

The Civil Rights Quarterly

PERSPECTIVES

WINTER-SPRING 1983



Reshaping Congressional Districts:
A Juicier Slice for Minority Voters

How We Debilitate America's Disabled
Rooting Out Discrimination In Our Military
Ellie Smeal: Orchestrating & Requiring for
Sexist Politics

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Guest Editorial

Four New Social Justice Challenges for Grantmakers

by James A. Joseph

When the philanthropic sector considers social justice issues in the 1980s, the language of civil rights and social service will not be sufficient to describe our objectives. Grantmaking strategies in this decade must recognize the emergence of new forms of power, new forms of wealth and new forms of injustice. Having defined the problems of minority and poor people in the language of civil rights for so long, we have tended to focus on the marginal institutions of social service, rather than on some of the more fundamental opportunities for economic enhancement.

In our country, where every citizen is granted the right to vote, own property and travel at will, human rights have come to mean social and economic justice. Instead of talking about fundamental rights of human beings, we talk about rights of minorities, rights of women and rights of diverse publics. Although this may appear to fragment public discussion, all of these are areas in which the American commitment to justice takes on flesh and dwells among us as a substantive presence.

In the 1980s, one of the most fundamental human rights issues will be that of equal access to capital. Why can some people get money to buy a house while others cannot? Why can large companies get money when small companies cannot? Why are investment brokers putting money in some regions and not in others? Why are major sources of public capital used for private rather than public benefits?

Another major rights issue in the remaining years of the 20th century will be what Daniel Yankelovich has referred to as participatory governance in the work place. As traditional management prerogatives come under attack and workers become more concerned with investment policy, plant location and technology transfer issues, they will increasingly try to bring the structure of corporate management under more democratic control.

A third rights issue which futurists predict as a priority concern of Americans will be that of equal access to energy—the struggle to mitigate the impact of energy shortages on those who are poor and powerless. Another looming issue is that of increasing privileges for the aging. Competing needs of different generations and the allocation of limited resources among them will form the basis of the struggle against ageism during the balance of this century and into the next.

These emerging rights issues reflect changes in the focus of the struggle to establish justice, but not in its basic substance. They are not so much a proliferation of new rights as they are new forms of the old commitment to promoting the general welfare. Together, they constitute enormous challenges for grantmakers who seek to promote creative approaches for advancing social justice during an era of economic austerity. ♦

James A. Joseph is President of the Council on Foundations. He served as Under Secretary of Interior in the Carter Administration and prior to that as President of the Cummins Engine Foundation.

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WINTER-SPRING 1983

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Serve as a national clearinghouse for information concerning denials of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin; and Submit reports, findings, and recommendations to the President and Congress.

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Letters

Praise Bel

I have just received my first issue of *Perspectives*. What an impressive publication!

William Watt Campbell
Attorney at Law
Geisenberger & Herr
Lancaster, Pennsylvania



I am very impressed with the Spring 1982 edition of *Perspectives*. The graphics and articles are superb.

My publishing company was founded 15 years ago to help women and minorities obtain jobs. I plan to reprint four articles in *Equal Opportunity*, *Collegiate Career Woman*, *Woman Engineer* and *Minority Engineer*: "Whither the Constitution?" by Arthur Spitzer; "Hands Off!" by Judith and Mark Miller; "Wanted: Hispanics in the Newsroom" by Charles Erickson; and "Close Up: the NAACP's Top Lawyer Goes for the Jugular in his pursuit of Civil Rights" by Peter Model.

John R. Miller, III
President
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Silver Anniversary Kudos

Congratulations on the Silver Anniversary issue of *Perspectives*. It is the most informative and comprehensive publication I have read on the history of the civil rights movement.

June D. Harrison
Director
Division of Civil Rights
National Endowment
for the Arts
Washington, D.C.



Your 25th Anniversary issue of *Perspectives* is an excellent document for teaching. I teach a social work course on "Racial and Ethnic Understandings" and would welcome copies to share and use with my students. I assure you they will be used time and time again, for a number of years.

A wonderful issue—it may be a classic.

Dan Rubenstein, Ph.D. ACSW
Professor
School of Social Work
Syracuse University
Syracuse, New York



Congratulations on the 25th Anniversary issue of *Perspectives*, which most appropriately and in your usual high standard of excellence celebrates the 25th year of the U.S. Commission on Ci-

vil Rights. It does not seem possible to me that 25 years have gone by since this Commission was established, but I have, indeed, followed its activities and progress each one of those years. Yet I have never written to tell all of you how grateful I am that you are there, and how much I appreciate each issue of *Perspectives* that I receive.

In addition, the Quarterly is useful in my work, both as a resource for the writing I do and in the labor education work of the Institute for Women and Work, part of the N.Y. State School of Industrial and Labor Relations. We have an ongoing year-long college credit program that enrolls about 80 percent to 85 percent minority women, and are now in the second year of a special program called "Training Minority Women for Labor Education" which is funded to give a high degree of training and one-on-one help to a carefully selected group of minority women in NYC labor organizations so that they can be effective in their own unions in this area.

Again my warmest congratulations on the fine Anniversary Issue, its balance of art, poetry and content articles all of which have many uses. I believe you have made a permanent contribution to the literature in the field.

Barbara M. Wertheimer
Director
Institute for Women and Work
New York State School
of Industrial and Labor Relations
Cornell University
New York, New York



What Do You Think?

Reader response to *Perspectives* articles is welcome. Address letters to: Editor, *Perspectives*, U.S. Commission on Civil Rights, 1121 Vermont Avenue, N.W. (Room 505), Washington, D.C. 20425.

Up Front

Edited by F. Peter Model

Apartheid in the Bayou

Earlier this year, the Louisiana Supreme Court reached a decision in a case that began 223 years ago—when a French planter named Jean Gregoire Guillory took as his mistress his wife's slave, Margarita, and begat a line that, to this day, proudly bears his surname. From the notoriety that attached itself to the litigation, it seemed unlikely that the court would sustain a state law that considered anyone possessing so much as $1/32$ of Negro blood to be legally black. But it did. In June, however, the Louisiana Legislature repealed the law.

That law was relatively new, going back only to 1970, the result of a legislative compromise that was struck when the *old* law (holding that even a "trace" of Negro ancestry made that person a black) was challenged in court on behalf of a client whose child has " $1/256$ " Negro blood.

The current brouhaha was started by Susie Phipps, a 48-year-old black-haired, blue-eyed, twice-wed mother of two, five years and \$20,000 ago. Mrs. Phipps, whose maiden name happens to be Guillory, is the great-great-great-granddaughter of the black slave, Margarita. Back in 1977, when her husband Andy proposed a Grand Tour of Latin America, Susie applied for a U.S. passport. To meet one of the requirements—a copy of her birth certificate—Mrs. Phipps drove 230 miles east to New Orleans from her hometown of Sulphur. There, at the Bureau of Vital Statistics, she was stunned to see, on the birth certificate, her parents—Dominic and Simea Guillory—listed as "Col."—bureaucratese for black.

She did not tell her husband ("Andy's a

F. Peter Model, a New York publicist and freelance writer, has been covering the civil rights field for nearly 20 years.

proud man"), instead trying secretly for the next year to get the listing changed. Failing, she then told her husband, and they decided to fight the odious "one thirty-second law" in court.

Mrs. Phipps doesn't merely "look" white; she *thinks* white, as do most of the members of her family—with the exception of some Guillory aunts and uncles who apparently have never given the "colored" appellation much thought. They are among the descendants of racially-mixed relationships called "Free People of Color"—a separate caste given more privileges than blacks but fewer than whites. During Reconstruction, these "Free People" gained political clout, and in 1896 brought suit against the Louisiana statute requiring separate railroad accommodations for whites and blacks—the infamous Plessy v. Ferguson case, whose decision stood until struck down by Brown v. Board of Education in 1954.

One might think that concerned blacks would have been offended by the thought that someone like Mrs. Phipps would have wanted to purge herself in so public a fashion. Actually, many of them were privately pleased that at long last, the state of Louisiana was held accountable for its bias. Among them was Dr. Dan Thompson, a black sociologist at Dillard University—great grandson of a white slave owner in Georgia. Thompson, whose wife is a distant relative of the plaintiff, was quoted before the legislature acted as follows:

I am cheering Susie Phipps on for two reasons. First, she is emphasizing something we've said all along: It is a great advantage to be white in American society. It costs several thousand dollars a year to be black. Schools, clubs, economic advantages are still to this day much better if you are white. Secondly, I hope her case will dramatize the foolishness of race as a criterion in our society.

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I would like to see this distinction abolished. I would like to see racial designation gone. When you apply for a job and somebody asks you your race, it's demeaning. What the hell difference does it make? You're an American citizen, period.

Finally, I would say race does make a difference, and if I were her, by God, I'd try to get it changed, too, if I could. This isn't a black woman claiming to be white. This is a white woman disclaiming to be black.

The legislature's recent corrective action may not have satisfied all of Dr.

Thompson's concerns. Still, albeit more than two centuries late, Louisiana parents will finally have the last word on how the race of their newborns is officially recorded. The new statute even allows Louisianans to correct their racial designations already recorded on official birth registries—assuming, that is, that those wanting to do so can sort out the distinction between what the new law calls "preponderance of" rather than "overwhelming evidence" required to support the change.

Together in the Commonwealth

More than 120 years after the Battle of Bull Run, they're still fighting the Civil War in the Washington, D.C. suburb of Manassas Park. Only now, the cost is in Virginia taxpayer dollars, not bullets. In the spring of 1982, when word got out to Manassas Park High School officials that 30-year-old Tim Donley, their new \$24,000 a year assistant principal, was seriously dating a black IBM programmer, he was summoned to the front office. This won't do, Donley was told, and it was "suggested" he look for a job elsewhere. He refused, and shortly thereafter, Timothy and Julia Donley got married. A new "suggestion" came down from the front office: remove your wife's picture from your desk, and sub-

stitute a picture of a white woman. And came time for the school prom, after being urged to attend *without* Julia, Donley simply turned in his dance card and stayed home. The following Monday, he received a written reprimand—and later he was asked to resign. According to Donley, the school board offered to pay him \$11,500 and give him a favorable recommendation for future employment with the proviso he would not discuss the real reason for his forced resignation. Again, Donley declined, whereupon the board got set to fire him outright.

Donley decided to fight back. The American Civil Liberties Union wanted him to file, under various Federal civil rights statutes, for reinstatement and back pay. But Donley said he was due no back pay and, furthermore, didn't want to go back. He merely wanted his honor restored, also Julia's, and threatened to go public. It only took a whiff of legal gunpowder for Manassas Park to opt for what, in the Watergate vernacular, may be called "a limited, modified surrender." In exchange for a \$10,000 settlement, the Manassas Park school board *bought* Donley's resignation. The transaction was anything but gracious. In an official statement released to the *Washington Post* and other media, the board "flatly denies any allegation that race was a factor in the resignation." In fact, it went on, the board had been "dissatisfied" with Donley's work almost from the time he started his job—a claim that Donley finds curious in light of the board's willingness to first offer him \$11,500, and then to hand him \$10,000 to leave quietly.

The statement also said that the board does "not consider it to be in the best interests of the school...or the teachers and students to debate with Mr. Donley in the press," adding "the board will not entertain further discus-

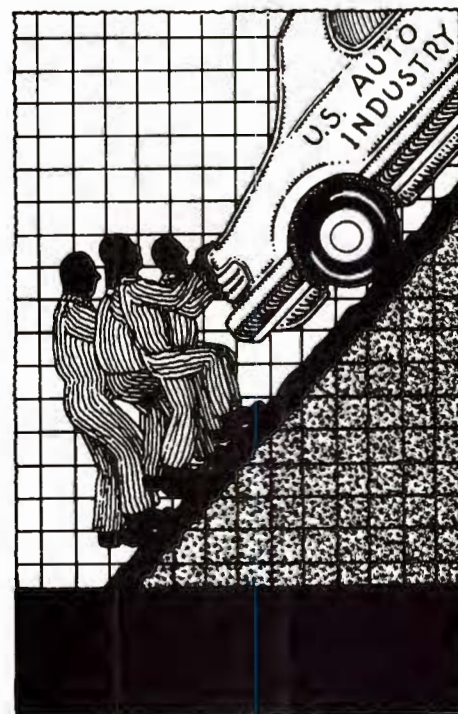
sion at this or any other time."

Too bad. Just when the students of Manassas Park High were given a crack at a course that could be described as "the New Civics."

When PUSH Comes to Shove

Fresh from having convinced the Coca Cola Company and Philip Morris' 7-Up subsidiary that it's good business to assign more independent bottler franchises to black entrepreneurs, the Rev. Jesse Jackson's "Operation PUSH" (People United to Save Humanity) is about to lay siege to Detroit's Big Three automakers. The Rev. Jackson wants General Motors, Ford and Chrysler to open up more auto dealerships to blacks.

His overdrive may be in great shape, but his timing may need some adjustment. Consider what the current reces-



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sion is doing to the nation's new car dealers, let alone black new car dealers.

According to *Automotive News*, the auto industry's authoritative trade journal, during the first six months of 1982, more than 555 auto dealers closed their doors, 71 percent more than folded during the first half of 1981. A substantial number of them were black-owned dealerships.

Of the 22,000 surviving U.S. dealerships, the *New York Times* reports, only 94 are presently black-owned. Unlike white dealerships, many of which are family businesses passed down from generation to generation, black car dealerships are a relatively recent phenomenon. The resultant lack of experience is most often cited by Big Three officials for the high mortality rate among minority dealers. Ford executives say that between 1978 and 1981, 30 percent of its black-owned dealerships were forced to close down, as against 14 percent of its traditional white dealerships.

Another cause for failure is the general business climate: many black dealerships are in the inner cities, selling mainly to blacks, whose unemployment rate is dramatically greater than the national average of 10.5 percent. Unemployed blacks don't buy new cars.

In theory, no one in Detroit faults Rev. Jackson's logic: in 1981, blacks spent \$14 billion on cars and accessories. For that "investment," they "got back" less than \$500 million in dealership revenues and auto parts sales, exclusive of service station purchases. That \$14 billion, says Jesse Jackson, adds up to 10 percent of domestic auto sales. According to PUSH economics, the black community is entitled to a 10 percent return on investment—far less than the whites are realizing.

In the main, the Big Three are sympathetic, although they wish PUSH didn't

come to shove just at this fragile time. "We are going the extra mile to help minority enterprises make it through the current economic morass," insists GM vice president John R. Erdman, pointing out that the \$1 million it had allocated to parts purchases from minority suppliers back in 1968 has now grown impressively to \$290 million a year. But Rev. Jackson doesn't think a mile is enough: PUSH says GM in 1981 spent \$32 billion on auto supplies and, applying the "10 percent rule," expects GM to funnel \$3.2 billion of that to blacks. If 20 percent of all auto dealers are losing money, retorts GM, then it's safe to assume 33 percent of black dealers are doing so.

Perspective of sorts is offered by Atlanta's R.V. Robinson, the largest black auto dealer in the U.S. Last year, Robinson's Cadillac and Pontiac dealership reported gross sales of about \$16 million, which also makes him king of the 29 black auto dealers and suppliers who are members of *Black Enterprise's* list of 100 Top Black-Owned Businesses. "I may be Number 32 on the magazine's list," says Robinson, "but I'm about number 1,000,000 on the *Fortune* 500 list."

