth gives reasonable assurance of approval and prestige, poverty evokes rejection and contempt. The Protestant ethic—hard work, thrift, self-reliance, moderation—clashes sharply with popular stereotypes of welfare recipients as lazy, wasteful, weak, and immoral. Horatio Alger myths still influence much of our thinking. Most Americans firmly believe that with the exception of a few elderly, blind, and disabled persons, all others could be self-supporting if they so chose. The facts belie this assumption. An estimated 90 percent of those currently receiving categorical assistance are outside the labor force by virtue of age or disability, or because they are children or mothers of young children whose presence in the home is vital to the well-being of their families and to society. Yet the view of the poor as indolent and undeserving persists.

The nonwhite poor are doubly disadvantaged. They bear not only society's opprobrium for being poor, but also racial hatred and crippling discrimination, the most devastating and pervasive aspects of our culture. Contempt for the poor and disdain for nonwhites have been blended into our present public assistance programs. These programs are constructed and administered in ways that perpetuate poverty and dependence and further degrade those who are disadvantaged and powerless. The entire system rests on premises diametrically opposed to some of our basic democratic ideals.

A cardinal principle of our American system of jurisprudence is that the burden of proof of wrongdoing rests with the State even where the most notorious criminal is involved. Yet a welfare recipient who has been accused of some misdeed must disprove the allegation—frequently to the satisfaction of her very accusers—in order to continue to receive aid. Millions of Americans make declaration each year of their income and expenditures and determine by themselves the amount of income tax which they will pay. Although many more people and much more money is involved in this process than is the case with public assistance, only a fraction of these taxpayers are subject to review. Yet every welfare applicant must prove eligibility and financial need before aid is forthcoming. These are only two of many striking examples which reflect the institutionalized suspicion and mistrust of

the poor and the nonwhite in our society. It is because the American way of public aid so well expresses these subconscious attitudes that the system has continued with little basic modification despite loud and constant criticism.

Institutional racism is, undoubtedly, reflected in differentials in money payments between Aid to Families with Dependent Children (AFDC) and the other public assistance categories. Recipients of AFDC, almost half of whom are nonwhite, received an average monthly grant of less than \$44.00 while recipients in the adult categories (Old Age Assurances, Aid to the Blind, and Aid to the Permanently and Totally Disabled), with only 25 percent nonwhite, received monthly grants ranging from an average of more than \$70.00 in the OAA category to over \$95.00 in the Aid to the Blind program according to recent statistics from the National Center for Social Statistics.

As a force against poverty, the present system is ineffective. Welfare grants reach only a fraction of those in financial need. According to conservative estimates more than 25 million Americans live in poverty. Yet less than 10 million receive *any* kind of public assistance. In the largest aid category—Aid to Families with Dependent Children—levels of financial help are, with a few exceptions, inadequate to sustain healthful and decent living conditions. The eight or nine dollars per recipient per month in Mississippi has received wide notoriety, but the relatively higher payments in many northern States still do not enable recipients to purchase adequate housing, sufficient clothing, or nutritious diets. A recent Department of Health, Education, and Welfare (HEW) study of AFDC mothers showed that in the 6 months immediately prior to the survey more than one-third had put off paying the rent in order to buy food, one-half experienced periods when there was no money to buy milk for their children, and in 17 percent of the families, children had stayed home from school at some time because they didn't have shoes or clothing.

Three years ago, in the course of a U.S. Commission on Civil Rights hearing in the Hough area of Cleveland, an AFDC mother testified on the need for an increased grant because, "you just can't do all those things out of the payment they give you every month."

"So you are really condemned to live on less than you need to live unless you cut corners?" Commissioner Theodore M. Hesburgh, C.S.C., asked.

"I haven't found a way to cut corners. I found a way to live without," was the response. An estimated

3,000,000 black recipients of AFDC have also had to find a way "to live without."

There is little consolation in the knowledge that many persons on assistance benefit from distribution of commodities, school lunches, or food stamps. The fact is that less than 7 million impoverished Americans currently participate in any type of food program. Other deficiencies in our welfare system are familiar. The failure to expand the present AFDC program to cover unemployed parents, the heavy tax on outside earnings of AFDC recipients, and, of course, the absence of national minimum standards are but a few of the shortcomings which have received recent attention. A few years ago the Indiana State Advisory Committee to the Commission on Civil Rights held a public meeting to gather information on the AFDC program in Gary. The Committee was told by a number of witnesses that Indiana's failure to adopt AFDC for children with an unemployed parent (AFDC-UP) was a major factor contributing to the disintegration of the family in cases where the father was unable to provide support.

Each State under present law is free to define "need" and determine at what level of poverty financial aid will be given. In many States these levels are so low that persons do not meet the State's definition of "need" despite their extreme poverty. Also, it is not enough merely to prove need; it is also necessary to prove eligibility within a category under the program—that is, to prove blindness, total and permanent disability, and so on. Two years ago in Jackson, Mississippi, a Negro man who had a heart condition and who had lost one arm and one leg told Commission on Civil Rights staff members that his application for Aid to the Permanently Disabled was denied because he was not considered to be "totally" disabled. A 63-year-old Negro man in poor health with little education and no job training reported that he was subsisting without income on surplus commodities. Unable to qualify for old-age assistance—he was too "young"—and, unable to find employment in an economy which is rapidly finding unskilled laborers a surplus commodity, he was one of the countless thousands who fall between the cracks in our present system.

These are some examples of persons not even covered by welfare programs. But what about those who have proven their eligibility and are receiving aid? It is with respect to this group, those who are covered by current programs, that the manifestations of institutionalized racism are seen more clearly.

When the Mississippi State Advisory Committee to the Commission on Civil Rights convened a 2-day meeting in February 1967 to gather information on welfare problems in their State they heard a variety of complaints. An overriding problem was (and of course still is) the low level of assistance grants. In some counties commodity distribution programs helped maintain a subsistence level of existence. In other counties a food stamp program had gone into operation but the price of stamps frequently proved beyond the means of impoverished Mississippians (incidentally, this problem is not confined to Mississippi); in still other counties there was no food program at all. The decision as to whether there would be a food program and whether it would be commodity distribution or food stamps rested with county authorities, none of whom was black. Complaints of low money payments were coupled with allegations that refusals to provide a food program were deliberately intended to drive Negroes from the State.

But perhaps more deplorable than substandard levels of aid is the manner in which assistance programs are often administered and the coercive ways in which hunger and dependency are used. Local welfare officials who frequently express the racial mores of the community or who covet political or economic gain may hold almost life and death power over recipients and applicants for aid. For example, Mrs. Lena Brooks, a Negro mother, reported to Commission staff that a welfare worker asked whether she had "anything to do with civil rights." When Mrs. Brooks replied that she "drove down in a car with some civil rights workers sometimes when we wouldn't have a ride," she was told, "If you do, don't ask us for any help anymore." Another black mother who applied for AFDC was denied aid immediately after the worker had commented, "You had three children in a white school last year, I guess you got them all up there now, don't you?" When the mother replied, "Yes ma'm. I sure is," the worker told her that her application was rejected. No reason was given.

Mississippi presents an extreme example of manipulation of the welfare system as a means of denying the exercise of civil rights. But the requirement that need be proven and eligibility established under one or another category, serves to subject recipients and applicants to a variety of abuses.

In San Diego County, for example, applicants for AFDC are referred to the Family Support Division of the District Attorney's office regarding maternity.



Among the 30 to 40 questions which the mother is required to answer are the following:

When did you first have sex relations with the father?

Give number of times you had sex relations with the father before you became pregnant _____?

After you became pregnant _____? With whom _____?

How many times did you have sex relations two weeks before _____ and two weeks after _____ you became pregnant? With whom _____?

If the AFDC applicant refuses to follow through on the referral to the Family Support Division or refuses to "cooperate," her application for assistance is automatically denied.

Of course, we have no way of knowing how many nonwhites, dependent on public assistance, have "cooperated" out of fear that this tenuous lifeline might otherwise be severed.

Scorn and racial antipathy so pervade the philosophy and administration of public assistance in this country that modification within the present framework of our Federal-State welfare system is not likely to suffice. However, we appear to be on the threshold of a breakthrough at least with respect to eligibility requirements and levels of financial aid.

Bipartisan support for some form of major overhaul

has been growing in Congress. Earlier this year legislation to provide supplemental family allowances was introduced; a bill which would establish a national system of public aid to needy individuals coupled with increased Federal funding for assistance payments, medical assistance, and services is another measure which was presented several months ago. And finally, in August, President Nixon offered the Administration's plan for reform.

The Administration plan contains several salutary features including recommendations for a federally financed and administered family assistance program, inclusion of families with unemployed fathers, and use of declarations of need and eligibility in place of present cumbersome, frequently degrading investigations. Unfortunately it was apparently deemed necessary to pander to popular attitudes and stereotypes about welfare recipients in an effort to gain wide support for the proposal. Thus, the emphasis on "workfare" instead of welfare—reinforcing the myth of the indolence of welfare recipients—and the assertion that the new plan "will make it more attractive to go to work than to go on welfare." It is sadly indicative of our embedded prejudices and inverted values that shibboleths such as these must be resorted to in an effort to make even modest reform measures more palatable to the general public.

Proposals for change have been given impetus by recent court decisions which have eroded various ex-

clusionary practices such as substitute father rules and residency requirements. Northern industrial States have become concerned with the financial pressures on their treasuries stemming from recent sharp increases in their public assistance case loads. Finally, the welfare rights movement has focused attention on the inequities of our present system and has brought the problems of welfare recipients to greater public awareness.

These various forces will undoubtedly coalesce into some form of major legislative change which may go far toward meeting minimum financial needs of all Americans. Change will occur despite our society's attitudes toward race and poverty. It will occur not because we have gained a better understanding of the dynamics of institutional racism but because the various pressures which have been building will be sufficient to outweigh the cultural racism which has been so influential in creating and maintaining the present system. We can expect, therefore, that racial attitudes will continue to find their expression in whatever new form public welfare takes.

The methods of establishing eligibility, determining need, and providing income support will probably be simplified and will be made more uniform and automatic. Discretion will be more limited. Many of the abuses which have existed with respect to eligibility determination and administration of money grants should abate.

Provision and delivery of services, however, remain an area in which individualized determinations and wide discretion are characteristic. It is here that the arena of conflict is likely to shift. We can anticipate that the welfare rights movement of the seventies will center around control of, or at least an effective voice in, policy determinations and decision-making. Such issues as how, where, by whom, what kind, and toward what end services are provided will increasingly receive attention.

We have seen some evidence of this in the demands put forth by the National Association of Black Social Workers and the National Welfare Rights Organization at the recent 96th Annual Forum of the National Conference on Social Welfare (NCSW). These organizations and allied groups sponsored resolutions calling for substantial representation of blacks, other minority groups, and users of social services on the National Board of the NCSW. We have also witnessed the forerunners of this struggle in other areas within the last couple of years. One of its more dramatic manifesta-

tions has been the fight over community control of schools in New York City. In scores of colleges and universities throughout the country a struggle, still in its early stages, is taking place over such issues as curriculum, who will teach, admission policies, types of research in which universities have been engaged, and so on. The rights being asserted by local communities and by students will be increasingly asserted by the actual and potential beneficiaries of training programs, day care centers, counseling services, family planning help, and a variety of other kinds of social services.

We have experienced the tenacity with which established structures and institutions attempt to retain power. When the struggle takes on a racial character, rational solutions become far more difficult. Until established white America can acknowledge and deal forthrightly with its ingrained antipathy toward the poor and the nonwhite, the struggle for participatory democracy in public welfare will be as mired in confusion and contradiction as has been the struggle to meet basic economic needs.

It is possible that 10 years from now extreme hunger, severe malnutrition, and dire poverty will be rare in this country. By then we may come to regard "poverty" in a somewhat different sense. Poverty may mean deprivation, not merely of the means to subsist at some minimum level, but deprivation of the accoutrements of a full and rich life. Poverty may have a broader connotation and may be measured in terms of denial of access to power and denial of the right to participate in the vital decisions that affect one's daily existence.

Because of our attitudes toward the disadvantaged and the nonwhite, it is likely that the struggle over adequate provision and distribution of services, including citizen participation in policy and decision-making, will take on much of the tone which has characterized the struggle for adequate financial assistance in the sixties. And until America comes to grips with its racial subconscious, it is unlikely that effective solutions to these problems can be found.

ROBERT H. COHEN

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SHOULD COMMUNITIES CONTROL THEIR POLICE?

After years of police-ghetto clashes and burned-out city centers, it should be clear by now that this country has a very serious law enforcement problem. The experience of the last few years has illustrated what James Baldwin told us in 1960 when he wrote about the white policemen of Harlem who have no way of understanding "the lives led by the people they swagger about in two's and three's controlling. Their very presence is an insult," he wrote, "and it would be, even if they spent their entire day feeding gumdrops to children. They represent the force of the white world."

The Problem: Past and Present

Though even the best police work sometimes engenders resentment, there is nothing intrinsic in the police-community relationship which necessitates the degree of hatred and fear that we have today. A citizen's attitude toward his protector—who is not also his oppressor—is basically a favorable one; it is the American setting which has so deteriorated the relationship of the community and the police in this country.

Because they are easily identifiable, usually white, and armed, policemen have become the street-corner symbol of the American society that has in the words of the Kerner Commission "created, maintained and condoned" the injustices of the ghetto. Actually policemen should not be blamed for all the injustices of a

system which is perpetrated by other institutions and other branches of government at least as much as by the police. But for understandable reasons, the police have become that symbol, both for middle-aged Negroes from the South and for today's northern black youth.

The past experience and the present social setting of police-ghetto relations have an effect on policemen as well as on people in the community. Policemen have grown up, as George Edwards, a Federal Judge and former Detroit Police Chief, says, "In a tradition where part of their historic function assigned by the community has been 'keeping the Negro in his place,' " a tradition which, he adds, "produces current

"Police-community relations is . . . the most difficult and important police problem of the next ten to twenty years . . . and in the long run . . . the very function of police work in a free society. It has to be, for otherwise it is war and unending opposition. . . . You can't handle a situation indefinitely with an army or with occupation."

Attorney-General Ramsey Clark, off-the-record talk to police chiefs and mayors, 1968.

attitudes. . . illustrated by the great number of present-day police officers who invariably use the hated term 'Nigger.' ”

Like so many other social problems, this one too tends to perpetuate itself in a vicious cycle. Blacks hate cops because they beat them up in the past and still do, and because they represent America's unpaid debts and empty promises for social progress. Cops hate blacks because they (the cops) have inherited the hatred from the racist traditions of the profession, and because as one policeman put it, “When somebody hates you, you get to hate them.” That same policeman, like many others, also said he felt he wasn't prejudiced before he became an officer. The atmosphere of hatred and fear surrounding a white policeman working in a black ghetto can both create prejudice and nurture racist attitudes.

Prejudice is also instilled by the simple fact that many white policemen who work in threatening, crime-ridden black ghettos live in quiet, relatively peaceful white suburbs. In Washington, D. C., for instance, 92 percent of the white officers on the force (which is 70 percent of the force) live in the white suburbs. “This fact alone,” says Judge Edwards, “makes them tend to identify Negroes with crime and whites with peace and order.”

Lieutenant William Osterloh, head of the San Francisco police-community relations program, has described how policemen may respond to the dangers of a ghetto beat and the worry that they “may not come home the next morning.” The policeman, he says, “compensates for fear by looking tougher and assuming a swagger and developing a chip on his shoulder.” It is a natural reaction, though not an inevitable one: occasionally one finds cooler, more mature individuals who are good officers and have established rapport with people in the ghetto and thus have begun to break the cycle. But that takes extraordinary individuals who by definition don't come in large supply and who don't get much recognition for their work. Being civil to people in the street is not the way to get ahead in the police department, as shown by the fate of most community relations programs.

As an indication of how extraordinary “good” officers in the ghetto are, consider the conclusions of two 1966 studies undertaken by the National Crime Commission in high-crime precincts of Boston, Chicago, and Washington, D. C. According to one such study, the vast majority—over three-fourths—of the white officers serving in predominantly black precincts

expressed either “prejudiced” or “highly prejudiced” attitudes toward Negroes, the very people whom they are supposed to be working with harmoniously to preserve the public peace. About an equal percent were “prejudiced” as were “highly prejudiced,” which is distinguished by those who referred to Negroes in sub-human terms or suggested extreme solutions to our racial problems (e.g., “These scum aren't people; they're animals in a jungle,” and “Hitler had the right idea. We oughta gas these niggers.”).

It is true that attitudes are not *invariably* translated into action; but in another Crime Commission study of the three cities, 20 instances of clearly excessive use of force were observed during 850 eight-hour patrols. That may not seem like much, until you consider that a city the size of Washington, D.C., has close to 850 eight-hour patrols every day, which means close to 20 instances of excessive use of force a day. If you cut it down to 15 a day, taking into account low-crime precincts where there may be less brutality, that still comes to over 5,000 acts of brutality a year.

James Baldwin put it simply in writing about the police in Harlem: “Since they know that they are hated, they are always afraid. One cannot possibly arrive at a more surefire formula for cruelty.” The hostile atmosphere that lingers like a storm cloud over the policeman in the ghetto can transform even the most ordinary and benign police-citizen encounters into lurid scenes of blood and violence. Consider these examples that happened during the last year in the Washington, D.C., area.

—In the middle of the black ghetto, a white officer with a record for courtesy tried to reprimand an apparently preoccupied black man for jaywalking, an innocuous “crime” which resulted in slowing down some traffic. The man first refused to stop to talk; then he attacked the officer and was reportedly beating him up, until the policeman got his revolver free. The result of the jaywalking encounter, one dead man leaving a fatherless family, one injured officer, two stores burned down, and general disorder put down by the widespread use of teargas and police power.

—Two white policemen tried to tow away a broken-down car belonging to a black man who had been trying to get it fixed. The man was an unemployed construction laborer who had had only “a few days” of formal education in his hometown of Chattanooga, Tennessee. He told the officers, “If you touch my car, I'll kill you,” and he did just that, standing over the officers and shooting them several times after they were lying on the ground. He didn't harm anyone else, not

even the tow truck operator whom he told, "I don't blame you, it was those white officers who told you to come down here." Those two white faces in blue uniform were undoubtedly the most convenient symbol of the society which allowed that man "a few days" of education, convinced him he had to have a car to have his manhood, and then gave him no training to earn a salary to get that car repaired.

—A white officer had a young black robbery suspect backed against a wall and trapped between two cars in an alley. Unlike an accompanying FBI agent, the officer had his revolver drawn; when the youth made a defiant gesture, the officer shot him dead with one shot, fearing, he said later, that the youth was making a motion toward his pocket, which turned out not to have any kind of weapon in it. The police chief later explained that the officer killed the youth "more or less as a reflex action." The coroner's jury called the reflex action "justifiable homicide." (California novelist Thomas Pynchon's observation was more appropriate when he described the situation in Watts where "There is the painful memory . . . of how very often the cop does approach you with his revolver ready, so that nothing he does with it then can really be accidental.")

These are only minor incidents compared to what has happened in other cities, but they show what can result from the pervading atmosphere of hostility between police and ghetto. More important incidents include the open police-ghetto gun battles in Cleveland, Detroit, New Jersey, and elsewhere; the indictment of officers in San Francisco and Patterson, New Jersey, for killings and police "terrorism"; the suspension of officers in Oakland for strafing Black Panther headquarters and in Detroit for beating up black teenagers; and in New York City, sniping at police cars, sabotaged call boxes, dynamited station houses, and the day-time beating by off-duty policemen of a group of Black Panthers waiting in a courthouse hallway.

In addition to the prejudice, the brutality, the killings, and the signs of open warfare between police and the ghetto, there is another aspect of the current situation which must be understood. Partly because of the nature of their job, the police have long been a socially isolated, inward-looking group of people who socialize mostly among themselves, have their own police organizations which include retired policemen, and usually regard attacks on individual officers as attacks on all officers. This social isolation obviously contributes to police unresponsiveness to the people in the communities they serve, particularly when such communities are of different racial and social status. "No single task is

more urgent," wrote the National Crime Commission, "than breaking down the wall of isolation that surrounds the police."

Recently, police isolation and unresponsiveness have taken on a more sinister aspect. The police are becoming an organized political force in many cities, as shown by a *Washington Post* survey and a staff report of the National Violence Commission. In Philadelphia the dossier-toting police chief, Frank Rizzo, is an acknowledged political power to be reckoned with; he was a major factor in the present mayor's re-election and in many ways he overshadows the mayor, according to some observers.

In other cities, such as Detroit, Cleveland, Boston, St. Louis, and New York, the police have also become a potent political force, in some cases preventing the mayor from taking action by lobbying with the city council, the state legislature, and other political powers. In Cleveland, Mayor Carl Stokes has been openly abused by racist comments over the police radio and derogatory posters on station house walls; the mayor has said he believes there is a nationwide struggle going on for civilian control of the police. In Boston, Mayor Kevin White has said: "Are the police governable? Yes. Do I control the police right now? No."

At first glance, there may seem to be nothing wrong with such political activity by the police. It is an American tradition that any group of people who want something should organize politically to get it. But there is another, more sacred, and in this case superseding American tradition which is written into the Constitution in several places: namely, the tradition of civilian control of the military. The constitution specifically gives Congress and the President full authority over all military matters. The police are a para-military institution; because they are armed and work constantly among the domestic civilian population, civilian control is as important for the police as it is for the military who may make literally earthshaking decisions.

Mayor Lindsay and Washington's deputy mayor have compared their police chiefs to the Joint Chiefs of Staff: they are responsible for implementing the policies set by their civilian superiors: the mayor's office in the case of the police, and the President's office through the Secretary of Defense in the case of the military. It is one thing for the police to organize around labor issues of wages, hours, and working conditions; it is something else again for them to organize around political issues of policies for handling sus-

pects, crowds, demonstrations, and the like.

Some people, of course, would like the police to make such decisions free of civilian control, just as some people would like the military to make comparable decisions free of civilian control. In fact, the House of Representatives recently passed a bill abolishing the position of Public Safety Director for Washington, D.C., a position created by the mayor to have a civilian oversee the police and fire departments. It is as if the House had passed a bill abolishing the position of Secretary of Defense. If such people do succeed in lessening civilian control and giving the police control over policy decisions, it can only widen the gap and increase the warfare that now exist between the police and the ghetto.

Attempted Solutions

Police officials in a number of cities are aware of their police-ghetto problem, and some are trying to do something about it. But they are finding it more and more difficult to break through the increasingly polarized atmosphere. The main attempts to do so have been police-run community relations programs and recruitment drives to hire more black and brown officers. Both attempted solutions have been met by very grave and probably by now insurmountable obstacles.

The most revealing report on such efforts by police departments is a survey of 13 major cities across the country conducted by the *New York Times* in the spring of 1969. The survey found that "virtually every department" has increased its efforts to hire black policemen and to institute community relations programs. But the *Times* survey concluded that despite these widespread efforts, "the hostility between the police and the Negro communities has worsened in some cities and in others remains the most explosive issue in race relations."

The report on the survey tells the same story that the National Crime Commission, the Kerner Commission, and other studies have told. Isolated within the police department, community relations programs have little effect on officers not in the program, and they have little impact in the community which generally feels that they are not community relations but public relations programs designed to improve the police department's image. In addition, hiring more black officers is very slow going, because of the stigma of the police in the black community as being the enemy. Besides, the survey reports, black people are frequently more hostile toward black officers than white, because they are considered traitors who have gone over to the enemy.

The main effort in terms of community relations

programs has been the establishment of community relations units or divisions within police departments, composed of officers who concentrate on community relations work in some precincts. Though the 13 major cities in the *Times* survey are expanding their programs, establishing community relations units has been a slow process in many cities. A 1966 Michigan State study found that only 38 percent of the cities with a population over 100,000 had community relations units at all. An earlier survey of such cities and smaller ones with more than 5 percent nonwhite population found that such community relations units as did exist consisted of from one to ten officers, with an average of three officers in a unit; the survey was conducted by the International Association of Chiefs of Police (IACP).