Exhuming Women's Credit

On the assumption, perhaps, that you really can take it with you when you check out, American Express Company has, as a matter of policy, automatically cancelled women's supplementary credit cards when their husbands die. But Mrs. Maurice Miller of Arizona wasn't going to take that lying down, so she sued the U.S. District Court in Phoenix—and lost. Her attorney, invoking the Equal Credit Opportunity Act (which forbids creditors from using "marital status" as an excuse to turn off the tap, so to speak), took Virginia F. Miller's case to the 9th U.S. Circuit Court of Appeals in San Fran-

cisco. There, last fall, she won—the appeals court ruling that Maurice Miller's untimely demise should have had no bearing on Virginia Miller's creditworthiness. Or, to paraphrase the current ad campaign slogan: "The American Express Card: Don't leave her without it."

College '83: Less-Than-Affirmative Action

"A mind is a terrible thing to waste," runs the famous Advertising Council theme of the United Negro College Fund. It was an effective campaign, seeing as how nonwhite college enrollment rose sharply in the 1960s and 70s, up from 6.4 percent to 13.8 percent of total student enrollment. Over the past five years, though, minority enrollment has hovered at the 13 percent mark, with blacks accounting for 10 percent.

But now it doesn't look as if advertising will save the day. This past November, the UNCF reported that first-year (freshman) enrollment at the 42 black colleges under its wing dropped 12 percent—more than three times as much as the overall, nationwide drop of 3.7 percent in freshman registration of minorities.

There is no one single reason for the drop in minority enrollment. Educational demographers point to a combination of factors, including the cutback in Federal aid programs, the continued erosion of inner-city high school standards (and attendant effects on college entry scores), the rising cost of colleges and last, but hardly least, a lessening of the commitment to affirmative action on the part of colleges.

More than the 42 black colleges are affected by the shrinking freshmen pool: Harvard College reports a 7 percent drop in first year minority student enrollment—down from 463 to 431. Of the 83 blacks accepted by Harvard for

1981–82, more than half passed up the invitation. At Cornell, the minority drop-off hit 10 percent, with black freshmen down to 156 (from 195), Hispanics down to 121 (from 138), and Native Americans down to 4 (from 10). Not even the public black colleges seem immune: the University of Arkansas at Fayetteville reports a 6 percent fall-off.

(The only positive word comes from Barnard, the Columbia University affiliate, where minority enrollment of women has risen over the past five years from 17 percent to 26 percent of Barnard's total, and from another of the Seven Sister schools, Smith College, with a 1.9 percent increase [to 11.3 percent of the total enrollment]. In both schools, the increase has come from a "new" minority, Asian Americans.)

It is no surprise that money—or lack thereof—is the root cause of the problem. The National Institute of Independent Colleges and Universities shows private college enrollment all over the country, regardless of race, to be down 36 percent among students whose families earn under \$24,000. As to the so-called "safety net" of scholarships, Smith College admissions director Norma Blake puts it this way: the net is still up, "but what good is it if the father is losing his job and the bottom is dropping out of the family?" Also contributing to the overall feeling of gloom and doom, writes New York *Times* education reporter Edward B. Fiske, "is a widespread perception by minority students and their teachers that a good college education is not as realistic a possibility as it once was." Thus, college recruiters are finding less of a welcome by minorities at inner city schools. Other educators fret about the effect of the 1978 Supreme Court ruling barring quota systems in college admissions but affirming the right of admissions directors to use

race as "one of many" factors in selecting the freshman class.

No doubt, there has been a noticeable dampening of the old civil rights ardor. The movement, with its national constituency, argues Atlanta educator Elias Blake Jr., president of Clark College, found it "fairly easy to get society to respond to the big targets, like desegregating public facilities and voting rights." Now that the major priorities have been met, and checked off, adds Rik Warch, president of Wisconsin's Lawrence University (whose minority enrollment has held at a steady 5 percent in recent years), the "ideological energy of the 1960s is not there any more. Colleges are not as abashed by the elitism charge as they were 15 years ago.

What Ever Happened to "White Flight"?

The nice thing about the U.S. Census is that it provides continued grist for the editorial mills. Consider this set of statistics: in 1960, the Negro population of Suburbia U.S.A. (there were no blacks back then) stood at 2.8 million. Ten years later, it had risen to 3.6 million, or 4.8 percent of the suburban population; and ten years after that (1980), it had grown to 6.2 million or 6.1 percent of the suburban population.

Between 1970 and 1980, according to the latest census, the percentage of blacks living in the central cities slipped from 58.2 percent to 57.8 percent. Black population slippage in Washington, D.C., Philadelphia, Cleveland and St. Louis came as "a big surprise," according to Census Bureau demographers Larry Long and Diana DeAre. They attribute it to "the combined effects of black suburbanization and the declining rural-South to urban-North migration."

Seen in great detail, in 1980, 23 percent of all blacks lived in the suburbs,

58 percent in the central cities, and 19 percent in the "non-metro" or rural areas. In a separate study for HUD based on Census figures, William P. O'Hare of the Joint Center for Political Studies notes that, in the 1970s, "for the first time ever, the numerical increase in suburban blacks was greater than the numerical increase in central city blacks."

While some optimists are quick to interpret this shift as vindication of the government's conscious efforts to spur integration ("the trend offers opportunity for more blacks to build equity in a home and it could help to secure middle class status for many...[by]...improving black employment opportunities and occupational mobility," says Long and DeAre), O'Hare takes a more sober view. True, says he, outward-bound blacks "tend to be better off" than those blacks left behind, "but suburbanization has not meant either a significant change in the socioeconomic status of blacks relative to whites or widespread racial integration." Indeed, it could even be argued that increased density in suburbs closest to the core has resulted in a *decline* in the socioeconomic status of the population, with single family homes becoming multifamily structures, and more land being turned from residential to nonresidential use.

Another Census Bureau official, racial data analyst Dwight L. Johnson, even goes so far as to suggest that "suburbanization does not mean middle-class. Nearly 25 percent of blacks who live in suburban areas are below the poverty line."

A somewhat less grim report on "black flight" appeared recently in *The Wall Street Journal*. In a page one article on Columbia, Maryland—that 21 square mile "new town" of 60,000 people between Washington, D.C. and Balti-

Up Front

more—the developers (Rouse Company) are quoted as being “perhaps proudest of the racial integration the new community has achieved.” One-fifth of the population is black, which certainly can be hailed as substantial progress, considering that back in 1967, when Rouse began construction of Columbia, Howard County was 95 percent white.

“We’ve proved that all this fear about what color neighbor you’re going to have is unimportant,” says 68-year-old James A. Rouse. But a black computer analyst who lives there is less sanguine. Columbia, says he, “is just another Washington or Baltimore with a better architectural layout,” since integration doesn’t mean interaction. “We’re as segregated as ever in terms of participation,” he is quoted.

The “White Flight” Fallacy

Meanwhile, in Ohio, another study by the federally court-mandated Office on School Monitoring & Community Relations, finds that in Cleveland, no more than 41 percent of white students who transferred out of the school system after busing began did so to avoid the program.

For years now, opposition to school busing has been based on the argument that busing spurs “white flight” and merely leads to re-segregated classrooms.

The new study reports that from 1979, when busing began, to 1981, Cleveland’s school enrollment dropped sharply from 92,500 to 75,800, with the percentage of whites dropping from 32 percent to 26 percent. But closer scrutiny reveals that long before busing came in—as many as 12 years before—Cleveland’s school enrollment started dropping an annual 10 percent (from a 1967 peak of 153,200).

The real cause, says the report, has

more to do with people moving out of Cleveland *beyond* those suburbs that began receiving black school children, coupled with a falling birthrate and natural expansion of suburbia. In fact, some suburban school districts untouched by desegregation efforts lost proportionately *more* students than the inner city did because of desegregation efforts.

“Equal Protection” Means Just That, Equal

“Protection of the Human Rights Law is available to anyone regardless of race, color or national origin, not simply to minorities,” according to Isaiah E. Robinson Jr., the black chairman of the New York City Commission on Human Rights. Mr. Robinson’s fellow commissioners had just done something extraordinary by awarding a *white, Italian American* \$5,735.05 in back pay and interest, plus \$500 for “mental anguish,” on a complaint charging Brooklyn’s Lutheran Medical Center with job discrimination on account of national origin and color.

The case goes back five years, to mid-1977, when the hospital—located in the predominately Hispanic-populated Sunset Park area—fired 21-year-old Anthony Grasso, a part-time security guard, after repeatedly denying him promotion to full-time status. The official cause for separation: several

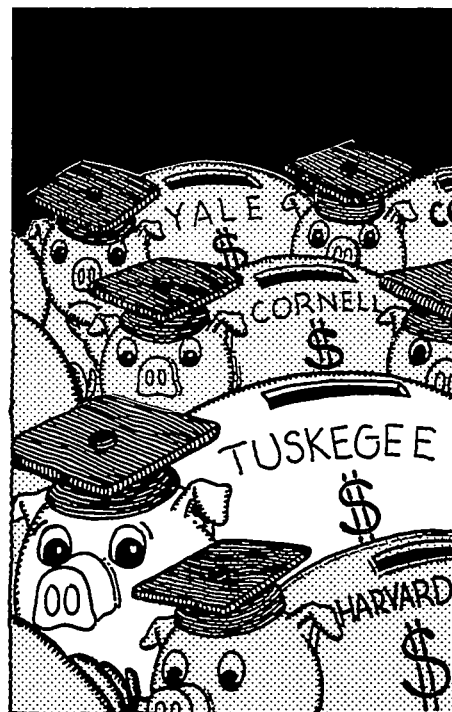
Grasso felt robbed, claiming the *real* reason was that he wasn’t Hispanic. He contacted the Commission which, because of staff cutbacks, didn’t get around to hearing the case until early 1982. Representing Grasso before an administrative law judge was Alvin Aviles, a Hispanic American. The judge was unimpressed by the hospital’s defense, especially when he learned that Grasso’s lack of linguistic ability didn’t hamper his job performance one iota, and that, in fact, his work performance

record “was superior to several Hispanic employees who were retained or promoted *despite* their numerous (up to 20 each) and sometimes flagrant instances of misconduct.”

Tuskegee 1 – Harvard 0

It’s a course they didn’t teach so well in most U.S. colleges and universities, and it could be called Conscience 101. The number stands for the years Alabama’s Tuskegee Institute has been in business.

Back in the summer of 1981, the Reagan Administration announced it would cease making student loans to those schools with a loan default rate of more than 25 percent. Many might have assumed that the crunch would hit particularly hard at Tuskegee, the country’s largest black college, where 97 percent of the students depend on some sort of



Up Front

financial aid to make it all the way through. That's because the average family income of parents who send their children to Tuskegee is below \$12,000 a year—half the national average.

Two-thirds of Tuskegee's students depend on the National Direct Student Loan program—yet Tuskegee's NDSL default rate stands at 6 percent—less than half the 13 percent rate recorded for all federally-aided schools, less even than the 8 percent posted by Harvard.

Behind this heartening statistic stands a tough-minded Tuskegee administration that insists "the loan collection process begins when we hand out the money." Symbolically, next door to the office of the man handing out the loan checks is that of the man in charge of collections. Tuskegee uses both carrot and stick to get students to ante up, and it only rarely has to resort to calling out professional collection agencies. It's all a matter of proper inculcation, Tuskegee officials insist. As one senior puts it, "we're not just paying back the faceless bureaucracy but making it possible for others to get their due. If we don't pay back the loan, someone else may never even get here."

The Catch 22 of Rule 26

He was, without question, the greatest all-around athlete of the first half of the 20th century, and while he triumphed in virtually every sport he elected to play, James Francis (Jim) Thorpe was defeated by rank prejudice. A year after walking away with two of the Gold Medals at the 1912 Olympics in Stockholm, the Amateur Athletic Union—on the pretext that Thorpe had violated Olympics Rule 26 by having played semipro baseball in North Carolina the summer of 1911—stripped him of his medals and trophies and expunged his records from the Olympics annals.



It was no secret that the real, underlying reason for humiliating Thorpe had to do with the matter of his birth: Thorpe was an American Indian—or at least, part Indian. Just as it would upset Adolf Hitler in 1937 to have his Nordic *Übermenschen* beaten by Jesse Owens, an American Negro, so did the lily-white Olympiads grasp for the straw that would put the Oklahoman upstart in his place. For all time.

Repeated efforts by fair-minded athletes of all nations to undo the damage were rebuffed for many years by the late Avery Brundage, longtime chairman of the International Olympic Committee. Not that Brundage was a bigot, mind you: but Brundage happened to have competed against Thorpe in the 1912 games, placing 14th in the decathlon and 5th in the pentathlon. At his urging,

the indictment stood—even long after Thorpe's death in 1953 at age 65.

In 1979 and again in 1982, the U.S. Congress passed resolutions calling on the International Committee to restore Thorpe's medals. Finally, last fall, former U.S. Secretary of the Treasury William Simon went before the Committee and succeeded where so many others had failed: In a January 1983 ceremony in Los Angeles, site of the 1984 Summer Olympics, Thorpe got back his medals and his place in the Olympics record book. The restored medals were received by one of Jim Thorpe's three daughters, Charlotte Thorpe of Phoenix.

"When my father died early 30 years ago," she says, "it seemed to me his spirit invaded by body. It gave me such a heavy burden, and I've been pushing this ever since. I started saving newspaper clippings of him when I was a teenager, and I'm 63 now."

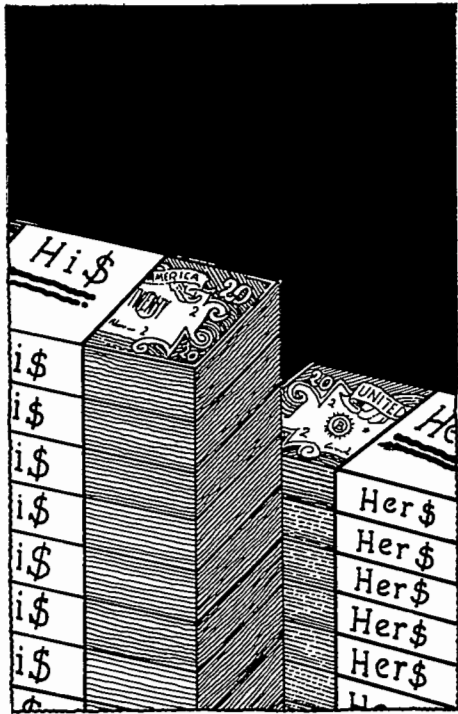
"What Do Women Want?" "What You Men Get!"

The compensation issue of the 1980s, according to *The Wall Street Journal*, is already taking shape, and may well command national attention by 1984. It's called "comparable worth" or "pay equity"—meaning equal pay for jobs comparable but not necessarily identical to men's jobs in terms of importance, skill, responsibility and working conditions.