Many major cities now have much larger community relations units, but according to the Michigan State study, all the units surveyed face problems of being isolated from and downgraded by the rest of the police department. Sometimes the belittling comes from beat patrolmen, and sometimes from top police officials; usually, as in the case of San Francisco and Washington, D.C., it comes from both.

For most policemen, community relations is still viewed as the unmanly, unimportant part of police work; it is unfavorably regarded as "dabbling in social work and negotiating with persons hostile to the police," says the National Crime Commission. Sensitivity to community relations "hasn't filtered down" to the man on the beat, according to an assistant to the mayor in Detroit. It has met outright resistance or indifference at both top and bottom levels in Washington, D.C., according to the former head of the community relations unit. In San Francisco, regular officers reportedly call it the "Commie Relations" unit; they call community relations officers "Nigger lovers," or don't speak to them at all; and according to one report, "There are precinct stations in San Francisco which community relations men never enter."

Chief Thomas Cahill in San Francisco, who was a member of the National Crime Commission and has the image of being a very enlightened chief, lost faith in his community relations unit after the 1966 Hunter's Point disturbance. "I was the only police chief in America without a riot. They spoiled my record," Cahill told Dante Andreotti who established the community relations unit and described his experience in a *Fortune* magazine article. When Andreotti asked that the community relations officers' general rank be raised, thus increasing pay and status, Cahill refused.

"He told me the men weren't qualified. They didn't investigate and they didn't arrest people," Andreotti reported.

It is not surprising that with such an attitude toward community relations on the part of police, there has been little or no progress toward lessening police-ghetto tensions, as the *New York Times* discovered. The Crime Commission reports the findings of extensive studies that "most departments believed the primary purpose of community relations was to sell the police image to the public." With all the lip service to community relations and devotion to public relations of police departments, it is very clear, as such studies have concluded, that community relations units "have not generally won the confidence of minority groups."

In today's polarized atmosphere, even the most imaginative community relations program to come out of a police department appears to be doomed to failure. In Washington, D.C., a psychologist from the National Institutes of Health got a \$1.4 million grant from OEO for a "Pilot Precinct Project," which would give special "sensitivity training" to officers, establish unarmed youth patrols, hire 125 civilians to do clerical work, coordinate social services, and help run neighborhood store-front centers in the precinct out of which police officers would work in teams with the civilians.

The project was officially funded in August, 1968. Today, more than a year later, it has yet to get un-

"The Negro citizen sees the police officer in blue coat, with white face, as the representative of the white man's law who for nearly 300 years enforced the laws—first of slavery and next of legally sanctioned segregation.

His personal experience may have been like the following—or much worse. In the 1930's, if a teenage Negro boy met a white police officer in the late afternoon on the streets of an East Texas town near where I grew up, his first contact with law would probably be that of being told: "Nigger, don't let the sun set on you in this town!" Thirty years later in a big northern city, just that memory can turn a Saturday night party that has gotten loud enough for a police call into a dangerous melee."

*Federal Judge George Edwards,
Former Police Chief of Detroit*

derway; its story illustrates the suspicious, hostile reception which police-run community relations programs receive in the ghetto today. The local poverty program got evasive, deceptive responses from the police department when it asked for more citizen participation in the project. Meetings to discuss the project were disrupted by militant citizens who claimed that the project would simply set up a spy network for the police and that the community would be bribed by the 125 jobs into participating in the project. Several young community leaders formed an ad hoc steering committee to demand community control of the project and of precinct police policies as well. After a number of more moderate organizations called for the dismissal of the project director for being unresponsive to the community, the mayor suspended operation of the project this spring.

Extended negotiations between the city's public safety director and the community steering committee followed; the two sides were apparently working out an agreement providing for full community control of the project and some community voice in deciding police policies. But with the consolidation of precincts into larger districts, the city broke off the negotiations and said the project would be instituted on a district-wide basis.

Thus the city is now apparently going to try to impose on the community a project dreamt up, designed, and directed by a white psychologist who is resented in the community and who now claims that his project really has nothing to do with citizen control but is simply an attempt to "improve police services." Leaders of the ad hoc committee have promised to disrupt any meetings the project tries to hold in the community. Even if that doesn't happen and the project actually does get underway, it is difficult to see how the project can have any real impact on police-ghetto tensions, having been so severely criticized and discredited in the community. Recently, members of the community steering committee sat in at the project's office and held a "people's court" session; the court found the hapless project director and the city's public safety director guilty of "conspiracy to defraud the black people."

With the escalation of police-ghetto tensions, it is now clear that police-run community relations programs have little real impact on the community. Washington's experience with the Pilot Precinct Project suggests further that it is perhaps now becoming impossible even to establish such programs at all, so polarized is the atmosphere in which they operate.

Aside from such projects, other attempts to improve police-community relations have included establishing citizens advisory committees and improving the mechanism for hearing citizen complaints against officers. Such attempts have been even less serious and have generally made even less of a dent than the meager impact community relations unit may have had.

The 1964 IACP survey found that only eight cities out of 165 had established precinct advisory committees and only 19 had citywide committees. Today, 5 years later, other cities have presumably established such committees. But, like the advisory committees of the past, they are "essentially self-defeating," in the words of the Crime Commission, because "generally membership includes only those persons who agree with the police or otherwise do not cause trouble." That means businessmen, civic organization leaders, and others whose stake in the community is obvious; it does not mean the very people who should be advising and talking to the police, namely the youth and the poor with whom the police have the most contact on the beat.

As for mechanisms for hearing citizen complaints against officers, they are generally secretive, intimidating, and almost completely lacking of due process. A *Harvard Law Review* study in 1963 found that 70 percent of the police departments surveyed had no formal hearings at all for complaints, even serious ones; almost half of those that did had secret hearings. A detailed report of the Washington American Civil Liberties Union in 1968 described the many ways the police discourage the filing of complaints and intimidate complainants in the process of themselves "investigating" citizen complaints against them. The Crime Commission cites examples of many cities where the same situation exists. As the Michigan State study concluded, "there exists widespread distrust of the internal police trial procedures by the major minority groups around the country". External review procedures are not much better. One *Harvard Law Review* article criticized the ineffective Civilian Complaint Review Board in Washington, D.C. (which is now virtually dormant) as "a mere illusion of civilian control over police proceedings."

Another attempt to deal with police-ghetto tensions has been recruitment drives for more black and brown officers. This attempt also is foundering on the pervasive atmosphere of police-ghetto hostility. Black policemen are caught in the middle between the prejudice from black people because they are policemen and the prejudice from white policemen because they are

black. Prejudice by the white policemen against Negroes and Negro policemen is rampant, as evidenced by the Crime Commission survey cited above and other studies; discrimination against black policemen in terms of promotion, assignment, and police socializing is also widespread, according to the Crime Commission and others.

One result is that black officers in many cities are forming their own separate policemen's organizations to fight such discrimination; a National Society of Afro-American Policemen has also been formed. Another result is the resignation of some black officers, such as the *Wall Street Journal's* story on Sgt. Joe Johnson, a veteran of 22 years on the Los Angeles force, who resigned because of the tension of being a black cop today. The final event which led to his resignation was a meeting of policemen at which some white officers apparently questioned the loyalty of Negro officers to the police department in certain situations. Sgt. Johnson emphatically saw himself as a policeman first and a Negro second; even the suspicion of disloyalty upset him: "I felt like ripping my badge off right there," he said.

Sgt. Johnson's predicament is a very real one for many other black officers, and one that becomes more acute as the atmosphere becomes more polarized. The psychological strain of being at the same time a member of two distinct groups who are at war with each other is a heavy emotional burden. For some it is too heavy; in Washington, D.C., a number of black officers are regularly retired from the force by a board of medical examiners when they come before the board physically shaking from the psychological strain and emotional conflict. Some manage to resolve the conflict and turn out to be good officers who understand the lives of the ghetto people they deal with and thus can begin to break down some of the hostility. Others resolve or try to resolve the conflict in a different way: they become more oppressive and brutal than many white policemen in an effort to prove to their white colleagues that they are policemen first and Negroes second. It is a futile effort finally, given the widespread, continuing prejudice among white officers; and the futility of it often leads to more brutality against citizens since frustration must find an outlet somewhere. Such officers only worsen the problem of police-ghetto tensions.

Thus simply recruiting more black policemen is not a solution. To help at all, you need the right kind of black policemen, those who will resolve the conflict with responsiveness and sensitivity, not with brutality.

Such policemen are most likely to be those coming out of the ghettos themselves, but recruitment of them is extremely difficult, given the view of many ghetto youths that the police are a kind of occupying army for the white power structure. It is like asking Indians to join the cavalry. In Washington, D.C.—where the city is 70 percent black and the police department 70 percent white—a well-advertised local campaign to recruit men from the city resulted in only a single applicant. At the same time, the department's nationwide tour of military bases resulted in 197 applicants; although other D.C. recruitment programs have increased the percentage of Negro recruits, generally four out of five of the men recruited from the military are white. So it is these mostly white, former military men who are supposed to help show a black city that the police are not really an occupying army for the white society.

The ambiguous role of black policemen points up the dilemma of the police's middle position. On the one hand, black officers are useful because they are better crowd appeasers and can find out more information in black communities for the police; that is why black militants tend to hate black police of any kind because, as police officers, they have become agents for the power structure. On the other hand, black policemen generally know and understand the problems of the black community better and, given a chance, could help solve them. The role of the black policeman depends upon the role of the police in our divided society; it depends upon the degree to which the police emphasize carrying out the law enforcement wishes of the power structure rather than helping the poor.

Another example of the dilemma of the police role can be seen in the two views of community relations held by Chief Cahill and Lieutenant Andreotti in San Francisco. Chief Cahill considers community relations a "secondary function" of police work, according to one reporter; he sees it in terms of improving crowd control, riot prevention, and the apprehension of criminals. Andreotti's concept of the function of community relations work, on the other hand, was "the dissolution of ghettos and injustice." Andreotti was right, of course (but he was only a lieutenant, not the chief), for as the National Crime Commission declared:

The Commission doubts that even a vastly improved criminal justice system can substantially reduce crime if society fails to make it possible for each of its citizens to feel a personal stake in it—in the good life that it can provide and in the law and order that are prerequisite to such a life.

A policeman working in a ghetto once expressed the dilemma of the police in our society in this way:

It's harder to work in these neighborhoods now than it used to be because we send the kids to school and teach them about rights and then put them back in the neighborhood. I think we either ought to get rid of these neighborhoods or stop teaching these kids about their rights.

The Solution of Community Control

Despite all the disagreement that exists on issues of law enforcement, two facts are virtually universally accepted: first, that no laws can be enforced or order kept successfully unless the police and the community cooperate with each other; and secondly, that today in our urban ghettos there is very little of that necessary mutual cooperation and support. The police are quite right to plead and beg for community support as essential for successful law enforcement. The trouble is that given the history and the present climate of police-ghetto relations, the police cannot expect to get and will not get the ghetto community support they need without also themselves changing in fundamental ways.

Joseph Lohman, an ex-policeman and now dean of the University of California's School of Criminology at Berkeley, has described the police role in this way: "The police function is to support and enforce the interests of the dominant political, social, and economic interests of the town, and only incidentally to enforce the law." Dan Dodson, director of a human relations center at New York University, has put it another way: "The laws which are selected for enforcement are those which the power structure of the community wants enforced."

An approach to law enforcement which sees this fundamental police role as unalterable and at the same time asks for fundamental alterations in the community's role is unfair and unrealistic and cannot succeed. But it is the approach most law enforcement officials take today. *You will not get community support of the police until you get police support of the community*, and (it is very clear from present police attitudes and positions) you will not get that until you have some community control of the police.

In better-off, white communities, the police do support the community—they do what the people in power who dominate the community want them to do—and the community, naturally, supports the police. It is not quite as simple as that today with the increasingly unconventional behavior of middle class white youth

who are also in their own way challenging the power structure, and who are harassed by the socially isolated policeman whose conventional lower middle class mentality is threatened by such behavior. But, though there may be a political struggle between different philosophies, basically it is true that white communities control their police; black communities simply want to do the same thing. To the extent that the police are becoming autonomous, and even some white communities are losing civilian control over them, then it is even more important to establish community control.

Eminent psychologists such as Eric Erikson, Bruno Bettelheim, and Erich Fromm have all stressed the importance for the individual's psychological health of being able, in Bettelheim's words, "to act in one's own behalf" and have some effect on one's environment. Social psychologists make the same point about a group or community of people: having some effect on events affecting them, some control over their destiny, is important for a group's social health. It is particularly important, of course, for a group of people so long denied that control and political power while others all around them have had it.

Because of isolation and increasing cultural awareness of their distinctiveness, the ghettos have become communities of their own; they therefore have a psychological need and a political right to control the affairs of their community. Once we grant that fact of social reality, then we can no more deprive the ghettos of community control of their police than we can deprive Greenwich or Chevy Chase or Winnetka of community control of theirs. It may present more complex problems to grant the ghettos that control than for towns somewhat separated from the metropolis, but those problems do not remove the social realities which justify that control.

Proposals for community control differ; but those developed in Washington, D.C., generally call for some community control (or "major community involvement," depending upon one's semantic preference) in two areas of police work: setting law enforcement policies at the precinct level, and handling citizen complaints against officers. For setting precinct policies, the proposals recommend elected *citizen precinct boards* in each precinct. The boards would have at least the powers to select top precinct police officials, to review citizen complaints against officers and require transfer out of the precinct of the most ineffective officers, and to work with police officials in determining law enforcement and personnel policies for the precinct. In the area of citizen complaints, the pro-

posals call for an elected *citywide citizens board* (possibly the chairmen of the respective precinct boards; which would have an independent investigative and legal staff, would hear all cases of citizen complaints against officers, and would determine what action should be taken, reviewable by the mayor and where appropriate by the Civil Service Commission and the courts.

Such proposals have raised many objections, the most immediate one being a fear of a police revolt or mass resignation in response. The precinct board element could be tried in one or two precincts on an experimental basis, which would diminish police objections. But it certainly would not eliminate them; the threat of a police revolt is a real one. But such a confrontation might not be a bad idea, especially in a city with a large black voting population that may be able to influence the confrontation to come out in their favor. Large numbers of resignations may be the only way to rid the police department of the backward, prejudiced white officers who impede progress and add to the frustrations of liberal mayors who may try to institute reforms. If community control would cause the worse policemen to leave, it might also attract inner-city people to join the force. Community control could change police work in the ghetto from an impossibly hellish assignment to a constructive, positive job in which the police and the people work together to make the community more livable, and fight together against its oppressors to make the society more just.

The most common objection to community control is that it might put "political bossism" back into police work. The thrust of past police reform movements has been to strengthen municipal police department control and lessen the influence of ward politicians on police work in their neighborhood. The trouble with such reforms is that they didn't succeed completely and never could. Political control can never be removed from police work; one can only hope to reduce the abuse of it. As Mark Furstenberg, a staff member of the International Association of Chiefs of Police, has written, "there is practically nothing the police do which is not political. At every point of public contact, you are in politics."

The issue is not whether political control is exercised over the police, but who exercises it. Today most of it is exercised by those who get control over the city government, which excludes ghetto blacks. It may be true that political control on the precinct level is more likely to be abused than on the citywide level; but inflexible adherence to such a view, if it is true, ends

up depriving ghetto blacks of the only kind of political control they can get, which is what happens now. We should experiment with community control programs, and the general goal should not be limiting neighborhood control but rather reducing abuse of control by all people at all levels, which can be done through various legal and political means.

Advocates of police centralization believe that community control would lead to differing policies in different areas of the city. The Crime Commission and others have pointed out that we already have differing policies, because we have different communities with different customs. Laws, and particularly policies for enforcing them, should be determined partly by the customs of a community. National standards for some basic civil rights and liberties are necessary, but enforcement decisions for street conduct statutes like disorderly conduct, drunkenness, and vagrancy should vary according to what the particular community finds offensive. The problem today is not that enforcement policies differ, but that the differences are set largely by the whims and prejudices of individual officers, and by others outside the community. Under community control, they would be set by the public decisions of an elected community board that understands prevailing customs.

Along with the reform movement for centralization came a parallel movement for "professionalization" of the police. A major study sponsored by the Crime Commission concluded, however, that the emphasis on crime suppression, technological innovation, and administrative efficiency in the name of police professionalism has tended to shunt aside community relations work. Today, status in the police department comes from being a detective, a plainclothesman, or an administrative official; it comes most from getting a position off the street, which is just where the best men are most needed. We desperately need more emphasis on the community relations aspect of police work; community control is one sure way to get it. And community control does not have to impede centralization in other areas of the technology of crime detection and the efficiency of police administration. In England, for example, there is far more police centralization and administrative efficiency than here; but there is also far more police responsiveness to local communities and far less police autonomy and isolation from the civilian population.

Some object to community control because it would put elected private citizens in charge of handling cit-

izen complaints against officers. It is said that policemen should be judged only by their peers, just as lawyers and doctors are. However, this does not work for doctors and lawyers for the obvious reason that one is much easier on one's friends, a reason that applies with even more force to the insulated society of policemen. More important, a citizen who believes a doctor or lawyer has mistreated him can go to another one. Policemen, however, are public officials; we cannot choose which policeman will arrest or abuse us. Furthermore, policemen are the only public officials to whom we give a gun and a club to perform their duty of serving the community, thus they are the officials over whom it is most important to have direct citizen control.

Some believe that only a revolution by the general populace will end police oppression. They argue that the police are too much a part of the power structure, that community people are still too conservative or reactionary, particularly in white communities, for community control to improve the police.

It is true that there are special problems with community control in white communities; but an elected citizen board there (as in black communities) should have a substantial number of positions guaranteed for youth and elected by them, since youth present the major community relations problem. Such youth representation would air youth problems and would make the board more sympathetic to them, particularly the problems of police harassment of people with unconventional life styles. Even a citizen board with a conservative majority would help bring policies out in the open where they can be more easily challenged legally and politically. White communities also need more direct, more democratic control over their community police forces.

It may be that these radicals are right, that the police are too tied to the power structure to change, and that revolution is the only answer. But it may also be true that there is still a chance for real change short of revolution. If there is still a little time left, then community control is probably the only workable solution short of a violent one.

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COMMUNITY CONTROLLED SCHOOLS: POLITICS AND EDUCATION

Ever since the 1840's when Horace Mann was espousing the concept of public education, local control has been a fundamental tenet in the development of public schools. Local communities, particularly parents, are to have access to the schools, to teachers, to administrators, to educational decision-makers. The concept of the neighborhood school is based on the positive value of proximity between the family and the school so that this contact can exist.

In white, suburban communities, the accessibility of the schools to parents, either on a formal or informal basis, has been for years of primary importance to residents in those locations. Most suburban school boards are elected, and many parents, because of their status in the community, can wield considerable individual power on the outcome of various types of educational decisions. (Whether these people actually utilize their accessibility to the ed-

educational decision-making process is another question altogether. The important issue is that the opportunities do exist. The schools are in fact accountable to the local community.)

In ghetto communities, there is traditionally no such local control. High level decisions are sufficiently removed from the ghetto client that he can have little or no impact on what the school does to his child.

Black communities are now developing a strategy for creating accessibility and accountability—community control. In every way, this strategem is simply an extension of a concept that has been implemented in many communities. Logically, there should be no problem. And yet, as any one who reads the *New York Times* is aware, the problems in New York City have risen to epic proportions. Virtually no one is prepared to permit the black community to run its schools.

At its heart, the thrust toward community control is a complex political as well as educational issue. Minority group communities have been contained within the implicit, and often explicit, walls of the classical ghetto. Regardless of social and economic class, members of the Black, Mexican American, Indian, and Oriental communities have been relegated to a geographically definable area of the nation's metropolitan areas, the "quarters". Within the ghetto, minority groups find

themselves "served" by institutions that are controlled by White America—schools, police, welfare agencies, public housing administrations, etc. The resulting sense of fear, distrust, and alienation has provided an impetus for the growing demand for self-determination in the ghetto—the cry for Black Power.

Unfortunately for the country as a whole, White America has misinterpreted this symbol. Because White America has sensed the anger and hostility without understanding the underlying causes, it has concluded that the aspirations of minority groups are essentially destructive, that the fabric of the society will be destroyed.

Instead, Black Power must be viewed as a positive, unifying theme. In political terms, it means the acquisition of black control over the political machinery of the ghetto, the mobilization of a black power bloc. In economic terms, Black Power connotes the development of Negro entrepreneurship, of black-owned businesses and black economic power. In the social and cultural context, Black Power means the development of a positive self-concept, of a self-identity that will provide much needed psychological support. Finally, in education, Black Power means the creation of an educational system that has meaning for the residents of the ghetto, one to which they can relate and one which maximizes their potential. In other words,

the black community is being urged to control those institutions that directly affect its life.

It should come as no surprise that the schools of the ghetto have become the initial focus of the black community, since they represent perhaps the single most visible institution in the ghetto. They are numerous; and, as vehicles for cognitive development and as instruments for socialization, they necessarily have a profound influence on the lives of the children they serve.

Most importantly, ghetto parents are convinced that the existing school systems are inadequate. They see ample evidence that their children do not respond intellectually or psychologically to the demands placed on them by tradition bound educators. They sense the alienation that has grown between the black student and his school environment. In fact, they are coming to a strong awareness of the correlation between the role of the school and the racist practices of American society.

Seeking Community Control

The history of the black community's relationships to its schools has not been encouraging. The educational system has been dominated by a white educational bureaucracy that has demonstrated an amazing imperviousness to change. An important example of the static quality of urban educational systems has been pro-



vided by David Rogers in his book, *110 Livingston Street*. Rogers documents in considerable detail the many political forces in New York City that mitigate against any substantive change within that city's public school system.

In addition, because the teaching profession has been one of the few that has been open to them, many black teachers have found themselves conforming to a prescribed, restrictive code of professional attitudes and behaviors. They are caught in a dilemma between this professionalism and the need to function as change agents in education. The Parent Teacher Association, an important vehicle for access in sub-

urban schools, has never functioned effectively in the ghetto. Parents have been taught that they are not to question educational decisions, and school administrators have discovered that they can minimize discontent by using PTA meetings for social functions.

In a broader context, the black community has had little impact on the system as a whole. The potential political power of the ghetto has not been effectively utilized in electing school board members or in electing those public officials who appoint the school board. In sum, then, the black community has been powerless in the educational decision-making process.

But black people are demanding

a change. Recent events in several large cities have indicated that the black community has identified a political strategy for gaining access to educational decision-making; the strategy—community control. By creating a school or series of schools that are directly responsible to officials elected by the black community, ghetto residents have discovered that they can play a substantially greater part in insuring that at least one institution is responsive to their needs and expectations.

Community control of schools is, of course, a form of Black Power. It represents a thrust for increased power, in a political sense and a psychological sense. Through community control, the

black community can increase its control over its own destiny. Many would argue that the political implications of community control for the future of the ghetto are just as important as any educational considerations.

The Old Education Establishment

Only the most reactionary would argue with the abstract concept that minority group members should assume a greater role in the decision-making process. However, when an operational definition focuses on the schools, there are cries of outrage from many quarters. The usual comment, "leave education to the professional educators," becomes combined with an implicit, racist assumption that minority group members, particularly lower-class ghetto residents, have even less educational sophistication than do white laymen. The resulting opposition to community control of schools has become a strong force in many areas, of which New York is only an extreme example.

On the other hand, proponents of community control contend that urban educational systems have grown too large and consequently have exceeded the limits of effectiveness. The educational establishments, they believe, are ossified and unwieldy. The bureaucratization of the systems has served to widen the gap between top-level educators and the individual student, thus reducing the responsiveness of major educational decisions to the needs of the student.