It won't be an easy sell, suggests *Journal* reporter Joann S. Lublin, not with only six million of the nation's female workforce of 38 million under the union umbrella. She cites government statistics showing the median income of a female secretary to be \$230 a week—\$11 more than the median income of a male janitor, and \$200 less than the median income of architects, 95 percent of whom happen to be male.

On the other hand, women seeking

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redress can—and no doubt will—cite a June, 1981 U.S. Supreme Court opinion holding the “comparative worth” argument to be perfectly valid in bringing sex-bias suits to the bench under existing Federal civil rights statutes, “even if the dispute does not involve equal jobs.”

One area where the first skirmish is likely to take place will be New York City’s Madison Avenue. There, according to a mid-1982 survey of reader-subscribers by the trade journal, *Ad/Week*, men earn 62 percent more than women holding the same job and responsibility. An official of the magazine calls this finding “shattering...the perception that advertising is an enlightened industry.” The median salary for men in advertising is \$36,800, that for women \$22,700 (not counting the very top salaries that run into six digits).

There is a mitigating circumstance,

however: age. The median age of men responding to the questionnaire was 36, that of women responding was 30. “Since compensation is directly related to age,” says Kenneth Fadner of *Ad/Week* (calling age a “surrogate for years of experience”), “this might help explain the low compensation for women.” Yet, when the magazine undertook additional computer runs to “show median compensation of different sexes for persons of the same age in the same job,” Fadner notes, “women *still* earned less in virtually all cases.”

Job Opening With High Visibility, Low Ceiling

Back in the late 1960s and early 70s, when Big Business was under the gun to meet various affirmative action goals set by the Equal Employment Opportunity Commission and the U.S. Department of Labor’s Office of Federal Contract Compliance Programs, the hottest ticket on campus was the black student about to get his or her MBA. Not only did their future seem assured, but, occasionally, at astonishingly high pay scales. A Wharton Business School survey of about nine years ago showed 33 University of Pennsylvania black MBAs earning an average of \$700 *more* a year than their white MBA classmates.

What wasn’t made clear at the time to these lucky folks was that, while their new posts had high visibility and the potential of good pay, the sky was definitely not the limit. Nor was it written—as they say—that the black MBA would be accepted as a social or professional equal. The so-called myth of the black executive is being demolished in a new book by two black writers, novelist George Davis and Xerox executive Gregg Watson. Their *Black Life in Corporate America* contends that integration in the upper echelons of business isn’t

all that it’s been cracked up to be. It’s not so much a matter of overt discrimination, they say, but a feeling by most blacks that to get ahead, they’ve got to continually out-perform their white colleagues. Equally frustrating is a tacit corporate demand that they check their black identities along with their outer garments when coming to work—because those who insist on being (in Polonius’ words) “true to thyself,” are apt to be frozen in rank.

Supporting Davis and Watson is a new report by the Bureau of Labor Statistics, showing that in 1972, black men filled 2.6 percent of all management and administrative jobs open in U.S. industry; in 1982, that figure had edged up only to 3.2 percent and—says BLS economist Diane Nilsen Westcott—that miniscule gain could be canceled out by statistical error.

A revealing interpretation is offered by *Time* magazine, which tells the story of 43-year-old Milton Johnson. In 1970, Johnson was promoted by J.C. Penney Co. to senior buyer of a \$35 million line of children’s sportswear—one of five blacks to hold such a high visibility post. Today, Johnson is earning \$50,000 a year, but 12 years later, he is still “in place,” and there are still only five blacks filling this job classification. He feels blocked. So does 43-year-old Van Johnson, a black chemist in charge of \$15 million in sales at a DuPont division, but for different reasons. “In a company like [DuPont], sophisticated and genteel society that it is, it is difficult to define manifest prejudice. But no matter how long I have been here, there is always the suspicion when I negotiate a contract that maybe I didn’t bring home as much as I would have if I were white.”

According to the Association of MBA Executives, of all the MBAs hired in 1980, eight percent came from minority

groups—including, but not limited to, blacks. Their salaries, on the average, were only slightly less than those of non-whites—\$24,145 v. \$24,268 the first year of employment.

According to the *New York Times*, however, executive search firms are receiving fewer calls for qualified black MBAs. One executive searcher, Hal MacDonald of J.B. Gilbert Associates, Inc. in New York, is quoted as saying, "there's simply a lot less pressure coming from Washington." But there's also a lot less pressure coming from the corporate sector. Says Charles T. Grant, chairman and chief executive officer of Fort Dearborn Paper Co. in Michigan, and president of the National Black MBA Association: "The doors haven't closed but they're not as open as they were—they're only ajar."

J.C. Penney Responds

Editor's Note: In accordance with Commission policy, J.C. Penney was given an opportunity to respond to the above Up Front item. Its response follows:

Thank you for the invitation to reply to your *Perspectives* article on minorities in management. While it's not our policy to comment on any one individual, we would like to present our overall policy on the subject.

Over ten years ago, we set up a voluntary affirmative action program to strengthen and guide our established equal opportunity policy. A main thrust of this program has been to increase the number of minorities at all management levels and in particular, at the management trainee level. The Company has always believed that, except for specialties such as finance and law, management growth must occur from within. This is particularly true in store and merchandising management. To accomplish this, we, unlike the corporations in the lead

paragraph of your article, have not sought exclusively individuals with graduate degrees. In fact, the majority of our management trainee positions have been filled with recent college graduates or associates who have started with JCPenney in non-exempt positions.

In the years since the inception of the voluntary program, representation in management positions of minorities has tripled. In every year since 1972, minority representation among our profit sharing associates, who represent the highest level of Penney management, has increased.

At JCPenney, we recognize that more can be done. We do anticipate future increases in the number of minorities at all levels of management, including senior management.

The simple fact is that the number of positions at senior levels of management are fewer in number and the competition is keener. Some individuals, blacks and whites alike, may feel blocked. However, we feel that those minorities and females who will be qualified to assume senior leadership positions in JCPenney are preparing their management skills at JCPenney right now.

R.B. Gill
Vice Chairman
J.C. Penney Company, Inc.
New York, N.Y.

Close Up

Ellie Smeal: Ushering Feminist Politics to Center Stage

by Ann Schmidt

Eleanor Smeal doesn't understand the media attention being given the "gender gap" — the difference in voting patterns between men and women that is now being highly touted. She's known for years it was real, a factor to be reckoned with. Its new recognition represents both a vindication and a reinforcement.

"I first wrote about it in 1971 in a doctoral thesis," she said during a recent interview. "It's been there all along. Though the polls may not have reflected it, my eyes have told me it was there. It's the crowds of women in the audiences I talk to, it's in the contributions that are flooding in from women."

The 43-year-old just-past president of the National Organization for Women welcomes the respectability the "gender gap" is now being accorded and plans to do all she can in a new role, as editor of *Eleanor Smeal Report*, a newsletter about women and politics, to turn it into one of the things that will allow women to emerge from the shadow of men—political power.

In spite of the failure of the Equal Rights Amendment in June, 1982 to gain approval in three final states needed for ratification, Ellie Smeal (only her mother calls her Eleanor) is optimistic about the political future of women.

Their gains in the last election were greater than the increase of but one new female member of Congress and the small jump from 12 to 14 percent in state legislatures would indicate, she believes.

"Remember, just prior to this election the major women's institutions were pre-occupied with the last-ditch effort to pass the ERA. We didn't really turn our

attention to the election until after June 30. That energy has now been unleashed for the future."

Despite the late start, women came within a hair's breadth of winning several national contests where they were definite underdogs. The race of Harriett Woods in Missouri for the Senate is a prime example. In a number of races women provided the deciding margin for men supportive of women's issues who were pitted against men who weren't, and significant gains were made in ERA-targeted states like Florida. The number there of female state senators more than doubled in the 1982 election from four to nine—up from a lonely one in 1977.

"In the 40 member Florida Senate, that's enough to go from being a token to becoming a force," Smeal asserted. "The conservative old boy's network has been cracked open."

With the exception of Rep. Margaret Heckler, a Massachusetts Republican (now Secretary of the Department of

Health and Human Services), who lost out to Rep. Barney Frank, a Democrat, all women incumbents in the U.S. House won by comfortable margins, some as high as 70 or 80 percent. Heckler and Frank were thrown into the same race by redistricting. While her voting record is good on some feminist issues, Frank has consistently scored 100 percent in this arena and was endorsed by a number of women's organizations, including NOW.

On the surface, Smeal, who served as national president of NOW from 1977 to 1982, is an unlikely feminist. Daughter of native Italians who had immigrated to this country, she could have been expected to become a traditional wife and mother. She *is* a wife and mother—but the traditional image stops there.

Smeal attended her first consciousness-raising session in Pittsburgh with her husband Charlie, who is as dedicated a feminist as she is. She got interested in the politicization of feminism while working on a doctoral degree in



Ann Schmidt is a Washington correspondent for the Denver Post.

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political science. (A graduate of Duke University—Phi Beta Kappa—she earned a masters degree at the University of Florida.) She was doing her Ph.D. dissertation on a city council race by a woman candidate and ended up running the campaign. She never did finish the dissertation, Smeal admitted a bit ruefully, but her political activism glands were activated, never to de-activate.

She went from the campaign to agitating for better day care facilities and desegregation of the want ad sections of newspapers.

"But, everything led to NOW," she recalled. I didn't search for it, but it ran into me," she said, adding she was instrumental in organizing and heading the first state NOW in Pennsylvania which led in turn to involvement and service on the national board and the presidency in 1977.

Although the by-laws limit holders of that office to two two-year terms, Smeal was given a special year's extension for the final drive to ratify the ERA, an effort that was heartbreakingly unsuccessful.

She is the first housewife and homemaker to head NOW, which had an early reputation of radicalism and was perceived by its opponents to be composed solely of "bra-burning libbers," an image, incidentally, that was falsely tied to an incident that never happened. (No bras have ever been burned at a feminist demonstration, as far as can be determined, though there was a threat to do so by protesters outside a Miss America contest in Atlantic City back in the mid 1960's when the movement was getting underway.)

Under Smeal's steady and often inspired leadership, NOW has entered the political mainstream; has grown from 40,000 members when Smeal took over to almost 250,000 today; has seen its annual income increase from half a mil-

lion dollars to over \$13 million; and—most important—finds itself courted assiduously by political candidates of both genders at election time. It is a measure of the change of direction toward a more sophisticated and realistic maturity that the National Organization for Women endorsed a number of men, among them Frank, who faced less feminist, women opponents.

The move from fringe to mainstream philosophy was also evident in the election of Smeal's successor in October. The membership rejected a strong bid for the presidency from Sonia Johnson, the Mormon woman who opposed her church's anti-ERA stance and who was read out of her church for disputing church doctrine. It chose instead Judy Goldsmith, a close Smeal confederate, who is also more moderate and pragmatic in her approach to fighting for women's issues. Like Smeal, she is a leader who opts for less confrontational and strident tactics.

She's everything the anti-feminists say a feminist can't be.

While the NOW election was not an overwhelming endorsement of Smeal's leadership—Goldsmith didn't emerge as the winner until a third tier of choices were tabulated and the second vice-presidency went to Barbara Timmer who advocates greater activism—it reflected a move toward more conventional political activity and away from the rowdier, sometimes counterproductive approach that was utilized by NOW on occasion in the past.

Smeal may have moved NOW more to the center and helped cloak it with a more respectable appearance, but she is no laid-back conservative. Make no mis-

take about it, she is as outspoken—yes, radical—as the Betty Friedans, Gloria Steinems and T. Grace Atkinsons in their heyday. She may mount her protest in a more acceptable package, but the message is the same: fundamental change at every level of today's male-dominated society. That may sound simple, but it contains the seeds of revolution.

The gender gap is a reality waiting for exploitation, but Smeal knows that to effect change the woman's movement has to get its act together, must base its appeal to an ever-widening spectrum. Her greatest contribution thus far has been forging bonds with various elements of a divided constituency.

The relationship between the woman's movement and minorities, for instance, is not as divisive as many observers would have you think, she points out. Though the popular perception is that blacks in particular view feminist activities as part of a white, middle-class conspiracy, the two groups actually share common goals and are increasingly aware of the need to form an alliance. Indeed, black legislators overwhelmingly supported the ERA and have always "voted right" on women's issues. Women in statehouses and in Congress have generally been very supportive of racial equity positions.

"It's becoming more and more noticed. Alliances are forming. This will be a powerful coalition," Smeal predicted.

In the five years since she assumed the leadership of NOW, Ellie Smeal has acquired a few grey hairs and a much more polished manner. She's everything the anti-feminists say a feminist can't be. She is happily married, the mother of two well-adjusted children. She is definitely not a frustrated, man-hating shrew that anti-feminists warn those bitten by feminism will become. Smeal is very intense, to be sure, as well as dedicated

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and incredibly hard-working. She is also secure, down-to-earth and a person who is energized by a clear vision of a better world to come.

Smeal and her husband Charlie have practiced the role reversal she firmly believes should be an option for everyone. When the demands of heading NOW included frequent commutes between Pittsburgh and Washington, making it impossible to maintain a semblance of family life, he—as thousands of spouses, mostly wives, before him have done—changed jobs and moved to her place of employment. Though their children Lori, now 15 and Tod, 18, are beyond the need for constant attention, he became the more nurturing parent since her often 16-hour days left her with little time and less energy. They've always shared the household chores.

From all reports, Charlie Smeal enjoys his life with the dedicated feminist that he married almost 20 years ago and manages his present role with grace and non-threatened humor. They make a good team. A good thing, for Eleanor Cutri Smeal is living proof of the thesis that the woman's movement is here to stay, that the genie won't be put back in the bottle.

"The woman's movement isn't an organization, it's a mother saying quietly to her daughter, 'Don't be taken advantage of as I was. Learn about the checking account, go to college, don't take a backseat to anyone,'" she said.

Her own mother, now in her 80s, proves the point. She came to this country from Italy at a time when Victorianism still held sway. She wasn't allowed to ride a bike, to go swimming, to get an education. Yet she constantly preached to her daughter—there are three sons older—"Get an education, be independent, do the things I've not been able to do."

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Just recently her mother admitted she has one regret, Smeal confided. "When she was in her 60s or so, my brothers and I tried to talk her into going to college, getting a degree. But she couldn't see it. Now she wishes she had."

Even more than the mother who was ambitious for her, it was spending a year in bed recuperating from a serious illness that really propelled Smeal into the women's movement.

"I had two small children. I found out the hard way there is no disability for housewives. I discovered the low value society places on motherhood. There is no recognition that it's work," she recalled.

She was luckier than most women facing the same kind of problem since her husband was able to assume some of the child care and they could afford to hire help during the daytime.

"I asked my doctor what happens to women who have no other resources and can't get help, and he just said, 'They have a lot of relapses.' Women suffer from so many small illnesses because they never have a chance to recover."

Smeal spent that year reading everything she could get her hands on about the embryonic feminist movement.

"I'd planned to wait to get actively involved until my children were older," she explained. "But this experience made me realize I might not have a future. When you're very sick you suddenly find out that every day counts, that you're mortal. You don't have the luxury of waiting."