Furthermore, proponents argue, they have been denied equal access to quality education. Ghetto parents come into contact with teachers who, to them, dem-

onstrate little sensitivity to their children. They are confronted by administrators who, they believe, show little interest in the education of minority students. In addition, they see an educational milieu aimed at duplicating the white, middle-class model, without any apparent recognition of the strength and vitality of the culture of minority group communities.

As a result, these groups are increasingly convinced that they are being cheated educationally by a society which for decades sanctioned insensitivity and unresponsiveness and which now in the absence of those sanctions is unable and unwilling to discard old habits. They attribute their children's failure to the schools, not to the "culturally disadvantaged" environment in which they are reared. Their response to this intolerable situation is to demand local control of the schools.

How Community Control Works

A locally-elected, responsive, and accountable decision-making body forms the operational base of community control. By involving local residents in the election of local officials to operate the schools, the schools will become more responsive and accountable to the interests and demands of the community. As parents gain a greater sense of control over the schools, their children will develop the same confidence, the schools will become more responsive to their needs, and, as a result, student achievement will improve. Through community control, contact between the school and community will increase, parents will become more involved in their children's education, and a posi-

tive impact on student achievement will result.

In several communities, of which Ocean Hill-Brownsville and Harlem in New York and the Adams-Morgan area in Washington, D.C., are the best known, local elections for school governing boards have been held. In these elections, voter turn-outs have been relatively light. And yet, one could contend that any elected member of a school governing board in the ghetto, regardless of the size of the vote, is sufficiently aware of the community's educational aspirations and expectations to attempt to follow a policy that has some direct relationship to the educational goals of the community.

Opponents to community control argue that these local elections represent an opportunity for the emergence of political despotism and for the practice of misdirected political patronage. There is little doubt that by creating local elections for school boards, politics is being introduced into education. Whenever this is the case, there is always the possibility of the rise of a dictator and the utilization of the spoils system. And yet, as Kenneth Haskins, former principal of the Morgan Community School, has suggested, "Why do whites always view the black community with such suspicion? We are perfectly capable of running our own elections, if only we are given the chance. I dare say that we can handle our 'kooks' better than outsiders can."

Given the history of political repression in this country, it should hardly be surprising that the black community has not instantly taken full advantage of the democratic process. In the past, black residents have either been

denied access to the polling places and voting booths of our country or have had so little impact on election outcomes as to make their votes virtually meaningless. It will take time to overcome the heritage of this direct and indirect exclusion. If residents of ghetto communities come to the realization that their votes count and are vital, particularly in the educational process, they will participate.

It is in opponents' views toward ghetto school elections that one is most struck by the use of a double standard. There can be no doubt that the results of these elections are groups of democratically elected officials. And yet, because America refuses to use the same criteria for judgment, ghetto elections do not produce "representative" officials because not every eligible voter has cast his ballot. Ghetto elections cannot possibly be valid because there is the possibility of rigging the elections. No one seems to voice the same type or level of concern about school board elections in suburbia.

The Real Issue

Another concern expressed by opponents of community control focuses on the racial implications of the movement. They contend that administrators will be extremists, that teaching staffs will be all black, that students will become "radicalized"—in short, that these schools will become the hotbed of revolution.

This attitude must be exposed as the racist fear it is. In New York and Washington, for instance, the faculties of the community controlled schools are more integrated than are a large majority of their neighboring schools. Administrators like Kenneth Haskins,

Rody McCoy, and Charles Wilson are Black Power advocates, but they are not advocating the destruction of American society—they simply aspire to the development of a strong black community.

Furthermore, there is some evidence that community controlled schools are not inimical to the development of integrated student bodies. At the Morgan School, increasing numbers of white parents are sending their children to the school because of the quality of the school.

In addition to political and social issues community control also faces the problem of traditional, inappropriate education evaluation. Standardized, culture-bound instruments are administered each year to ascertain whether a student has increased his reading level by 1.0 years as is expected of the "normal" (read white middle class) child. Drop-out rates are examined statistically, with slight attention paid to identifying motivational factors. The relationships between the school and the community are appraised in quantitative terms—i.e., the number of parents who visit the school or attend night meetings, despite every indication that these are inappropriate criteria. Considered in these terms the deck is stacked—community control, as well as other innovative approaches to urban education, cannot be validly assessed.

If community control and its impact on the schools are to be judged fairly, a whole new approach to educational evaluation is needed. Researchers and psychometricians must start with an understanding of the objectives of these schools and work from there, not ascribe traditional objectives

and measure the achievement of them in traditional ways.

The theoretical rationale for community control rests on several basic assumptions which in turn can be translated into educational objectives. Students with a more positive self-concept will improve academic performance. Schools will become more relevant when local community residents participate in educational decision-making. Furthermore, through the increased participation, parents will gain a greater sense of fate-control which will be communicated to their children and will have a positive effect on the children's performance in school.

If the evaluation of community control is to have any meaning, a search must be instituted to find answers to several crucial questions. What are appropriate ways to measure academic performance, local participation, and degree of fate-control? What precisely is "self-concept", how should it be measured, and how is it reflected in the child's achievement and behavior? What is the relationship between parent participation in the educational process and student achievement? What is the impact of community controlled schools on the local community, on the large urban community? A review of educational literature provides few answers, for few educational researchers are even beginning to raise some of these issues.

In this time of spiraling school budgets, growing teachers unions, and expanding Federal involvement in education, it is easy to lose sight of the primary stakeholders in the nation's educational systems. It is the student and his parents who have most to gain from quality education; they are



the ones who have the greatest investment in what happens in the schools.

If schools are to be relevant, their clientele must have some say about the schools' operations. Students and parents must have access to the schools and to the decisions that affect them; the schools must be accountable and responsive.

Local control is not a new concept. It is as old as the idea of public education itself. In most white communities control of edu-

cation is a common assumption and a jealously guarded tradition.

Black people are demonstrating not only their intention to determine their own destinies but their ability to do so. What is preventing community control of ghetto schools is not a lack of will or ideas or sophistication in the black community. What prevents change are the same things which created the ghetto in the first place—white educational control, white economic power, white political dominance, white bigotry.

If the rigid cycle of miseducation, poverty, and subjugation is to be broken, ghetto schools must change. Community control of schools is fundamental to that change.

DONALD W. BURNES

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Forgotten Americans



I thought I'd write and tell you . . .

In the resonance of thousands of words informing us of civil rights problems or progress, of legislative action and litigative decisions, of organizational positions and psychological analysis, it is possible—perhaps inevitable—that we lose sight (and sound) of individual citizens in this country; citizens who are still deprived, discriminated against; citizens to whom laws and decisions and pronouncements of progress carry little weight; citizens who have no organization to back them, no law firm to represent them, no contact with an influential government official.

The U.S. Commission on Civil Rights receives thousands of complaints each year from such individuals who seek help or information or sometimes, it appears, merely solace.

These are excerpts from a sampling of letters recently received by the Commission. They come from all over the country, north and south; they are from young and older people; people of different races, occupations, and levels of education; people with different problems and different ways of perceiving them. They are

not meant to be statistically representative in any manner; neither are they unusual. They are simply letters from citizens, reminders of what it is like to be an individual in the midst of the “social change” that we—and they—have read about and experience daily.

I have worked for the . . . Company since September 1965. I was hired as a janitor and since this time I have been promoted to a laborer. A job opening came up for a truck driver and I applied and was told that I did not qualify, even though I had had previous experiences in the armed services. Instead they hired a white man with less experience than I . . .

On one job that was opened they disqualified a Negro employee by giving him a test and saying that he did not pass. However, for this job they hired a white man and did not give him a test to see if he would pass.

I . . . thought I would write and tell you some of my problems concerning going a newly desegregated school . . .: The teachers . . . never call on any of the Negroes. . . they just ignore them.

. . . The children are always throwing a slangy remarks about the Negroes, and so do some of the teachers. There are several teachers that use the word “Nigger”. . . I don't want to be called a “Nigger” because I am not a Nigger. . . I have been threatened many times since I have been going to this school. I have reason to believe this is why [my father] was fired from his job. My mother was also beaten up by a group of white people, and nothing was done about this. . . I have learned about how white people are since I have been going to their school.

Those people won't let him draw his unemployment. The man where he work decided they would starve him with his large family we count get food stamp unless \$85.00 every 2 week which is \$170.00 a month. . . I am going to fight for right no matter what happen I have got beat up a many and that haven't stop me yet. I am still going fight for freedom.

I, allege discrimination in the financing of my home by the . . . Realty Company. . . I have been making payments regularly since

January of 1969 and I was late with my April payment. When I went to make payment the realty company would not accept payment and is . . . not giving me but one week to find a place to live. I am losing all that I have invested in this house. I am without a husband in the home and have ten children and this is not long enough for me to find a place to live. . . if I were not Negro. . . the realtor would have accepted my payment and would not be forcing me out.

Thirty individuals are in jail and five hospitalized as a result of a brutal and unwarranted attack by the . . . Police at "The Festival De Las Rosas" parade. . . . Victims were part of the delegation where some 500 individuals represented more than 40 Chicano organizations. . . It was the plan and the intent of these groups to march in the parade. . . .

. . . the white people do not hire Negro in the factory and. . . a lot of Negro need Welfare Help and they are not getting it. White people won't give the poor negro food stamps can you do anything help the poor Negro. . . . The food stamps don't help no one when they can't get them.

A . . . Police officer was criticized during the performance of an arrest by complainant and others who were standing nearby and said to them: "You Indian women are nothing but a bunch of slobs and filthy pigs." He then arrested, on a drunkenness charge, one of the complainants for attempting to see his badge number. He later returned to the scene and for half an hour shouted derogatory

and racist statements at a group of Indians. He dared one Indian woman to slap his face after an offense to her dignity, saying that it would give him an opportunity to shoot her.

The Real Estate Company and/or their agent would say to the white home owner—"The home next to you is being bought by a negro, I have several clients that would like to buy your home."

"Can I list your home, this area is going to be all negro. Let me sell your home secretly, where your neighbors will not know, so you can get your money and get out."

"Let me sell your home while they still have value because the negroes in the neighborhood will make your home worth nothing."

January 15, 1967:

I received your letter December 8, 1966, and was told if I hadn't heard from EEOC within two week time, to notify you.

March 25, 1968:

It's been a year since I had a letter from the EEOC concerning the matter. All I get is that they are working on the case. I have been getting no results.

April 11, 1969:

In reference to your last letter I received, September 6, 1968, you stated that my son's. . . case was being handled by the Commission's Executive Secretary. You also stated that this case would be settled in a matter of three weeks. As you and I both know its been right at four years.

The following is a list of the grievances that we are having at . . . High School,

There are no Negroes in the Honor Society.

There are no Negroes in the Choir.

There are no Negroes in the Senior Club. (1/5 of the seniors are Negroes).

There are no Negro Library assistants.

The clubs are closed whenever a Negro try to join them.

All the Negroes are graded unjustly.

A disturbance happened inside of the . . . Market and the owner called the police. I was outside in my car with my shoes off resting . . . ; the officers came up to me and started beating me. I saw them kick my daughter in the stomach and asked them not to do this and they beat me some more. They also drove my car off the lot and took my car keys and shoes, this the police station say that they can not find. I was charged with drunkenness, resisting arrest and assault on the police officer. These charges were all dismissed when I was carried to Court. I am alleging that this happened to me because I am a Negro. I have never been involved with the police nor do I have a previous police record.

I am being contacted by those who are having problems. . . in regards to public utilities. . . .The main problem seem to be discrimination. . . around the payment of telephone bills. I have been in contact with the manager of our local office, but have not been able to obtain any satisfactory answers. . . . The manager has said that the bills are due fifteen days after they are received. If payment is not made within that time, the user has a poor credit rating, which results in that person being called at his place of employment, and re-

ceiving letters threatening to terminate his service. . . . Another discrepancy is the amounts of deposit required. This does not depend on one's credit rating in the community, or homeownership but seems to be set arbitrarily. Deposits vary from none to \$75. These procedures seem to be used only in regards to Blacks. . . . I have not found one white person . . . who has ever been telephoned or threatened with loss of service, . . . in spite of the fact that they pay their bills every two or three months.