The greening of Ellie Smeal has been fascinating to watch, associates like Pat Reuss, communications director for the Women's Equity Action League, point out. She has evolved from a rather awkward young matron at the head of a relatively small group of dedicated ama-

teurs into a self-assured, well-paid (\$42,000 a year) chief executive of an organization she has made increasingly powerful and professional. Her flashing brown eyes have become a familiar beacon on television screens and front pages across the country. She's become a polished speaker, though constant appearances before large outdoor rallies have made her a bit of a shouter and she adheres to a habit of dropping the "g's" on all words ending in "ing."

Women think differently than men, particularly on economic issues and those involving peace and war, says Smeal.

Smeal's plans for life after five years as president of NOW are not yet fully formulated and she's reluctant to talk about them before they are. However, you may be sure, she confided, that she's going to stay in the public arena.

"I plan to do lots of speaking about and for women in politics," she said, her eyes sparkling with anticipation as she warmed to the subject.

She's not ruling out running for office herself—sometime—though not from the Washington suburb where she lives now and from which she will not move until her son graduates from high school.

Smeal is a political animal. She obviously enjoys the hurly burly of the electoral process. She cut her teeth as a political activist and political action remains a first love, one that spills over into a firm belief that women of the feminist persuasion have to get involved in politics in unprecedented numbers.

Women think differently than men, she pointed out, particularly on economic issues and those involving peace and war.

"We are the majority. The potential for

change is of great magnitude. Getting women into positions of power—enough of them to make a difference—is essential. All aspects of life will be affected, from peace to the division of labor in the household," she noted.

"A lot of attitudes need changing," but change doesn't just happen, Smeal observed, ticking off issues crying for attention.

The increasing feminization of poverty is foremost, contributed to by wage scales and practices that discriminate against women, the growth in the number of households headed by women, the lack of adequate day care facilities, and pension and Social Security policies which are more favorable to men than to women.

"The plight of older women is especially pitiful," Smeal noted. "For 60 percent of them, their only income is their pension or Social Security."

Female heads of households are kept at the bottom of the economic ladder by low paying jobs and the welfare trap that catches many more of them than their male counterparts.

The educational system still needs a significant overhaul even though gains have been made in some professions.

"Women are still tracked into the lower paying, less prestigious lines of work and professions," Smeal observed. "They must have the opportunity and be encouraged to go into fields like engineering, accounting and law," she suggested.

Smeal said she is going to help mount a campaign against insurance companies that have discriminatory rates benefiting men.

A lot of businesses make financial profit by discriminating against women. The insurance companies claim women live longer and should pay higher rates. But, young men don't pay higher rates

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and they have a greater incidence of accidents, Smeal pointed out.

Other industries benefit financially by getting the same work from women for lower wages, she added.

But, it's more than that. The struggle to obtain equal pay for work of comparable value is going to be the "fight of the '80s," she asserted. The concept of equal pay for men and women doing the same job, a concept that even anti-feminist adherents believe is correct, will never bring about true equity, she pointed out. As long as women remain segregated at the lowest rung of the pay scale in "women's jobs," they are going to be paid less than men.

The time is ripe, Smeal believes, to

right old wrongs, for women to take over. There are more women "coming out of the political pipeline" than ever before. Today, 40 percent of those enrolled in law schools, the breeding ground of politics, are women; more women than ever before are paying their dues and learning the political craft in state legislatures, city councils, working as campaign managers. They are going to be available and will make formidable candidates in 1984 and elections that follow.

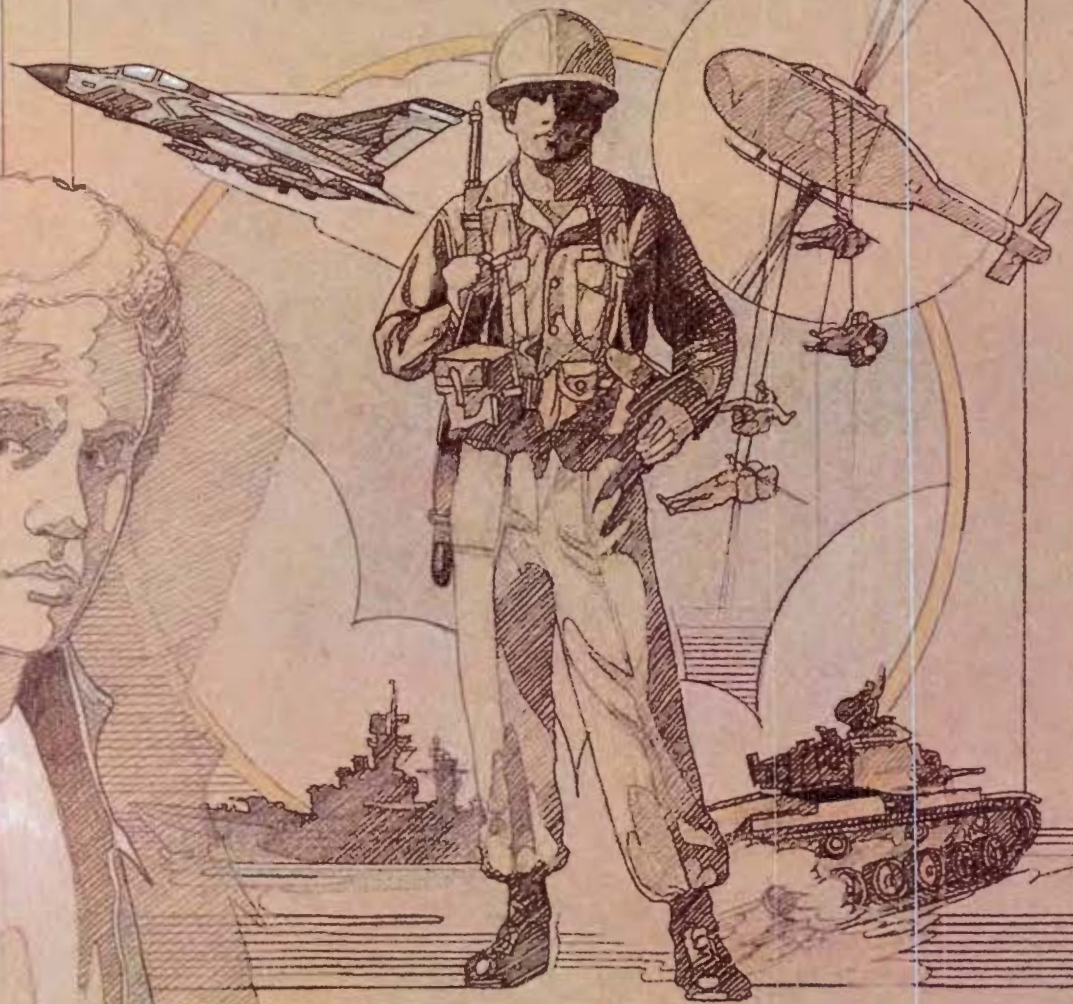
Smeal still harbors a dream of seeing the Equal Rights Amendment become a reality and thinks the time may be at hand sooner than the naysayers believe possible. She points to Florida where to-

day, thanks to the recent election, the ERA would probably pass, and to Illinois where the speaker of the House became a convert after his daughter was discriminated against.

"There's not a family in America that's not been touched by the feminist movement. Most of them don't know how much they've changed."

In the presence of Smeal's fervor and conviction, it's easy to believe the clock will not be turned back on women's rights. Indeed, the hands are pointing toward a new day for women.

"We're not to be denied next time," she vowed. "We'll never have to beg again." ♦



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CAN YOU BE ALL THAT YOU CAN BE

When you put on the uniform of one of our nation's armed services, you expose yourself to the ultimate risk—the loss of your life. Our armed forces—over 2,000,000 full-time active duty people—are doing their jobs to preserve our freedom and what we stand for as a nation. At the foundation of our nation's democratic society is the concept of freedom of opportunity for Americans unfettered by prejudice based on color or national origin. However, we still have a long way to go before we can declare the disease of discrimination cured, and that disease infects the armed services to varying degrees, along with other American institutions.

How do minority men and women fare in the armed services today?

The uniformed leadership of the Army and the Air Force provides a prototype for fair employment practices in the private sector. Minority officers supervise thousands of people and control budgets in the millions. Yes, these officers are symbols but their role is far more important than that. They are performing missions according to their skills; their national origin and color are not determinants. The acceptance of black and Hispanic officers in a variety of leadership roles

is a proven fact in the Army and Air Force. I have seen the interaction of majority and minority officers on countless occasions—and the resulting atmosphere is invariably without tension. These men and women put their mission first. No, they have not lost all of their prejudices but they are people within institutions that have clearly declared their objection to prejudicial behavior. The clarity of the message could and should be duplicated, with beneficial results, in many institutions in both government and the private sector.

The upper levels of the Navy and Marine Corps have not been havens of equal opportunity for minorities. The first and only black general in the history of the Corps received his promotion only three years ago. The Navy has only two Hispanic flag officers and only three black Admirals. Unhappily, the picture in the Navy and Marines bears a strong similarity to many parts of the civilian sector. Minorities seem to bump their heads on an invisible ceiling as the highest level supervisory jobs appear on the horizon.

The picture of opportunity for blacks at the top is certainly better in the Air Force than in the Navy and Marines. There are ten black General Officers wearing the Air Force Blue. The picture for Hispanics, though somewhat

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IN THE ARMY, NAVY, AIR FORCE, MARINES

better than it has been, is not all that good. There is but one Hispanic General Officer.

The picture in the active Army is the most encouraging of all the services. Presently, there are three Hispanic General Officers and 26 black Americans who wear stars on their shoulders. Nowhere in the spectrum of private employment are black Americans afforded the leadership roles they have in the Army. As a result of their presence as leaders, young aspiring officers of all backgrounds have concrete evidence that the Army rewards those with competence, perseverance and leadership qualities. The invisible ceiling on high-level promotions—so prevalent elsewhere—is not perceived by most within the Army.

Are there problems in the Army? Of course. Minorities occasionally fall victim to discriminating promotional actions in its officer ranks. But such actions are infrequent and when uncovered and proven, corrective steps are taken. Unfortunately, within the last two years, there has been some slight evidence of retrogression. The number of black General Officers has dropped from 30 to 26.

Nowhere in American society is the opportunity for advancement greater than in the Army's enlisted ranks. From the lowest to the highest enlisted ranks, both blacks and Hispanics are represented in numbers that generally reflect their overall portion of the Army's uniformed population. E-1 is the lowest rank, and black soldiers are 25.6 percent of that category. E-9 is the highest enlisted position, and black soldiers are 23.7 percent of the E-9's. Hispanic soldiers are 3.4 percent of E-1's and 3.6 percent of all E-9's. The Army, from my observation, promotes its enlisted soldiers on their abilities. The barriers of discrimination are less frequent there than in other parts of our society.

The enlisted ranks of the Air Force present an encouraging pattern of fairness, though not quite as good as in the Army. Blacks are 10 percent of the E-9 ranking and 14 percent of the E-

1's. Hispanics are 2 percent of the E-9 pay grade and 3 percent of the E-1's.

The Navy's enlisted ranks show a shrinking of numbers of minorities in the higher pay categories. Blacks are 14 percent of the Navy's E-1's and only 6 percent of the E-9's. Hispanics are 3 percent of the E-1's and just 1 percent of the E-9's.

Let us examine the reasons for the Army being a pacesetter in opportunities for minority Americans. When a policy is set, explained and understood, there is a ready mechanism for carrying that policy out. Orders tend to be obeyed. The chain of command is a functioning entity and soldiers at every rank know its importance. People in uniform are accustomed to receiving reports concerning orders and directives issued. It is less common in the Army than in civilian life for a directive to be issued without some mechanism for reporting back.

Nowhere in the spectrum of private employment are black Americans afforded the leadership roles they have in the Army.

This mechanism has been applied with success to the opportunities for advancement of minority soldiers. The Army is the leader now, but the picture was not always rosy. I remember a black General Officer describing certain times earlier in his career when he and his family faced the injustices of prejudice on a daily basis. For a period after World War II, the bus system on certain bases was segregated. He and his family were not afforded the same range of social activities as his white peers. Certain military occupational specialities were "off limits" to black officers.

Where conditions were ordered changed, the evidence of that change was clear and immediate. When I was in basic training over 20 years ago, it was made clear that racial epithets directed at "minority personnel" would not be tolerated. Further, we were informed

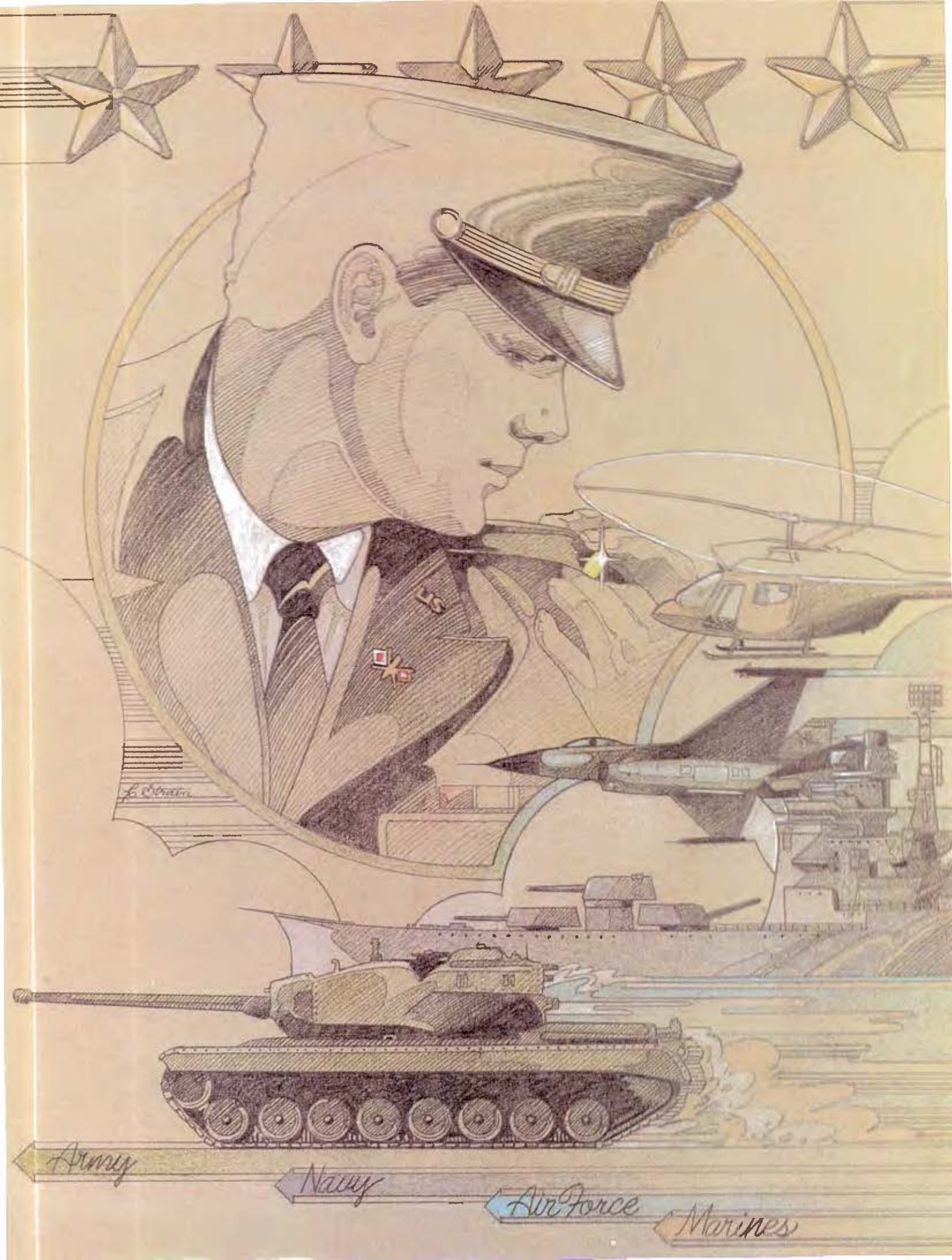
that disciplinary actions would be taken if a non-commissioned officer used racial slurs. (The drill sergeant did say a number of unkind things about us, but never did I overhear derogatory racial or national origin remarks by the NCO's.) The message was given—the message was carried out.

While the overall record of minority opportunity is a good one, there are areas where persistent problems present themselves in the Armed Services. Some examples are illustrative.

One area of glaring inequity for blacks in uniform remains—the administration of criminal justice. Year after year, a disproportionate number of blacks in all of the Services are charged and convicted under the Uniform Code of Military Justice. Studies have been conducted in an attempt to establish underlying causes for this phenomenon. The probable answer—prejudice, people judging other people whose lifestyle and outward physical manifestations are different than their own. It is a very serious problem and a blemish on the ever-improving record of the uniformed military.

A nagging problem for many Hispanic soldiers has been the reaction of some Commanders to soldiers speaking Spanish. Some have gone to extreme lengths including barring the speaking of Spanish while on duty. Such "put downs" quite unnecessarily send the wrong message. When language is a barrier to learning your military occupational specialty, then the Services should try to remove the barrier through instruction. When language does not present such a barrier, however, it should be accepted as a simple cultural difference.

In certain settings, self-separation by race is found in the Services today. It is similar to the phenomenon which has spurred separate tables in colleges, where some blacks choose to eat only with each other. In the service, some people who seem to work together with mutual respect then decide to separate themselves by race in mess halls and in social settings. Officers seem intimidated by the phenomenon. The vast majority of blacks and whites, if free of societal pressure, would not artificially separate



L. Strater

Army

Navy

Air Force

Marines

themselves. Those who do are missing something—a greater awareness of their contemporaries of different faiths, national origins and colors. Uniformed leaders should question the practice of self-segregation. Young, impressionable, uniformed people (and college students for that matter) should be challenged. Why do they only eat with “their own”? What are the “forces” which make this necessary? People whose lives depend on the performance of their colleagues ought to want to know as much as possible about those colleagues. You don’t want any surprises when you are under fire. Additionally, service is and should be a broadening and rewarding experience. One only limits learning through artificial separation.

The stationing of Armed Services’ personnel continues to create problems for minorities. Our presence in Germany has led to numerous instances of blatant discriminatory behavior by the German civilian population. The Armed Services have been uneven in reacting to these indignities. More often than not, they have displayed tolerance rather than the outrage which should be the norm. Civilian elected and appointed leadership have not been outspoken in criticism of these practices, as they should be.

When I was Secretary of the Army, often I found it more productive to talk to soldiers at their bases rather than hear diluted reports of their views and performance. On one such occasion, I was impressed with the answers I received when I asked soldiers why they had joined the Army. The answers fell into a pattern, and a part of the pattern included the response, “my father (or other relative) had been in the Service, and I

wanted to make it my career.” The frequency of this response was similar for soldiers no matter what their ethnic background.

Because of the exclusionary policies of the Navy and Marines during World War II, few relatives of today’s minorities volunteers were in those Services. Certainly, more young men and women know of the Army experiences of relatives. The percentage of minorities, particularly blacks, who are in the Army reflects the more positive view of the Army held in black communities. This more positive view has been well founded. It is less so today and, indeed, more minorities are seeking the Marines and the Navy as a place to enlist. Because of recent positive perceptions, today’s Army is 29 percent black, the Marine Corps 20 percent and the Navy 11 percent. During World War II, the only military occupational specialty for blacks in the Navy was the position of steward.

Hispanics have had a different historical experience with the Navy and Marine Corps than blacks, but have been afforded few opportunities for advancement. Now, the Marine Corps is 5 percent Hispanic and the Army is 4 percent. Hispanics constitute just under 3 percent of the Navy’s personnel.

Perceptions are most important. All the Services are now careful to include minorities in their television and print media advertisements. The job mix of the models is generally good. This message goes a long way toward establishing a feeling of fairness.

West Point and Annapolis have both come a long way from their generally exclusionary policies of the 1940’s and

50’s. Both institutions are now making strides to be sure that more minorities are offered what amounts to well over \$100,000 per year, per student, in excellent training and education. The military leadership of these institutions has set out laudable goals, but they know that much more needs to be done.

ROTC (the Reserve Officer Training Corps) has attracted high percentages of minority students on campuses, but the expansion of ROTC to more historical black colleges has not been what it should be. There is a reservoir of untapped talent in those colleges where there is no program on campus.

The civilian employees in the Defense Department and those employed by the Services provide invaluable direction for our nation’s protection. Their role is too seldom given the positive attention it so richly deserves. The appointment and employment of minorities in Defense and Armed Services’ civilian jobs has been appalling. Since the beginning of the Defense Department in the 1940’s, Presidential appointees have rarely included Hispanics and blacks. Upper-level career employees have only recently included any minorities. It is not a pretty picture. It also is in marked contrast to the often dramatic progress made by the Services’ uniformed leadership.

Where public policy has emphasized fair treatment for minorities, the uniformed leadership has saluted and carried out the direction. It is imperative that this public policy direction from our civilian leadership remain clear. These are certainly orders worth repeating. ♦

A Defense Department Perspective

by Lawrence J. Korb

Editor’s Note: In accordance with Commission policy, the Defense Department was given an opportunity to respond to Clifford Alexander’s article. Its response follows:

We share Clifford Alexander’s view that today’s All-Volunteer Force provides America’s greatest opportunity for minority advancement. The statistical good news presented in the article provides visible evidence of the opportunities minor-

ities have found in the Armed Forces.

The troublesome reality on the other side of the picture, though, is that problems still exist. Alexander cites two major areas of concern that have remained resistant to solution, though not from lack of concern as his article suggests. I believe some amplifications of these problems may prove beneficial.

The article raises the issue of discriminatory behavior by German civilians toward American service personnel. Discrimination in West Germany can be divided into two distinct categories affecting all Americans: off-base housing and social discrimination.

With respect to off-base housing, we have had very few reported cases where German landlords refuse to rent to minority American personnel. In all cases where a reported complaint has been determined to be well-founded, we have taken immediate action to place restrictive sanctions on all property owned by the offending landlord for a minimum period of six months. The sanction applies to all Department of Defense personnel, and prohibits them from entering into any rental or purchase agreements with the offending parties.

Until the early 1970s, social discrimination was experienced mostly by black, Hispanic, or other non-white personnel. Today, there is some indication that such discrimination is increasing against all Americans in bars, clubs, discos, and restaurants. The overall number of establishments that deny access to our service personnel is small and fluctuates. Although comparatively few in number, these establishments are, however, conspicuous in a local setting, most commonly found where soldier concentration is heaviest, and frequently single out black soldiers for denial for access.

We remain constantly alert to reports of incidents evidencing discrimination against American service personnel. There is a sustained, in-depth program in operation throughout the Department of Defense to combat discrimination of any kind. This program is successful within the United States, thanks to our laws, regulations, and customs. The problem of social discrimination faced by our service personnel in Germany is much more complex. It involves an intricate blending of German civil law, the Status of Forces Agreement, and U.S. laws, regulations, and policies. Consequently, the elimination of discrimination in Germany, as in any host country that has different laws or customs, is another matter and becomes a diplomatic requirement.

I would like to point out that we are not alone in our efforts to raise the level of awareness to these problems. We continue to receive the active support of the Germans themselves. These include the German Chancellor, Members of Parliament, government officials at every level, and representatives from private organizations. We believe our efforts may have started to pay off. The Bavarian Supreme Court recently ruled that restaurants and nightclubs in Germany may no longer discriminate in admitting customers. The decision marks a high victory in a two-year legal struggle by former Army legal officer, Paul Soter. The ruling clarifies German law, which nightclubs and restaurant owners heretofore believed allowed them to pick and choose their customers. The court has ruled that service can now only be refused when there are specific complaints against specific individuals. This case does not set a firm precedent. We believe, however, that it may prove to be a useful tool in our fight against the social discrimination experienced by our service personnel stationed in West Germany.

As you can see, we share Alexander's deep concern for our service personnel stationed in West Germany. You may be

assured that we will continue to take all appropriate measures to ensure that the rights and welfare of our personnel stationed abroad are fully protected.

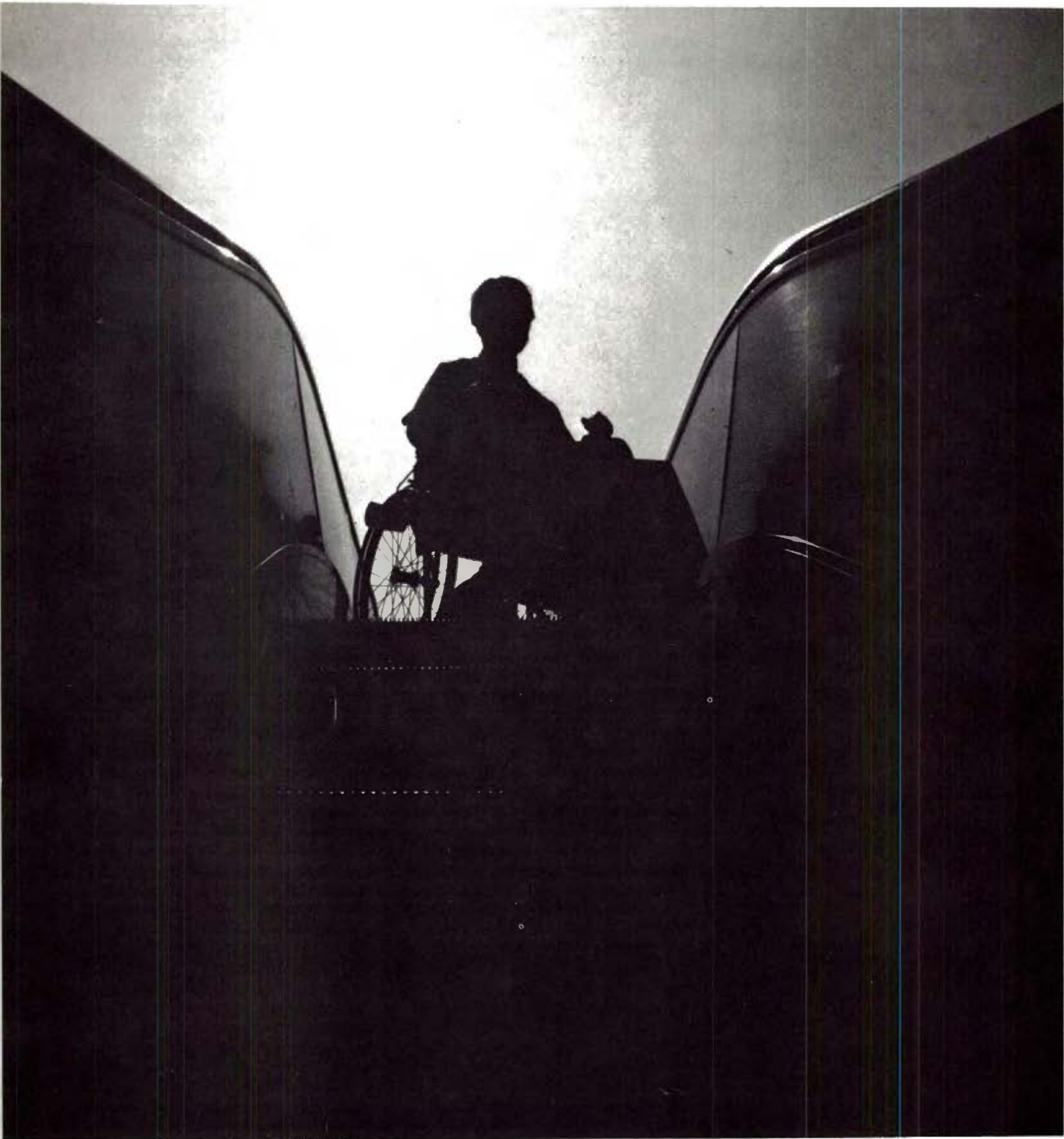
The second major issue raised by Alexander involves the impact of the military justice system on minorities. This has been an issue of long-standing concern to the Department of Defense and to be properly understood, it must be set in proper historical perspective.

In the early 1970s, when Department of Defense in-house studies and a sobering report submitted to the Secretary of Defense by the NAACP indicated that black service personnel were receiving disciplinary actions at rates which exceeded their representation in the Force, considerable attention was focused on this issue. In April 1972, the Secretary of Defense commissioned a task force to review our military justice system. The efforts of the task force resulted in many positive changes designed to eliminate the problem and included a recommendation to use racially ethnic codes on military justice records. This recommendation was not approved. Consequently, we were deprived of the capability to monitor our efforts statistically. The rationale at that time was that minorities would receive more equitable treatment in the review process if the official acting in the judicial capacity did not know the race/ethnic affiliation of the person whose records were being reviewed.

This proscription on the use of race/ethnic identifiers remained in effect until 1976. The decision to rescind the proscription was not transmitted uniformly to all the Services, which resulted in a general confusion and misunderstanding by some of the Services. In March 1981, this misunderstanding surfaced and resulted in the issuance of a memorandum by my office to all the Services clarifying our policy. Since then, in an attempt to seek a solution to this complex problem, I have issued departmental guidance which requires all military departments to capture meaningful military justice statistics in a standardized format and report them to my office on a regular basis for analysis. This program commenced with the start of Fiscal Year 1983. I am hopeful that our analysis of these data will provide a better understanding of the reasons for the disparities and facilitate appropriate remedial action.

As Alexander's article points out, the Department of Defense has consistently led other institutions in eliminating barriers which are based on race, national origin, and sex. We are extremely proud of this fact. We do not believe that race or ethnicity should be factors in making personnel decisions in the military services. Service members should be judged on the basis of their qualifications as individuals, not as members of social, racial, or ethnic groups. The Department of Defense tries, sometimes imperfectly, to adhere to this principal in recruiting, training, promotion, and assignments. Although problems remain, we have led the nation in practicing true equal opportunity for the last thirty years—and we plan to continue to do so.

Lawrence J. Korb is Assistant Secretary of Defense for Manpower, Reserve Affairs & Logistics.



Enabling the Disabled

by Mike Jackman

Paternalism is Enemy No. 1

To be disabled in America is to run an obstacle course every day of your life.

You step into an elevator to go to your job interview, but you can't see the button to push for the fifth floor.

An emergency room doctor is injecting you with an antibiotic to which you're allergic but you can't protest because the hospital has no sign language interpreter.