I am a Negro licensed plumber and am a member in good standing in the plumbers Union Local. . . . From the time I started to work at the U.S. Post Office project, I have been mistreated and discriminated against by. . . the general foreman. . . on this project. . . in the presence of three other plumbers, Mr. . . . called me a "God damned Nigger" and fired me without cause.

. . . my date and I went on to the Prom. . . . We went on up to the floor where the dance was. All the kids looked at us and laughed. . . . Everybody start going inside where the tables, food, and Negro band was.

When my date and I got to the door, Mr. . . . pulled us to the side and said, "I'm sorry, but I just can't let you come in." . . . I was very upset and angry, and hurt, but we left peacefully because we were the only two Negroes there and they had a policeman there.

I go about my daily work Sir and I obey the laws. Some have been unjust in the past but I still obey them. I am 35 years old. I have a son and I don't want my

son's life to be blighted by what I have done or been accused of . . . I am not going to jail innocently Sir and I repeat that *I am not going to jail innocently!* I would die first because me been killed as one black man is nothing. A lot of us have died before but I'm just sick and tired to the bottom of my stomach to be accused of something I didn't do.

I think something should be done about the Negroes in . . . Some can't even feed their children because people won't let them in their stores. Just because their skin is black and not white. Don't you think they have the same rights we do? Please do more about it. I'm only nine and after an education I'm helping even if you don't.

. . . The Coach at . . . High School which is an integrated school, held. . . a Negro boy while . . . a white boy hit him from the opposite side and broke his jaw bone in two places.

My husband was involved in a fight on his job. . . where four white men jumped on him and another Negro man came to his aid to help him fight off the four men. My husband was arrested and the other Negro man. When the arresting officer arrived my husband or the Negro man wasn't allowed to make a statement. They were arrested and charged with disorderly conduct. They weren't allowed to make a phone call or call a bondsman. When they asked if they call their wife they were told to tell the judge in court the next day at 2:30. They were arrested at 11 o'clock that night and the only way I knew my husband was in



jail I had called the hospital, several friends house, and finally the jail about 6 o'clock the next morning. That's when I found out where he was. . . . My husband and the other Negro. . . pleaded guilty because they knew that if they said not guilty they would have been fined more and that since they were up against four white men, a white judge and white policeman that they didn't have a chance.

One day a Negro boy came in at noon while we were eating. He was bout 8 or 9. His teacher told the Superintendent "I am sure his wrist is broken." The Superintendent said, "Oh, he will be all

right, put him in your room." A teacher told me our administration does not bother with that Negro family. Two days later one of his family took him . . . to a doctor. His wrist was broken and he sat suffering two whole days.

When I get big I shall restore this country to the white people if I must send the black ones to Africa or imprison them or shoot them. . . . Everyday, the black ones think of terrible things to do to white people who are feeding them. It is time to declare war on black ones. I already hit a black one at school when he stole my pencils. . . . My dad says writing won't do any good. We have to fight them ourselves because it is like Germany was and Russia is now only worse. I may be ten years old but I can see what terrible things the black ones are getting away with because you let them.

They never bothered to come to the car to let my wife know we were going to jail. She was just getting down to see what all the noise was about when she saw those 2 cops on me. She got upset and ran over to me. She asked the policeman what happened, and he said that he was putting us in jail. Josie, (my wife) asked them why, and she tried to come close to me but the policeman pushed her back, and told her that if she didn't get out of there that they were gonna arrest her too and put the baby in a home.

I didn't want my wife to go to jail too, so I told her to walk towards (home) because she doesn't drive a car. She was carrying the baby all this time, and must have walked about 3 yards or so, the officer let go of me and ran after



Josie. I heard my wife screaming and calling me for help, because he was hurting her. I yelled at him to let her go because she was pregnant, but he still wouldn't let go of her. The other policeman ran over and saw that he had my wife's arm twisted behind her back and was pulling her head back by her hair. Josie kept screaming help and was begging them to let go because the baby was gonna fall, but they still kept it up. She told them that if the baby fell, she could crack her head or something. Meanwhile I could hear her struggling and my daughter was crying.

. . . We were all taken to the police station . . . Josie was ar-

rested for resisting her husband's arrest. They told her that they didn't have the facilities for a baby. If she knew of someone that could come for Judy. She told them she wouldn't know anyone. . . .

Judy and Josie were put in Jail. They were right when they told her that place wasn't fit for a baby. It's wet, cold, and dirty. My wife said that she really didn't know what to do because she didn't have any diapers and Judy was wet the whole night through. . . . In the morning at about 9:30 the guard came around with breakfast. Josie asked him if he could give her some food for Judy, because she hadn't eaten anything all night. . . . The guard came back some time later and brought 2 ounces of powdered cold milk, which left Judy starving.

. . . Judy is the March of Dimes Poster Child for the County of. . . and imagine how I feel when someone says something like "Judy was the first Mexican to really represent. . . for something, and at her young age she goes and ruins it for us by going to jail."

I have worked at the (government) hospital for almost 26 years and have not been promoted since being employed. I have made application for at least five promotions that I was qualified for and each was not promoted. In one particular job that I qualified for they did not even post or give me an opportunity but just hired a white woman without seniority.

I have just applied for a job that required a high school education and experience which I have both, and instead of my getting hired they promoted someone with an eight grade education and no experience.



RIGHTS
OF
BILLS
STATE



Revitalizing Antiques

All State constitutions have bill of rights provisions containing protections of civil rights and civil liberties. Yet the States have played a relatively minor role in the protection of personal freedoms. For the most part, State bill of rights provisions are unimaginative copies of the Federal provisions, often meaningless because they offer nothing more or because they lack contemporary relevance.

State constitutions have been receiving widespread attention lately, mainly because the entire documents are in dire need of reform. Most of them were drafted in an era when it was commonly felt that the government that governs least, governs best, and many are overly restrictive in nature. State governments find it difficult to operate under such limiting documents. "As I look back over my term as governor of Pennsylvania," Governor William Scranton remarked, "hardly a day has passed when the Attorney General or someone else has not told me of some constitutional restrictions on proposed or needed action."

Of all State constitutional provisions, the bills of rights are often the most outmoded. Yet, State constitutional conventions set up to revise and modernize their basic instruments of government have paid scant attention to the part that the bill of rights plays in the state's constitutional scheme. Justice Louis D. Brandeis observed, "It is one of the happy incidents of the Federal system that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel, social, and economic experiments without risk to the rest of the country." But Frank Newman, professor of law at the University of California, Berkeley, aptly inquired, "Why have the citizens of not one 'single courageous State' chosen to create a laboratory? Where among the States are the modern counterparts of Virginia's Declaration of Rights or the initiative and referendum or Nebraska's unicameral legislature? No State should be utopian, but why do all States seem so typical?" If State governments are not able to revitalize their constitutions and rights provisions, their importance will continue to erode until, in the late Senator Everett Dirksen's words, "the only

people interested in State boundaries will be Rand-McNally."

Exciting opportunities await those intent upon carving out innovative constitutional protections. Instead of serving as a model, the Federal Constitution should serve as a starting point; imaginative thought for State constitutional revision should begin where the Federal document leaves off.

Basic to a new bill of rights should be a recognition that the old notion of a bill of rights as a restraint on governmental action is no longer valid. The massive economic and social transformations of this century, creating the promises of universal abundance and permanent unemployment and expanding bureaucracy, require new affirmative guarantees and a rethinking of the old concepts of due process and equal protection.

This rethinking should take into consideration the new due process demands in the area of public benefits resulting from the increasing dependency of the poor upon the government. Steps in this direction have already been judicially paved. Vagrancy statutes (which often amount to no more than making it a crime to be poor) and residence requirements for welfare recipients have been successfully attacked as unconstitutional discriminations against the poor. Recent discussion has concerned the rights of welfare recipients to a hearing before benefits are revoked, freedom against invasions of privacy like the notorious "midnight raids," and protection from denial of benefits on irrelevant grounds—e.g., the "substitute father" rule. The problems in this area are too complex to reach solely through constitutional changes, but a broad proposition like this one proposed by Arval A. Morris, Professor of Law, University of Washington, would direct the judiciary to provide closer scrutiny of governmental treatment of the poor:

No official agent or representative of government shall deny any person public benefits without due process of law, nor deprive any person of life, liberty, property, or public benefits without due process of law.

There is a need for protection of persons displaced by governmental condemnation and code enforcement activities. Here traditional constitutional concepts of due process and eminent domain have failed to provide adequate protection. The following provision has been suggested to meet the problem:

No person shall be displaced by governmental action from his dwelling without provision for immediate satisfactory relocation and full compensation for all losses and expenses incurred.

Some attention has been given recently to the inclusion of constitutional provisions for the protection of natural resources. Justice William O. Douglas has suggested that "if the Bill of Rights were being rewritten today, it certainly would provide people with protection against poisoning by insecticides—one of America's acute problems, as Rachel Carson shows in her book *Silent Spring*." This prediction is perhaps over optimistic. The recently defeated proposed New York State Constitution contained the following provision:

All divisions of state government shall preserve the forest, waters, wetlands, wild life and beauty of the state. Except as approved by referendums submitted to the people by act of the legislature, the lands of the state constituting the forest preserves shall be kept forever wild and in a natural condition.

An eloquent prototype for future constitutional drafters willing to meet the problems of conservation can be found in the World Constitution prepared by the Center for the Study of Democratic Institutions:

The four elements of life—earth, water, air, energy—are the common property of the human race. The management and use of such portions thereof as are vested in or assigned to particular ownership, private or corporate or national or regional, of definite or indefinite tenure, of individualist or collectivist economy, shall be subordinated in each and all cases to the interests of the common good.

A substantial amount of attention has recently been paid to the inclusion of broad social and economic rights in State bills of rights. The Universal Declaration of Human Rights adopted by the United Nations General Assembly sets an example by providing, among other things, for free and meaningful education, maternal and child care, an adequate standard of living, the right to reasonable rest and leisure, and the right to a free choice of employment under favorable

conditions with just compensation. It contains the provision that:

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

The following clause was proposed by the drafters of the original Puerto Rican Constitution but was withdrawn because of strong objections preventing congressional approval:

In light of their duty to achieve the full liberty of the citizens, the people and the government of Puerto Rico shall do everything in their power to promote the greatest possible expansion of the system of production, to assure the fairest distribution of economic output, and to obtain the maximum understanding between individual initiative and collective cooperation. The executive and judicial branches shall bear in mind this duty and shall construe the laws that tend to fulfill it in the most favorable manner possible.

The relevant question is not whether we will or will not have a welfare state. Direct governmental responsibility for the problems of the poor cannot be avoided. The "scientific revolution" has created new concentrations of power, with such side effects as producing increasing surpluses, displacing men and substituting machines with the promise of permanent unemployment, and requiring increasing governmental involvement. Collective attempts to withstand these threats lack adequate protection. For instance, the right to organize peacefully still meets serious resistance in parts of this country. The U.S. Commission on Civil Rights at a recent hearing received testimony that the efforts of farm workers to unionize in southern Texas were hindered by excessive and sometimes brutal strike-breaking activities of the state's law enforcement officials. Similar allegations have come from other States. The current exclusion of farm workers from the coverage of the National Labor Relations Act would counsel in favor of including in a bill of rights a provision guaranteeing *all* workers the collective bargaining rights that are presently available to only some. The New York drafters provided the following prototype:

Labor of human beings is not a commodity nor an

article of commerce and shall never be so considered or construed. Employees shall have the right to organize and to bargain collectively through representatives of their own choosing.

Proponents for the inclusion of new, affirmative economic and social rights are often met with the argument that such provisions cannot be judicially enforced since the courts are in no position to directly control legislative activity. But active judicial control over governmental behavior, including close supervision of governmental expenditures, is expanding. For example, the courts have mandated that in certain situations a defendant is entitled to be represented by counsel. Where the accused is unable to pay for his own lawyer, the State must provide one for him. Affirmative services guaranteed to the accused also include the right to free transcripts and one day probably will include investigative services and psychiatric testimony, as well as other expert testimony.