It's Saturday night and a friend asks you out but you know that many bars, nightclubs and theaters will turn you away because you're considered a fire hazard.

You're disabled. What did you expect anyway?

Facing higher rates of unemployment and poverty than any other group of Americans, disabled adults have less access to decent schooling, housing, work and transportation than anyone in this country, including non-citizens.

We're very young when we first learn that the rights of citizenship are universal, that they're not conditional on religion, race or sex. But we never question the more subtle conditions and being disabled is one of them.

Being disabled means considering whether to protest when a restaurant turns you away because your presence might disturb the other patrons. Being disabled means working in back rooms, because you might disrupt the office work routine or force your employer to modify the workplace.

Being disabled means settling for a limited existence because society is unwilling to pay what it costs to guarantee your right to participate. It means accepting hundreds of barriers to independence and dignity.

To most of us, the idea of barriers probably suggests the battle for physical access to public facilities. Physical access is a convenient rallying point for the disability rights movement because it is the most visible. The fact that it is still controversial is a sign of our limited commitment to this country's 36 million disabled citizens.

There are however, far more barriers for disabled people

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and most of them are invisible to those who are not disabled—barriers that political activism and Federal legislation have only recently begun to dismantle, such as barriers to the basic need for housing.

In a western city, a landlord refused to rent an apartment to a blind professional woman. How could he be sure she wouldn't start a fire trying to cook herself a meal, he asked?

In another major city, a man confined to a wheelchair was prohibited from renting a second-floor apartment because the elevator would have been his only exit, violating a city fire ordinance.

One suburban man, diagnosed a schizophrenic, received heavy medication causing severe relaxation of his facial muscles. His landlord, saying that he bothered other tenants, evicted the man from his apartment. Like hundreds of other disabled people, he is appealing to government housing bodies before filing suit.

Invisible communications barriers also abound. In a mid-western city, a totally deaf man sued his town because he was unable to communicate with the fire and police department emergency operators—a requirement mandated by telecommunications and disability rights legislation.

A woman enrolled at a state teachers college was temporarily speech-impaired after her first two years. University officials told her she would not be able to pursue a full teaching credential, only a limited degree. Seeking recourse

Like racists, able-bodied people see the results of discrimination and confuse them with the results of physical disability.

through the grievance process, she is appealing on the grounds of both state and Federal violations.

In an eastern city, a woman psychotherapist afflicted with cerebral palsy was accepted into a private institute to obtain a doctorate in psychology. After successfully completing a year of coursework, the institute would not readmit her for the second year claiming that her disability would interfere with her ability to relate to patients. Appealing to the state human rights commission, she is reliving the similar experiences of blacks who once had to fight for the right to practice as therapists.

Many cases, particularly in education, are examples of direct violations of Federal and state disability rights legislation. Typical is the instance of a grade school student who is suing his principal who refused to let him into a regular class despite the fact that the student does not require any adaptive assistance.

Air transportation for those in wheelchairs presents both bureaucratic and civil rights conflicts. A paraplegic Vietnam veteran is suing a major U.S. airline company for what he claims is a discriminatory and humiliating policy. The

airline, following its own internal policy and not an FAA regulation, requires that all wheelchair passengers must have a blanket underneath them when sitting in an airline seat so airline personnel can carry off the passenger during a safety evacuation. The veteran claims the airline is really worried that paraplegics are incontinent and that the blanket policy deals neither with his safety nor his needs as a passenger.

And if you're blind and require a guide dog, you would be advised to not go to Hawaii for a short vacation. A regulation in that island state requires a 120 day quarantine for entering dogs, including guide dogs. The dog's owner is also required to foot the \$466 bill for the quarantine. A blind guide dog owner may stay with his or her dog in a special compound (where gates are locked after hours) during the quarantine period.

Most conflicts between institutions and disabled people do not go to court; lawyers sooner or later confront the clear mandate of Federal legislation. As a result, out-of-court settlements, resolutions and administrative grievances are the usual avenues for recourse.

At the base of all invisible barriers for the disabled is an insidious paternalism: the attitude that disability means incompetence, that disabled people will always need the able-bodied to care for them because they are flawed and incapable of caring for themselves.

The attitude that disability is a flaw rather than a human variation implies that it is the burden of the disabled to adjust to the lives of the majority, that society has no burden to accommodate its members' differing needs. As black and women's groups have discovered, the paternalistic parent-child relationship destroys individual identity and self-esteem. It also robs its victims of the power to compete with other groups in the struggle to shape public policy.

Historically denied the rights to attend school, hold a job, marry and have children, the disabled have also been denied the opportunity to improve their political status. Physical and communication barriers and arbitrarily defined standards of mental competence have traditionally deprived disabled people of the right to vote.

The barrier of paternalism has its roots in a series of myths and stereotypes that able-bodied people have about disabled people. These myths are also widely shared by disabled people who have been socialized to accept this society's definition of the disabled as helpless, unproductive and incompetent.

Like racists, able-bodied people see the results of discrimination and confuse them with the results of physical disability. Since disabled people rarely hold good jobs, they must be incapable of having careers. Disabled people are rarely seen or heard so they must have little to contribute to the world.

The 1973 Rehabilitation Act was the first crack in this pervasive attitude. Section 504 of the act, in words almost identical to those of Title VI of the 1964 Civil Rights Act, guaranteed specific civil rights for disabled people which up until then had only been generally inferred from the 13th and 14th amendments.

Unlike civil rights legislation affecting blacks and women, Section 504 predated any widespread public pressure for change. "Federal law is the only major reason you're seeing more workers who are disabled," says Robert Funk, executive director of the Disability Rights Education and Defense Fund (DREDF). "Public attitudes are still the worst barrier."

The passage of the Rehabilitation Act was the first time the Federal government officially acknowledged that disabled people as a group were being discriminated against. It reflected an expanding social consciousness on the part of legislators, though not necessarily on the part of the general public.

Indifference to the disabled became charitable paternalism, an approach that still dominates the thinking of the public and of government officials who see disability as more of an administrative challenge rather than a legislative and moral concern. And there will be little impetus for such officials to change their views as long as so many disabled remain invisible.

For disabled people, the barriers that remain far outnumber the victories.

The isolation of disabled people is the result of the same out-of-sight, out-of-mind mentality that has always allowed us to institutionalize people who are different. The immediate causes of isolation are multiple, from poor outreach by public agencies to both the physical and hidden barriers that keep most disabled people off the streets. This not only isolates disabled adults from the social mainstream, it also separates disabled people from one another.

"Seeing another disabled person is a rare event," says Funk. "And when you do meet another disabled person, the conversation is usually a technological exchange about special equipment or services. The lack of information is a barrier to self-sufficiency."

For any disenfranchised group of people to become an effective political force, it must escape the exploitative and immobilizing hold of paternalism. But disabled people must first break down their own barriers.

Having announced in Section 504 that those receiving Federal financial assistance could not discriminate on the basis of handicap, it took Congress four more years to put teeth into the law. Compliance regulations were issued in 1977 only after months of protests and sit-ins by disabled people—the first time in U.S. history the disabled had mounted a political effort commanding national attention.

Arguing that court-enforced compliance would be costly and lengthy, the Department of Education set up a more passive system to enforce Section 504, a kind of voluntary compliance. To monitor compliance, the government actually funded a national program that would train local disabled people—who had previous legal background—in the

gentle art of persuading Federal funding recipients to comply with Section 504.

One major organization charged with the task of training these local volunteers was the Disability Rights Education and Defense Fund. Based in Berkeley, California, DREDF was founded in 1979 to establish and protect the constitutional rights of disabled people. It has trained nearly 3,000 disabled people and their families in 24 western and mid-western states, teaching them to apply Section 504 to issues that include equal access to employment, education and social services.

This system of training helped create a broad-based disability rights movement with a nationwide network of disabled people who were committed to a civil rights agenda on behalf of their peers. Even more significant, the new disability rights network brought all disability-related organizations closer to one another. "Now you have a coalition of all types of disabled people," says Funk. "Many of us who get together have nothing in common except the legal status of disability." According to Funk, the isolation that used to exist among disability groups is rapidly disappearing as organizations that serve specialized constituent concerns see that they face similar civil rights barriers.

This new emphasis on civil rights has not replaced the traditional efforts to improve services and access. The disability rights movement, however, has established a new standard by which all progress could be measured, a standard allowing the disabled to be viewed as people with *full* civil rights. The movement also forced local and Federal policy makers to see disabled people as full citizens and to respond to them as such.

Physical access is important both as a real issue and as a symbolic rallying point for the disability rights movement. Is a building's owner willing to make modifications necessary for disabled people to lead integrated lives in a society that prizes mobility and communication? That most such commitments are highly visible when enacted—ramps, special buses, lower water fountains, braille numbers in elevators—has given them a strategic significance in the emerging disability rights movement that extends beyond their immediate importance. But this visibility has also had its drawbacks. A new ramp or renovated restroom gives the public the false impression that adequate physical access has been established. For disabled people, the barriers that remain far outnumber the victories.

Air travel for people in wheelchairs poses fundamental problems. Because motorized chairs have acid batteries, they can't be taken on airplanes. At \$3,000 apiece, who can afford to have a second motorized wheelchair waiting in the next city?

Since airplane aisles make it impossible to get to the restroom, you must decide whether or not to test your bladder's tolerance for pain or to have someone carry you to the restroom.

Whether you're blind, deaf or in a wheelchair, choosing and ordering the food you want in a cafeteria line is guesswork at best. Using a standard public telephone ranges from difficult to impossible (a deaf person can't hear on that

equipment, a blind person has difficulty dialing and someone in a wheelchair can't reach the receiver in a phone booth) despite the proven cost-effectiveness of new architectural and communications technology such as open cubicles, touchtone phones and devices that allow some deaf persons to communicate. And every library and supermarket poses its own logistical problems.

Americans watch at least 40 hours of television a week. It's a national institution and social lubricant. For those with impaired hearing, *watching* television is most of the experience. Only a handful of programs (mostly PBS) are captioned for deaf people. The television industry, which consistently has one of the highest returns on shareholder equity of any industry, says captioning is too expensive to provide for the 11 million Americans with hearing problems.

The last class of citizens still seeking to achieve full protection of its right to vote is the disabled.

In fact, almost any routine activity—shopping, visiting, working, and going out at night—represents a series of barriers for the disabled person.

Those barriers even extend to our ultimate right—voting. In colonial days, voting was limited to white male property owners. While subsequent court decisions have established that voting “is preservative of all rights,” only recently has the unrestricted exercise of this right become a reality for millions of Americans. The last class of citizens still seeking to achieve full protection of its right to vote is the disabled.

Polling places are usually inaccessible; ballots aren't available in Braille; poll workers cannot communicate in sign language; and thousands of people are forbidden to vote because they don't meet arbitrarily determined standards of mental competence (a category that includes most mentally retarded people).

Recent court decisions have not been helpful. There have been three Federal cases dealing directly with voting rights, none later than 1975. Filed on claims of denial of equal protection, all three claims were denied by the courts. While the courts agreed that access to polling places and the lack of Braille ballots for secret voting constituted a burdened right, they have said that the economic and administrative interests of the state justify such barriers to voting rights.

While voting is a crucial right, in America jobs are a major source of status, dignity and self-esteem. “What do you do?” is a conversational staple. To contribute to society and support yourself is as prized today as it was in colonial days when the New World meant opportunity.

If a disabled person is lucky enough to have received an equal education, he or she will face the most demoralizing barrier of all—getting a job. The disincentives to looking for work are many. Besides the usual physical barriers, Federal benefits policies actually penalize people who take the risk of looking for work.

Many disabled people receive some combination of state and Federal benefits in the form of Supplemental Security Income (SSI) or Social Security Disability Income (SSDI). When SSI recipients go to work, benefit payments are discontinued after a nine-month trial period. But if you should lose a job, you can't reapply for SSI since you've proven by working that you're no longer disabled. To be eligible again, you must prove you are *more* disabled than you were before you took the job. Even if you do make it through this punitive process, you will have to wait from six months to two years before you are again eligible for SSI, Medicare and other benefit programs.

In California, disabled people can work and receive SSI payments on a sliding scale that moves up or down with their employment status. No other state has a similar program. In a country where individualism and self-sufficiency are prized, disabled people must gamble on poverty with every attempt at real independence. How many of us would be willing to take the risk?

Assume that you are an able-bodied person making enough money to live on. Imagine your present household budget—car, food, rent, clothes, medical expenses. If you're like most people, every penny is accounted for. In fact, you're probably close to the credit limit on your charge card.

Now you become disabled. Your medical costs go up, especially since you can't get medical insurance anymore. You'll probably need to buy special equipment or modify your home or apartment to accommodate your disability. If you need help getting ready for work, you'll have to hire a part-time attendant. You're way over budget but you've just started. At work, you'll either be laid off, demoted or at best, passed over for promotion. Your expenses increase as your income falls.

So being disabled is expensive. That's why more than one in three disabled people live below the poverty line. Ironically, some agencies estimate that *half* of all disabled people qualified to work are unemployed.

But employment is no picnic either. For every dollar earned by an able-bodied white male, a disabled white male makes 60 cents, a disabled black male makes 25 cents and a disabled black female makes about 12 cents.

Can disability rights survive the budget process? Who decides that it's too expensive to design airplanes for disabled people? Who decides that disabled children must lower their expectations about adulthood?

Many public officials still see the civil rights mandate of disability legislation as social services or regulatory law. And with the highest budget deficit and unemployment rate since World War II, some people are saying that we can't afford disability rights.

Congress did not pass the Rehabilitation Act to increase the GNP, although putting disabled people to work would help do just that. Section 504 and P.L. 94-142 were enacted for the same reason as the 13th and 14th amendments—to remove the legal barriers of discrimination. And while that's being done, it's up to all of us to remove those other barriers to the handicapped—the hidden ones. ♦

Speaking Out

Ending Discrimination Against Arab Americans

by James G. Abourezk

Although there are more than 2.5 million Americans of Arab ethnic heritage, Arab Americans have been largely an invisible minority in this country. Historically, most Arab Americans have acquiesced in their lack of public recognition due to their preoccupation with trying to assimilate within mainstream American white culture while simultaneously trying to preserve privately certain distinct customs. Thus, even as Arab Americans have proudly maintained cohesive family networks, they have tended to avoid involvement with national organizations which consciously promote the interests and concerns of Arabs. A fear of being perceived by others as "un-American" has been a primary reason for the reluctance of most Arab Americans to unify politically. However, during the past decade Arab Americans discovered that their low profile failed to protect them from popularly embraced racist stereotypes and officially sanctioned harassment.

The status of Americans of Arab origins has been adversely affected by the orchestrated campaign to make Arabs scapegoats for a seemingly endless number of national and international political, social and economic problems. Not since the National Socialist German Workers' Party (Nazis) launched their policy of blaming all societal ills upon the Jews has a single ethnic group been defamed as systemically and malevolently as are the Arabs today. The American media, for example, consistently portray Arabs either as terrorists or as super-rich, greedy and vulgar oil-sheiks. Government agents have absorbed these and other negative images of Ar-

abs, and accordingly have demonstrated a careless disregard for the civil rights of Arab American citizens. Even more alarming, Arab Americans have become victims of serious manifestations of racial hatred such as the increasing incidents of physical assaults upon both their property and persons by various extremist groups.

The FBI has been the primary governmental agency abusing the civil rights of Arab Americans. The FBI's first concerted effort, known as Operation Boulder, was initiated in 1972. The targets of this program were "ethnic Arabs," defined in FBI guidelines as all persons of Arab parentage or ancestry. Arab Americans who are active on behalf of Palestinian human rights have been especially singled out as subjects of "investigations." Essentially, these FBI "investigations" have been intelligence operations aimed at American citizens engaged in political activities which are not only perfectly lawful but actually protected under the First Amendment to the Constitution.

The pattern of FBI probes reveals the ultimate purpose of these contacts. Several hundred Arab Americans who are prominent in raising funds for refugee relief projects have been contacted by agents who state they wish to ask questions about membership in terrorist organizations. Family members, neighbors and co-workers have also been queried about relatives, friends or colleagues whom agents suggest, or assert, are participating in terrorist groups. While none of these investigations have ever resulted in any evidence for pressing charges or making arrests, nevertheless, the fact that the investigations have been both extensive and intensive has had a chilling effect upon political activ-

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Speaking Out

ism within the Arab American community. This seems to have been one important FBI objective.

The FBI's methods of conducting Operation Boulder have been unlawful. Some of their all too typical practices have been described by a Federal judge in reference to Abdeen Jabara, an Arab American civil rights lawyer in Detroit who has been the target of FBI investigations for more than 15 years due to his strong advocacy of Arab causes. Said the judge:

The investigatory tactics employed by the FBI included physical surveillance by informants and agents, inspection of Jabara's bank records, warrantless electronic surveillance by the FBI and NSA (National Security Agency), interviews of third parties regarding Jabara and the maintenance and dissemination of information gained during the investigation.

The FBI succeeded in conducting political investigations, in effect subjecting an entire ethnic group to harassment, due to insensitivity of the public to the plight of Arab Americans. This apathy was created and nourished by the media which, since 1973, has been the most important agent for popularizing racist stereotypes of Arabs. According to these stereotypes, Arabs are either barbaric terrorists or oil tycoons blackmailing the U.S. over the price and supply of petroleum. The FBI has been as culpable as the general public in terms of its receptivity to such negative images. Given the prejudiced mind-set that prevails, it becomes perhaps inevitable—albeit irresponsible—that activities as innocuous as raising funds for food aid to malnourished children in Palestinian refugee camps should be perceived as support for terrorism and other evil deeds.

By the late 1970s, anti-Arab bigotry was well entrenched in American society. Arabs were blamed publicly for inflation and other economic problems. Under these conditions, the Arab stereotype seemed tailor-made for use by the FBI in its white-collar crime "sting operation" aimed at members of Congress. Thus, ABSCAM (Arab-scam) was originated in 1978. Posing as Arab oil sheiks, FBI agents set out to entrap Congressmen susceptible of corruption by offering them bribes in return for political favors.

For many Arab Americans, ABSCAM was the final straw in a series of indignities that had begun with Operation Boulder. ABSCAM demonstrated the extent to which racism had infected their own government. Even more distressing was the failure to acknowledge this racism. Arab Americans believe that the FBI would never plan a similar JEWSCAM operation with impunity. Yet, there was hardly any public outcry over the FBI's use of Arab stereotypes. Congress itself was critical of the very concept of the FBI trying to entrap its members, but only 24 of them called the bureau to task for defaming Arabs. These 24 Congressmen requested of the FBI that it publicly apologize both to Arab Americans and to Arabs worldwide. That request was ignored by the FBI and barely noticed by the media which was more preoccupied with the sensational aspects of a Congressional bribery scandal than with exploring seriously the issue of racism.

The sense of outrage felt by Arab Americans about the FBI's exploitation of anti-Arab stereotypes served as a catalyst in the formation of an organization determined to confront racism and harassment head-on. The American-Arab Anti-Discrimination Committee (ADC) was founded in 1980 for the specific purpose of combatting negative Arab

stereotypes in the media and defending the civil rights of Arabs in the United States. The rapid growth of ADC in just two years is evidence of the strong sense of alarm among Arab Americans. By the autumn of 1982, ADC had 12,000 members in 45 states and the District of Columbia. Its national headquarters is based in Washington, but there are 49 local chapters, each with a minimum of 50 persons; the largest chapters (Detroit, Los Angeles and Washington) each have upwards of 1,000 members.

There was hardly any public outcry over the FBI's use of Arab stereotypes in ABSCAM.

Since its inception, ADC has challenged civil rights abuses of Arabs in the United States. Its most celebrated case is that of Ziad Abu Eain. Ziad is a Palestinian Arab from the town of Ramallah in the Israeli-occupied West Bank. In August, 1979, while visiting his sister who is an American citizen living in Chicago, the then 19-year-old Ziad was arrested by the FBI. The FBI accused him of having planted a bomb in the Israeli town of Tiberias in May, 1979 and detained him for extradition to Israel. The Israeli government was basing its request for Ziad's extradition on an uncorroborated confession signed by an acquaintance of Ziad. Hearings on the appropriateness of Israel's request continued for more than two years. During this entire period Ziad was held in prison in Chicago despite the fact that he had not been found guilty of committing any crime. The final decision on Ziad's extradition was left to the U.S. State Department. On December 12, 1981, a decision was reached: Ziad was turned over to Israeli authorities and immediately flown to further in-

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carceration in Israel. This was all done quickly and secretly despite assurances to ADC and the ambassadors of several Arab countries that no precipitate action would be taken.

Arab Americans are now convinced of the necessity of organizing to oppose governmentally sanctioned violations of their rights.

The Ziad case raises several disturbing questions about due process practices. For example, with respect to the uncorroborated confession, there is the important question of its validity. The confession is in fact a statement in Hebrew, a language which the signer could not read, speak, or understand. Furthermore, the signer recanted his confession in August, 1979, alleging that he had only signed the statement after enduring several hours of brutal treatment and without any knowledge of its contents. He prepared a sworn affidavit on his recantation, but the U.S. judges refused to admit this into evidence. There also is strong evidence that Ziad could not have been in Tiberias on the day of the bombing. Indeed, more than 14 persons signed affidavits testifying to having seen him in Ramallah (which is over 120 miles from the bomb site) throughout the day that the bombing took place. This testimony was also ruled out of order by the U.S. judges. All of these controversial circumstances have convinced many Arab Americans that their own civil rights are very fragile when confronted by institutional racism that exists within the system of justice.

While the Ziad case is certainly the most dramatic one with which ADC has dealt, the patterns of civil rights violations which characterized it are all too

familiar to Arabs and Americans of Arab origins who have had contact with the FBI and other Federal offices such as the Immigration and Naturalization Service. However, Arab Americans are now convinced of the necessity of organizing to oppose governmentally sanctioned violations of their constitutional rights. They realize that simply defending victims of FBI harassment is not enough. It is also necessary to confront the anti-Arab racism that legitimizes the government's ability to violate the civil rights of Arab Americans with virtual impunity.

History bears frightful evidence of the effects of unchecked racial hatred, the fate of millions of Jews in Europe during the 1930s and 1940s being a tragic recent example. Since Arabs are also classified as semitic people, they are conscious of the dangers of a new wave of anti-semitism, especially one that focuses upon them. Thus, organizations like ADC feel a special responsibility to sensitize all ethnic groups to the unavoidable truth that whenever one minority is made a scapegoat for a society's problems and people turn a blind-eye to violations of their rights, in the long-run all groups risk suffering similarly. ♦

Speaking Out

An FBI Rebuttal

In accordance with Commission policy, the Federal Bureau of Investigation was given an opportunity to respond to Mr. Abourezk's Speaking Out piece. That response, in its entirety, follows:

As an official of a Government agency charged with the responsibility of protecting the civil liberties of all our citizens—a responsibility to which the men and women of the FBI are particularly committed—I read James. G. Abourezk's article, "The Civil Rights of Arab Americans," with grave concern. I found Mr. Abourezk's observations speculative, and in several instances erroneous. I believe your readers are entitled to the facts which relate to the issues Mr. Abourezk has raised.

For instance, Mr. Abourezk characterizes Operation Boulder as the "FBI's first concerted effort" toward "abusing the civil rights of Arab Americans." The fact is, Operation Boulder was simply a visa-screening program, initiated by the Department of State, at the direction of the President, shortly after the tragic Arab terrorist incident at the Munich Olympic Games in September, 1972. Its purposes were to reduce the possibility of Arab terrorism in the United States and to insure the safety of Israelis in our country by deterring travel of suspected Arab terrorists to the United States. The role of the FBI in Operation Boulder was a lawful, though purely supportive, one in which names of visa applicants were checked against existing records, with any positive results being referred to the Department of State.

The author next alleges that in ABSCAM, "FBI agents set out to entrap Congressmen susceptible of corruption," and it was a manifestation of "racism." As most Americans are aware, ABSCAM initially was an investigation into stolen artwork and forged securities in the New York area which gravitated into New Jersey, where individuals claimed they could influence the licensing of gambling casinos, and, ultimately, to the U.S. Congress. Never, as the judicial results have thus far confirmed, was there a design to "entrap," and certainly no "racism" was involved.

All of the searching scrutiny of the pretrial investigation, the trials themselves, and extensive post-trial hearings have substantiated that those charged and convicted had significantly violated the public trust. The courts consistently held there was no entrapment on the part of the FBI. Incidentally, as I have indicated previously in my testimony before the U.S. Senate, the codename ABSCAM was derived from "Abdul Enterprises, Limited," a front organization established to lend credi-

bility to the operation, and not "Arab-scam" as claimed by the author.

Mr. Abourezk also alludes to "the pattern of civil rights violations which characterized" the FBI's handling of the case of Ziad Abu Eain, a young Palestinian who allegedly was associated with an Arab terrorist group responsible for at least nine terrorist acts in Israel resulting in six deaths and several dozen injuries.

Ziad Abu Eain was arrested by FBI Agents in Chicago, Illinois, on August 21, 1979, subsequent to the filing of a complaint and the issuance of a Federal warrant charging him with a violation of the United States Code relevant to extradition matters.

At no time were his civil rights abridged. The State of Israel had obtained a warrant for the arrest of Ziad Abu Eain, charging him with the bombing of a market place at Tiberias, Israel, in May, 1979—an incident in which two persons were killed and 36 were injured. Israel requested his provisional arrest pending the presentation of a formal request for his extradition, pursuant to an existing extradition treaty between the United States and the State of Israel. Mr. Abourezk neglected to tell your readers that after numerous public hearings and appeals, the U.S. Supreme Court rejected Ziad Abu Eain's request that it review his case, and he was ultimately extradited to Israel. There, in April, 1982, he was convicted of murder charges stemming from the Tiberias bombing incident.

I regret that because of pending litigation involving Abdeen Jabara, I cannot comment on his case. However, the facts of this matter will be available to the public when the prosecutive process has been completed.

I believe that American people want, and demand, an effective FBI that recognizes and safeguards the civil rights of our citizens. We will continue to do the work that the American people expect of us in the way that the Constitution demands.

Oliver B. Revell
Assistant Director
Criminal Investigation Division
Federal Bureau of Investigation



by Alan Ehrenhalt

PULLING AWAY FROM THE RACIAL GERRYMANDER

Last year's redrawing of America's congressional map carried the potential of disaster for blacks and Hispanics. Reapportionment is nothing more than a redistribution of power to keep pace with population change, and there was no doubt about the way population was moving. People were leaving the urban northeast and midwest, where minorities have had virtually all their political strength, and migrating to Sunbelt states where there was a consistent pattern of conservative domination at the polls. The 1980 Census guaranteed that 17 seats in the U.S. House would be making the same migration.

Within the largest states, the situation for blacks and Hispanics was just as distressing. The inner-city constituencies with minority representation had become grossly underpopulated in the 1970s as middle-class blacks joined ethnic whites in fleeing to the suburbs. The five most underpopulated districts in the nation—and eight of the top ten—had elected a black or Hispanic congressman in 1980. Most of the major industrial states were being forced to give up at least one House seat; if they simply followed population movement, the minority seats would be the first to go, and Congress would reconvene in 1983 with far fewer than the 17 blacks and six Hispanics who had served the year before.

But as much as the demographics seemed to dictate a result like that, it never took place. When the dust settled last November, every black House member who sought re-election had won it, and three new blacks were chosen to join them, bringing the total to

20, an all-time record. The number of Hispanics in the House jumped from six to nine.

For minorities and their advocates, the post-1980 redistricting process was not simply a case of disaster averted. It was an education in the power of the Federal judiciary, the importance of the Voting Rights Act, and the leverage that blacks and Hispanics can have in state politics if they use it carefully.

One of the senior black members of the House, William Clay of Missouri, seemed a certain casualty of redistricting. His district had seen a population hemorrhage in the 1970s, and the only way to meet population requirements was to bring in nearly 200,000 whites in ethnic south St. Louis and suburban St. Louis County. That seemed to be a recipe for defeat at the polls. Over seven House terms, Clay had never really built a broad biracial constituency. "I don't represent all people, some already have too much representation," he said bluntly in 1981. "I serve as a voice for those who have no spokesman at the higher levels of government."

Still, Clay's allies in the Missouri legislature vowed to do everything possible to give him a district in which he would have a fighting chance in a Democratic primary against a white opponent. "I have vowed to shut down the Capitol if necessary," said a state senator who supported Clay.

In the end, the Missouri map had to be drawn by a three-judge Federal panel, which stepped in when the legislature failed to reach agreement despite six months of argument. The judges drew Clay's district with nearly all his old constituents remaining, and managed to make it 52 percent black.

Alan Ehrenhalt is the political editor of Congressional Quarterly.

Republicans insisted that Clay's underpopulated district was the obvious one to eliminate at a time when Missouri had to give up one House seat. "The area that lost the most population in the state is metropolitan St. Louis," said the state GOP chairman. "What the judges did was preserve a black congressman's district simply because he is black."

Clay still had to deal with a white primary challenger, but over the course of three months he out-organized and out-campaigned him, and the carefully drawn district lines allowed him to win renomination.

Clay would never have survived without his own political skill, but he probably would not have survived without the Federal court action either. Federal courts are a major reason why the 98th Congress convened with its black membership intact.

Federal judges preserved a third black district in Illinois, for example, even though the state lost two seats and there were three black incumbents to protect, rather than just one.

The Illinois Legislature was under split control in 1981, with Democrats running the state Senate and Republicans the House. As in Missouri, the legislators never managed to draw a map both sides could agree on. The issue went to a Federal court, and the court chose the Democratic plan.

Among its reasons, the court argued that the Democratic version was fairer to blacks. It left three Chicago districts with 70 percent black majorities, where the Republican map would have reduced one of them—represented by first-term Democrat Gus Savage—below 60 percent. Elected in an upset in 1980, Savage was on shaky political ground anyway. The Republican map would have left him open to a serious white primary challenge. In the version of the map that finally became law, he narrowly overcame a black primary opponent. The Illinois case points up the subtle influence of the 1965 Voting Rights Act. Illinois is not covered by the special provisions of the act, and besides, the special provisions of the Act do not require courts to submit their maps for Justice Department approval—only legislatures have to do

that.