The reapportionment cases provide another area of active judicial scrutiny over governmental action. So does Federal court surveillance of State school desegregation. In this regard reference has been made to an important case, *Griffin v. Prince Edwards School Board*, where the Supreme Court authorized a district court to "require the supervisors to exercise the power that is theirs to levy taxes to raise funds adequate to reopen, operate and maintain without racial discrimination a public school system in Prince Edward County. . . ."

Those considering the addition of new social and economic rights to Hawaii's bill of rights were mindful of the fact that bill of rights provisions are fundamental and by necessity must reflect a large degree of unanimity of thought among citizens and that the inclusion of such provisions might be opposed by a large section of the populace. Undoubtedly this, to an extent, is true. Many people fear the socialization—that is the communal acceptance—of social and economic responsibilities. Citing certain European constitutions as an example, Byron Abernathy has warned that constitutional provisions for sound economic and social rights create not only a government and political system but, "an entire social order", and "those who would include in American State constitutions similar declarations of economic and social rights should recognize this distinction, for their proposal presages a significant modification of the traditional American concept of the constitution and the State."

On the other hand, it should be remembered that

the most vital service performed by a bill of rights lies in its protection of the minority from the majority, the powerless from the powerful, the governed from the governors. These kinds of protections will often appear inimical and threatening to the general population. It has been demonstrated that the Federal Bill of Rights would very likely be rejected by a national electorate today. The evidence is not promising that the people can be relied upon to set aside basic prejudices in order to promote unique or daring constitutional protections.

Southern "massive resistance" to integration provides one example of widespread reaction. But no geographical area has a monopoly on negativism. For example, in California, commonly considered a progressive State, in 1963 the legislature passed the Rumford Act broadly prohibiting discrimination in housing and establishing a complex enforcement procedure. A year later the people of the State, seeing open housing as a threat to their security, approved an amendment to their bill of rights nullifying the Rumford Act and prohibiting any similar future indiscretions by the legislature.

Neither the state nor any subdivision or agencies thereof shall deny, limit or abridge, directly or indirectly the right of any person who is willing or desires to sell, lease or rent any part or all of his real property, to decline to sell, lease or rent such property to such person or persons as he, in his absolute discretion, chooses.

The California provision was declared unconstitutional. But a recent Maryland vote rejecting a proposed advanced State constitution also causes reason for pessimism and, according to one reporter, raises questions about the "wisdom of intrusting changes in forms of popular government to the people. The proponents of reason and progress this year (1968) are now left wondering whether Maryland is simply one small and uniquely nervous State, or really America in miniature."

ROBERT S. RANKIN
MICHAEL R. SMITH

Dr. Rankin, a member of the U.S. Commission on Civil Rights, is a professor of political science at Duke University. Mr. Smith is a staff attorney for the Commission. This article is based on a portion of their contribution to "State Constitutions: Compacts of Antiquity," recently published by the Southern Newspaper Publishing Association Foundation.

Book Reviews

The Reconstruction of Southern Education, by Gary Orfield. New York: John Wiley and Sons, 1969. 376 pp.

No book could be more timely than this excellent account by a young professor at Princeton University of how Title VI of the Civil Rights Act of 1964 came into being, how an administration machinery was created to desegregate Southern schools, and how political attacks have come very close to totally destroying its enforcement.

Title VI of the 1964 Civil Rights Act prohibits Federal financial assistance to any program or activity which discriminates on the basis of race or color. It has become the chief tool of the Federal Government in restructuring race relations in the South and in implementing the Supreme Court's decision that State imposed segregation in public schools violates the Fourteenth Amendment's provision of "equal protection of the law."

Mr. Orfield examines in detail how Title VI became a part of the 1964 Act and how it has subsequently brought about a revolution in southern education and the southern caste system. He has researched thoroughly the legislative history of Title VI, has spoken with scores of Federal officials at all levels, and has traveled through Southern States to talk with school officials. Mr. Or-

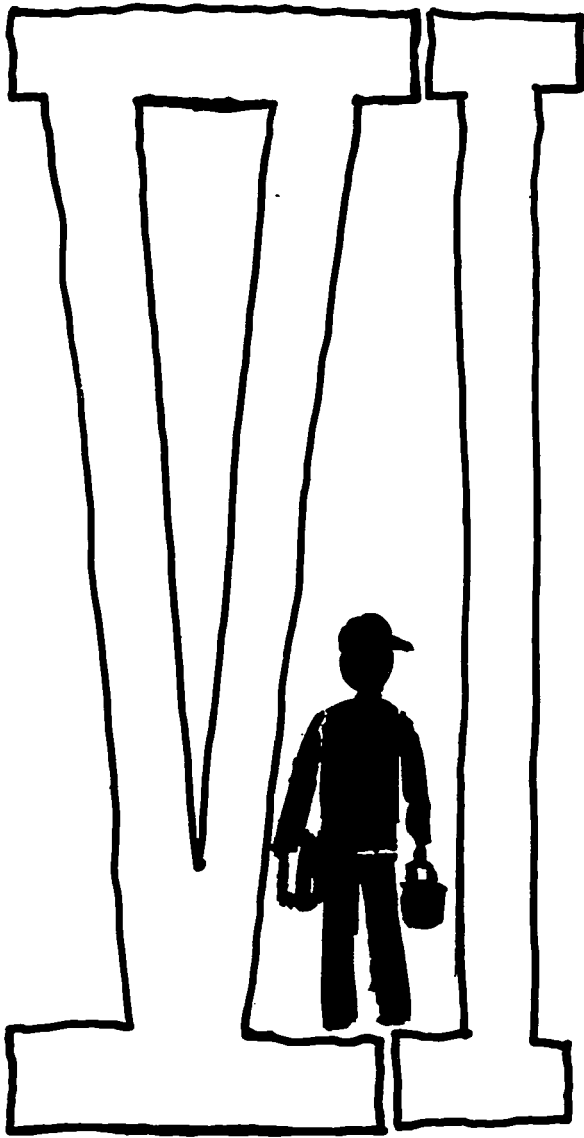
field's account is exciting in its day to day, month to month account of how Title VI became law and how the Department of Health, Education, and Welfare (HEW) has attempted to implement the law.

The fate which awaited the new law in the Office of Education makes a fantastic story. Given the innate conservatism of old-line Federal departments and the racism of most white Americans charged with running the Federal bureaucracy, it is surprising that the Office of Education actually took the law seriously. Incredibly, Mr. Orfield reports that the HEW General Counsel at the time thought that all Title VI required was that southern school officials sign a statement that they were not discriminating.

Perhaps the chief reason that the Office of Education did take the law seriously was because the Commissioner of Education, Francis Keppel was not the traditional kind of Commissioner. Keppel had come from the Harvard Graduate School of Education and not from the more usual route through local and state educational departments. He had brought to the Office, young, innovative men, who were generally ignorant of southern race relations and the dual school system, but who were, nevertheless, willing to learn and to apply the law.

Even given the dedication to enforce the law, Title VI would have been rendered meaningless without the advent of another historic piece of legislation. In 1964 when Congress passed the Civil Rights Act, school districts received very little Federal money, mostly insignificant sums for science equipment and foreign language instruction. To cut off Federal money would have had no great impact. But in the following year, Congress passed the Elementary and Secondary Education Act with its millions of dollars to schools districts with large numbers of poor children. The South, as a region, stood to get 40 percent of the total amount finally allocated by Congress. Most southern school districts would be extremely reluctant to forgo Federal aid that would, in the poorest systems, increase the total school budget by as much as 20 to 30 percent. The Elementary and Secondary Education Act of 1965 gave Title VI its teeth.

The heart of Mr. Orfield's narrative concerns the politics of enforcement within the Office of Education and the mounting Congressional attacks on the program which forced compromises in its standards



and in its operations. The use of freedom of choice as the officially sanctioned method of desegregating schools was a conscious decision to opt for politically safe gradualism.

This decision to accept free choice plans forced the Office of Education to oversee minute administrative details in hundreds of school systems, thus inviting political attack which seriously endangered the program. The decision to accept freedom of choice plans may yet turn out to be the final un-

doing of the Title VI enforcement effort. Beyond the question of freedom of choice are two other controversial areas—the actual standards enforced and the use of the ultimate cut-off of Federal funds—in which Mr. Orfield finds HEW's record less than adequate.

In the detailed chapter dealing with school desegregation under Title VI in Virginia, Mr. Orfield documents how desegregation standards were substantially weakened by conservative forces within HEW and Justice and how even minimum standards for desegregation were not enforced in many school districts. The Office of Education failed to use its authority to require compliance with its own standards. In 1967, although some 20 Virginia districts made no progress under free choice—some had even regressed—only three were cited for noncompliance. A majority of the remaining districts making some progress were still not meeting the requirements and none was cited for failure to do so. Mr. Orfield also points out the rapid erosion of credibility of enforcement efforts in 1968.

Present Republican officials are so opposed to the fund termination weapon that they have worked out a strategy whereby they say the Department of Justice will file suit so that the flow of funds will not be interrupted. If that is the case, then why have a Title VI at all? If recalcitrant school officials know that they will never lose their Federal funds, they will never find it necessary to desegregate.

Cutting off Federal money to poor southern school districts with a substantial number of black children has always been an uncomfortable task for Federal officials. "It will hurt the kids," is normally the reason given. The manner in which Federal funds under Title I of the Elementary and Secondary Education Act are being used by white school officials is just coming to light, and it is dubious how much black children are being "damaged." In fact, some of these funds have been used by southern school officials to equip black schools with facilities the white schools had long enjoyed in order to entice black students into choosing not to go to white schools. The fact that millions of black children have been and continue to be permanently damaged and to have their life chances foreshortened by vastly inferior schools is perhaps more damaging than the loss of Federal funds spent as white school officials deemed proper.

The *Reconstruction of Southern Education* is not a book for political scientists or students of Federal education legislation alone, although it will be immensely instructive for them. It is also a book that should be read with care by liberal strategists and by civil rights groups. The story of school desegregation under Title VI to date vividly illustrates that civil rights groups have largely concentrated on passing legislation in Congress and have ignored the equally important monitoring of the enforcement machinery.

It is Gary Orfield's thesis that only "unique historical circumstances" made Title VI and the pursuant school desegregation effort possible. These "unique historical circumstances" were the arousal of national indignation over events in Birmingham in 1963 to the point that the country and the Administration were prepared to force civil rights legislation through southern dominated committees and a filibuster. That same indignation did not last long enough to oversee the enforcement of laws. Only rarely in American political history is national feeling on an issue galvanized sufficiently to alter the traditional pattern of American federalism. Mr. Orfield's view of the American federalism is essentially correct: "The American federal system," he writes, "is a . . . slowly operating, and highly decentralized set of power relationships . . . suited to protect the local status quo. . . ."

What Mr. Orfield's book forces one to ask is whether it is really possible to accomplish social change within the context of a system that permits local control to frustrate the rights of a racial minority or the expressed intent of Congress.

Mr. Orfield's book is a valuable and unique contribution to the literature of government and politics, which is too often a dry, theoretical examination of the way our political system is supposed to function and which frequently bears faint resemblance to reality.

PHYLLIS McCLURE

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Equal Employment Opportunity: Compliance and Affirmative Action, National Association of Manufacturers, New York and Plans for Progress, Washington, D.C., 1969. 125 pp.

The concept of equality is firmly embedded in American tradition and goes to the very roots of our existence. It was a propelling force in bringing the first settlers to this country and has attracted immigrants ever since. And it was written into the Declaration of Independence and into our Constitution, which is not only a framework of government but also an embodiment of our philosophy and aspirations.

This is theory. In practice Negroes and other minority groups have had to fight for the right of equality as though it were a privilege. They have been denied education, training, housing, health services, and participation in voting and politics. Above all, they have been denied jobs, and with such an accumulation of deprivation, they are in fact not equal.

The Civil Rights Act of 1964 includes Title VII which prohibits unequal treatment of any employee because of race, color, religion, sex, or national origin by three major groups—*employers* and *unions* with 25 or more employees in industries affecting interstate commerce and all *employment agencies* serving them. It also defines unlawful practices for each group. Executive Order 11246 prohibits discrimination by those employers having contracts with the Federal Government and contractors of federally assisted construction work. Under the act, the Equal Employment Opportunity Commission (EEOC) was established, and the Executive Order created the Office of Federal Contract Compliance (OFCC), both of which have written clear and precise guidelines on affirmative action for equal employment opportunities.

Before and after the Civil Rights Act of 1964 groups of employers have written affirmative action guidelines for equal employment opportunity. There are countless examples of how ineffective these guidelines have been. In 1961 Plans for Progress (PFP) adopted plans developed voluntarily by leading employers from all parts of the Nation for affirmative action to assure progress in providing equal job opportunities for all Americans regardless

of race, color, creed, or national origin. When EEOC held its white-collar hearing in New York in 1968, the companies invited to participate were from those industries which account for a substantial portion of New York's white-collar employment: the major corporate headquarters, the financial establishments, and the communications industry. Of the 100 major corporations with headquarters in New York, 46 were PFP members, 54 were not. The non-member group had better minority employment records than the members. In fact, as the EEOC study showed: "In the key managerial and professional areas upon which much of the attention of Plans members is ostensibly concentrated, the non-member companies employ Negroes at a rate respectively 4 (managerial) and 1.5 (professional) times higher than the Plans for Progress group."

In 1967, the American Jewish Committee exposed the highly restrictive patterns of executive employment in the 50 largest banks in the United States. A 10-point program dealing with discriminatory patterns was developed jointly by the American Bankers Association and the Committee. (Incidentally, the banking industry is subject to the requirements of Executive Order 11246.) A year later, EEOC reported that the 12 banks participating in their study had an average of 6.2 percent Negro and 4.0 percent Puerto Rican white-collar workers, while the estimated population for Negro and Puerto Ricans in the area was 18.2 percent and 7.9 percent respectively.

Plans for Progress and the National Association of Manufacturers have cooperated to publish a book. Among other things, it spells out in the form of questions and answers the steps and procedures for charging parties to follow in filing discrimination charges. But who indeed is looking for steps and procedures? Certainly not the tens of thousands of employees who have filed charges with the Equal Employment Opportunity Commission (more than 28,000 in the last two years). Members of NAM and PFP would do better to spend their time and efforts making sure that there is no cause for charges of employment discrimination, rather than presenting this subtle admission of their own violation of the law.

The editors also included statements from such

notables as Stephen J. Pollak, former Assistant Attorney General, Civil Rights Division, United States Department of Justice on "The Role of the Department of Justice in Securing Employment Opportunity"; Michael Blumfield, Education Director, EEOC on "The Role of Statistics"; James E. Jones, Jr., Associate Solicitor, Labor Relations, Civil Rights Division, United States Department of Labor on "Practices and Procedures under Executive Order 11246—New Development"; and statements from OFCC and EEOC on affirmative action and sex discrimination, EEOC's testing guidelines, NAM's recommendations for affirmative action, and PFP's affirmative action guidelines.

In light of all the information gathered, the amount of work put into it, and the number of persons who participated in its preparation, this book's real purpose seems to be to serve as a who's who and what's been done in the area of equal employment opportunity, but even here this publication falls short.

The members of the National Association of Manufacturers and Plans for Progress must do more to demonstrate their commitment to equal opportunity than merely sponsor publications of this sort. What is needed is affirmative *action* not publicity for plans. The noted author, Thomas Merton, has written: "If you want to identify me, ask me not where I live, or what I like to eat, or how I comb my hair, but ask me what I think I am living for, in detail and ask me what I think is keeping me from living fully for the thing I want to live for. Between these two answers you can determine the identity of any person."

The members of NAM and PFP should invite that question in terms of equal employment opportunity and affirmative action—and they should deal with the gap between their pronouncements and their actions. This book provides few, if any, useful answers.

ROGERS PRIESTER

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Reading & Viewing

BOOKS

Black Capitalism: Strategy for Business in the Ghetto, by Theodore L. Cross. New York: Atheneum, 1969. 275 pp.

Based on the thesis that the ghetto economy operates at the threshold of anarchy and, therefore, must be completely reshaped and stabilized, this volume leapfrogs accepted but superficial strategies such as equal-opportunity employment, executive recruitment from Negro colleges, and community-chest campaigns for the disadvantaged, and suggests new credit techniques for an economy which has been deprived of financial leverage.

Black Reflections on White Power, by Sterling Tucker. Grand Rapids, Mich.: William B. Eerdmans Publishing Company, 1969. 151 pp.

A black man's view of the white man's system—a system which the author describes as racist in nature and which survives and is strengthened not simply because of the active support given it by a vocal racist minority, but because of the apathy and complacency of the uninvolved majority.

Black Self-Determination: The Story of the Woodlawn Organization, by Arthur M. Brazier. Grand Rapids, Mich.: William B. Eerdmans Publishing Company, 1969. 148 pp.

Provides, in documented detail, an insider's report on a controversial self-help organization and offers guidelines to further inner-city programs and to a proper understanding and application of Black Self-Determination.

The Crisis in Welfare in Cleveland: Report of the Mayor's Commission, edited by Herman D. Stein. Cleve-

land: Case Western Reserve University, 1969. 173 pp.

A detailed analysis of welfare in the Cleveland metropolitan area which reveals major failures and suggests specific reforms, and recommends, further, a basic overhauling of the national income maintenance system for the poor by means of an assured annual income floor, coupled with guaranteed and constructive employment for everyone able to work.

Federal Training and Work Programs in the Sixties, by Sar A. Levitan and Garth L. Mangum. Ann Arbor, Mich.: Institute of Labor and Industrial Relations, 1969. 465 pp.

Develops a broad base of factual and analytical knowledge by which some judgment can be made of the gaps in manpower programs and policies as well as needed inputs.

Latent Demand for Urban Transportation, by Lester A. Hoel and Associates. Pittsburgh, Pa.: Carnegie-Mellon University, 1968. 259 pp. + charts, maps, tables.

Attempts to fill the gap that now exists in knowledge concerning the travel behavior and travel needs of certain disadvantaged urban groups, particularly those groups whose needs have been largely neglected by present urban transportation systems.

Rich Schools, Poor Schools: The Promise of Equal Educational Opportunity, by Arthur E. Wise. Chicago: The University of Chicago Press, 1968. 228 pp.

Proposes that the differences in educational opportunity in the United States deny the citizens of a state the equal protection of the laws in violation of the Fourteenth Amendment and that the Equal Protection Clause may therefore be used to compel the states to provide all children with the same educational opportunities regardless of the location or the income of their communities.

The Social Order of the Slum: Ethnicity and Territory in the Inner City, by Gerald D. Suttles. Chicago: The University of Chicago Press, 1968. 243 pp.

Contends that a slum neighborhood has a set of standards for behavior that take precedence for its residents over the more widely held "moral standards" of "straight" society and that one of the tasks of urban sociology is to explore why and how slum communities provide their inhabitants with these local norms.

Uncertain Resurrection: The Poor People's Washington Campaign, by Charles Fager. Grand Rapids, Mich.: William B. Eerdmans Publishing Company, 1969. 142 pp.

A study of the background and the reality of Resurrection City which movingly and vividly describes the failure of the Poor People's march—which was in part a leadership failure and in part a failure on the part of the nation's heart and conscience.

The Underachieving School, by John Holt. New York: Pitman Publishing Corporation, 1969. 209 pp.

Turns from "learning" and "failing" to specific problems of American education today, such as the tyranny of testing, the rat race for college, the failure of ghetto school programs, compulsory attendance, reading failures, and teachers who talk too much.

STUDIES AND REPORTS

Catalog of Federal Domestic Assistance, by the Office of Economic Opportunity. Washington, D.C.: U.S. Government Printing Office, 1969. 610 pp.

A description of the Federal Government's domestic programs to assist the American people in furthering their social and economic progress.

For All the People . . . By All the People: A Report on Equal Opportunity in State and Local Government Employment, by the U.S. Commission on Civil Rights. Washington, D.C.: U.S. Government Printing Office, 1969. 277 pp.

Intergroup Education: Methods and Materials, by Jean Dresden Grambs. Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1968. 199 pp.

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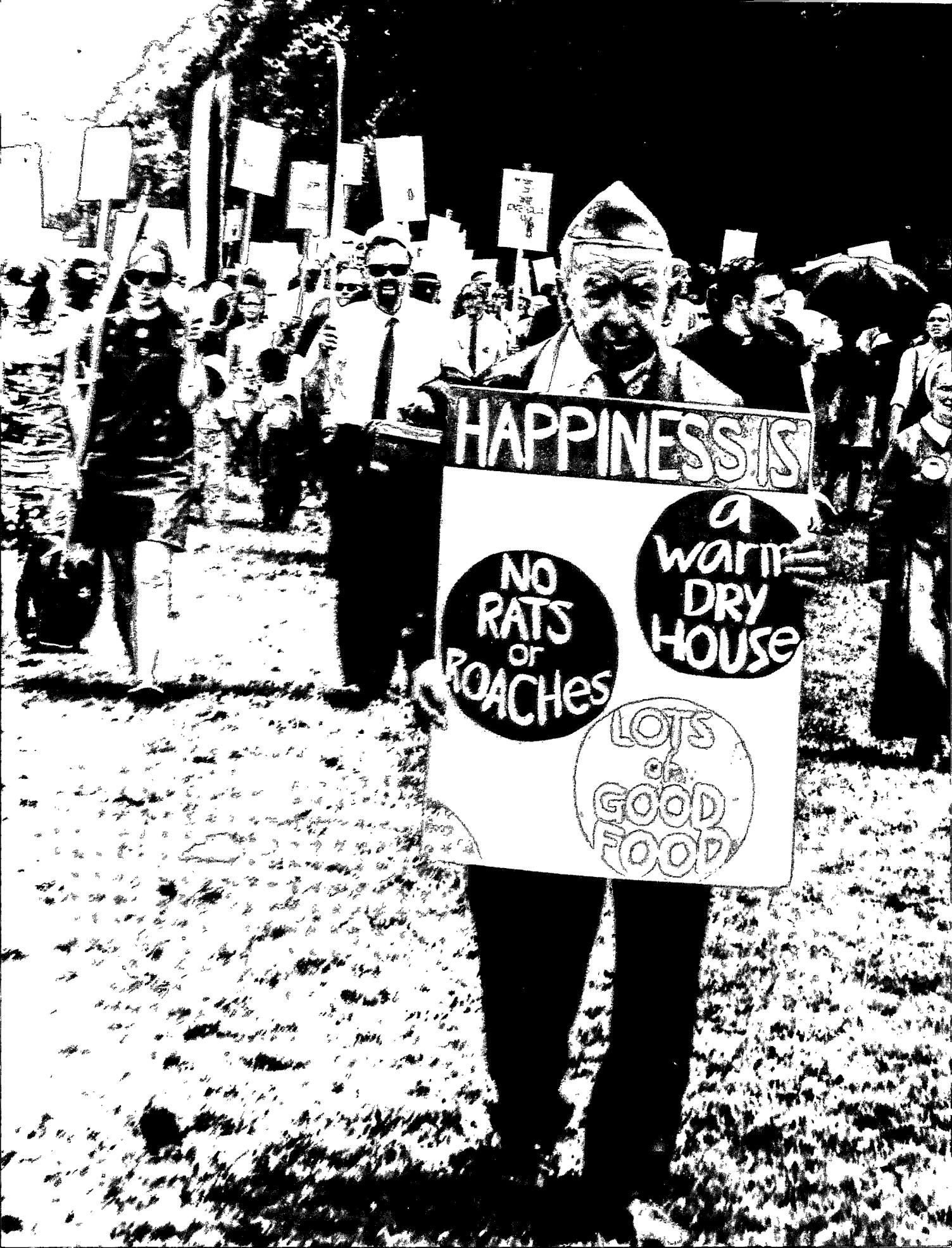
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