But over its 17 years of life, the Voting Rights Act has acquired a moral and political significance beyond its legal boundaries. Faced with a choice of whom to disappoint in redistricting (and someone is always disappointed), Federal courts clearly this time did not disappoint many minorities. Clay acknowledged that fact at the height of his own remap controversy. "I think my chances in the court are far better," he said, "than they would have been in the Missouri Senate or House."

The Voting Rights Act has acquired a moral and political significance beyond its legal boundaries.

In the South, blacks were playing a different game with different rules. On the positive side, they could take advantage not only of the spirit of the Voting Rights Act, but of the force of its special provisions. As written in 1965, these provisions forbade legislatures in the covered states from drawing any new district that had the purpose or effect of diluting minority voting strength. Therefore in these states, which include all of the Deep South, the dilution did not have to be intentional to render the new district lines invalid. And all congressional maps drawn by legislatures in these states had to clear the Justice Department or the Federal District Court in Washington, D.C. before they could go on the books.

Still, southern redistricting represented a problem for blacks. The initial breakthroughs had not yet come in most of the Deep South states, so success could not be defined as protecting House seats already won. As the 1980s began, only Texas and Tennessee had a black member in their House delegations. Mississippi, South Carolina, Louisiana and Alabama had not elected blacks to Congress in this century.

As the redistricting process began, it was not clear how much help the Justice Department would be to the minority cause. The Reagan Administration might have been expected to be quite cautious about intervening in

local legislative affairs, giving conservative southern legislatures the benefit of the doubt in drawing new district lines. The Nixon Justice Department essentially did that a decade earlier.

When the remapping began, though, the Justice Department turned out to interpret strictly the Voting Rights Act in dealing with some of the southern states. In December of 1981, Justice threw out North Carolina's new map, arguing that the legislature had created a "strangely irregular" 2nd District for veteran Democrat L.H. Fountain just so Fountain would not have to represent Durham, with its large and politically active black population. The legislature then drew a new 2nd District with Durham in it, and Fountain promptly announced his retirement.

A few months later, Justice acted against Mississippi. The Department refused to accept a map virtually identical to the state's old one, on the grounds that the old one had itself been discriminatory, and had been cleared by the Nixon Justice Department only because a similar map had been previously upheld by a Federal court.

When blacks began to vote in Mississippi in significant numbers in the mid-1960s, the state had changed its congressional map to eliminate the traditional "Delta District" in the western part of the state. The Delta region had a clear black majority. What the Justice Department said in 1982 was that the absence of a Delta district represented a clear dilution of black voting strength. The legislature redrew the map and moved the existing 2nd District further into the Delta, giving the 2nd a 53 percent black majority. The Justice Department accepted that revision.

Civil rights activists in Mississippi viewed that result with mixed emotions. They saw the importance of creating a black majority district in the Delta, but they worried that 53 percent was too small a majority to bring about the election of a black candidate. Black State Sen. Henry Kirksey, a professional cartographer who had offered his own alternative to the Legislature, insisted that a 65 percent black popu-

lation would be needed for the 2nd to send Mississippi's first black congressman of the century to Washington. "We're not satisfied," echoed Owen Cooper, director of the Delta Ministry and a leader of the cause.

Cooper and Kirksey turned out to be right in their skepticism, but just barely. Last November, black Democrat Robert Clark, a colleague of Kirksey in the Mississippi Senate, fell fewer than 3,000 votes short against a conservative Republican, Webb Franklin. Clark needed about 15 percent of the white vote, and the indications were he did not get it.

The end result in North Carolina was similar. By redrawing Fountain's district and bringing about his retirement, the legislature opened the way for a candidacy by a black Durham lawyer, H.M. (Mickey) Michaux. The front-runner in his district's Democratic primary, Michaux lost in a runoff to a conservative former state party chairman, I.T. Valentine, who had been an ally of Fountain's. Although this was a defeat within the Democratic Party—unlike the Mississippi case—it represented much the same thing. Both effective lobbying on the part of black organizations and the watchful eye of the Justice Department had increased black opportunities for representation. These efforts, however, had been frustrated by the refusal of most white voters to support black candidates.

Mississippi and North Carolina did not represent the entire southern story. In Alabama, black legislators argued that the newly drawn congressional map carefully spread the state's black population so equally that none of the constituencies would have enough black voters to inconvenience the white incumbents. Although the state is more than one-quarter black, no district was drawn to have a black electorate of more than 34 percent. The Justice Department rejected those arguments. Similarly, in Louisiana, the NAACP protested that the legislature had split New Orleans between two districts to avoid giving the city a black-majority district. This too was rejected by Justice. There evidently was a point, hard to define precisely be-

cause it was determined on a case by case basis, at which the Department of Justice concluded that the minority population in a particular district was sufficient to ensure minorities equal opportunities in the electoral process. Depending on the circumstances, this percentage could range anywhere from one-third to two-thirds of the population.

In Georgia and Texas, redistricting turned into a complicated three-cornered struggle in which Republicans formed an ad hoc alliance with segments of the black community against the local Democratic party.

The Dallas and Atlanta metropolitan areas had similar political situations. Each contained two districts in which a substantial black minority helped elect moderate white Democrats to Congress. In both cities, it was clearly possible to redraw one of the districts with a black population so large that a black candidate could win. But that would almost certainly give the other district to a conservative Republican. This would not only pick up a House seat for the GOP, but also make a conspicuous gesture, altruistic or not, to the black community.

The New York case marked one of the few clear defeats Hispanics suffered in the redistricting process.

In Texas, Republican Gov. William Clements proposed to make Democrat Martin Frost's Dallas-based 24th District 64 percent minority by adding black votes from the neighboring 5th, represented by fellow-Democrat Jim Mattox, and making Mattox' loss to a GOP challenge a virtual certainty. "The black community of Dallas wants its own representation," Clements insisted, "and they are not better served by two liberal white Democrats."

Some local black office-holders clearly felt the same way. "Congressman Mattox is Anglo, and Congressman Frost is Jewish," said Lucy Patterson, a former member of the Dallas city council. "They cannot fully understand the needs of the black community."

But not all Dallas blacks agreed. "Blacks now have substantial influence on two congressional districts," said local activist Thomas Jones. "I'm not interested in trading two Democratic friends for one congressman who might not even turn out to be minority."

It was a bitter dispute. The Coalition for Minority Representation, which backed the Clements position, repeatedly accused the other side of selling out to the white power structure. During one session of the legislature, one member of the coalition had to be restrained by a security guard after he poked his finger in the face of a black legislator who took the opposite view.

In the end, the Clements plan cleared the legislature, but it never received a full test because a three-judge Federal panel invalidated it, arguing that it improperly packed minority voters into the 24th District. The Supreme Court later ruled that the judges had exceeded their authority, but allowed the 1982 vote to proceed according to district lines the three judges had preferred.

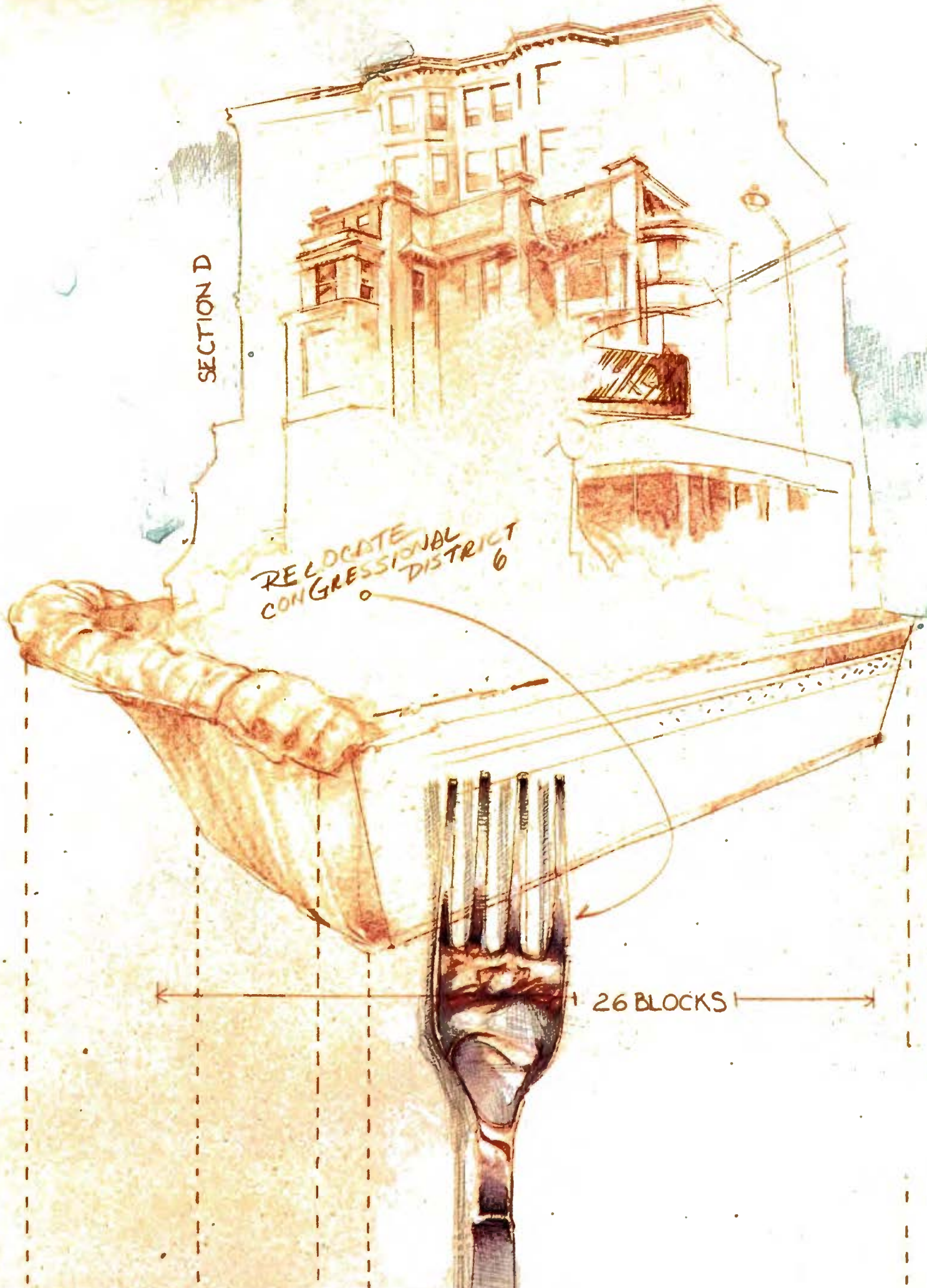
As a result, both the 5th and the 24th stayed firmly Democratic in 1982. Frost, restored to a white-majority district by the judges, won easily over Lucy Patterson, who changed parties to challenge him as a Republican and drew barely a quarter of the vote. Mattox, who ran successfully for attorney general of Texas, was replaced by another liberal white Democrat, John Bryant.

The process was different in Georgia, but the result was similar. The legislature passed up the option urged upon it by some of the area's blacks, of creating a two-thirds black-majority district and turning, in effect, the neighboring constituency Republican. The Justice Department, in a ruling that seemed to contradict the Federal court action in Texas, ruled that the state's new map diluted the voting strength of Atlanta blacks by not packing them into a single district. This decision was subsequently upheld by the District Court for the District of Columbia which found that deliberate discrimination had taken place in the Georgia map redrawing. The legislature returned to work, made Democrat

SECTION D

RELOCATE
CONGRESSIONAL
DISTRICT 6

26 BLOCKS



Wyche Fowler's 5th District 65 percent black, and reduced the black population in Democrat Elliott Levitas' 4th to 17 percent. That made both white incumbents clearly vulnerable.

But Fowler drew no black primary opponent of wide reputation, and Levitas managed to overcome a strong and well-financed Republican opponent. The test for them will come in 1984 and later in the decade.

Through decades of argument over redistricting, blacks and Hispanics have been allies against what they saw as discrimination by whites. The post-1980 process, however, produced an important case in which the Federal government intervened in behalf of one group at the other's expense.

This happened in New York City. Under pressure from Hispanic leaders to create a second Hispanic district in the city, the legislature went to unusual cartographic lengths to draw one. It came up with a new 11th District that stretched awkwardly from Brooklyn to Manhattan's lower East Side and all the way north to Harlem.

Districts in three of the boroughs of New York City, along with a handful in other places outside the Deep South, are also covered by the special provisions of the Voting Rights Act. When the Justice Department looked at the new 11th in the spring of 1982, it decided that the unusual lines "needlessly fragmented" the votes of Brooklyn blacks, cramming them into the neighboring 12th District to keep the 11th Hispanic. The legislature redrew the map to meet these objections, and the 11th emerged nearly evenly divided between blacks and Hispanics. Three major candidates, two Hispanic and one black vied for the Democratic nomination in the staunchly Democratic district. The result in November was the election of Edolphus Towns, one of four new blacks in the 98th Congress.

The New York case marked one of the few clear defeats Hispanics suffered in the redistricting process. Elsewhere, things seemed to go remarkably well for them.

In California, the two new Hispanic House members—Esteban Torres and Matthew G. (Marty) Martinez, owe

their presence in Congress largely to one man, Democrat Rep. Phillip Burton. This longtime congressional power broker drew California's new map virtually by himself, and he deliberately created two Los Angeles-area seats in which Hispanics had an excellent chance to win. Martinez had to survive a rough general election challenge from Republican Rep. John Rousselot, whose old district Burton had eliminated, but the voters ultimately rejected Rousselot's militant conservatism.

New Mexico picked up a third House district with its brisk population growth during the 1970s, and the new seat went to Democrat Bill Richardson, who, despite his Anglo name is half Hispano and speaks fluent Spanish. Richardson won in a newly drawn constituency covering the mostly Hispanic and Indian northern portion of the state. Conservatives in the Legislature wanted to divide the three districts on an east-west axis, which would have made Richardson's chore very difficult, but Hispanic legislators lobbied aggressively and prevailed.

Texas, whose population also grew by more than a quarter in the 1970s, was entitled to carve out three additional districts for the next decade. It was agreed early in the game that one would be in south Texas and would favor Hispanics. Shortly before the 1982 primary, three Federal judges eliminated any real doubt that the new 27th, stretching from Corpus Christi down to Brownsville, would choose a Hispanic. The judges adjusted the boundaries to make the 27th 60 percent Hispanic, rather than 50 percent, and the 27th went on to elect Democrat Solomon P. Ortiz, the sheriff in Corpus Christi.

Hispanics face few serious political problems that redistricting can solve. Their population is reasonably well spread out through much of the Southwest; their political power in the coming years will depend more on turnout than on cartography. Hispanics can be competitive in perhaps a dozen districts they do not hold now if they begin to vote in proportion to their numbers.

The 16th District of Texas, for example, a constituency based in El Paso, might well have gone to an Hispanic

candidate in 1982. As redrawn by the legislature, it is 60 percent Hispanic. But an aggressive and determined Mexican American candidate, Daniel Anchondo, finished third in the five-way Democratic primary, failing to make the runoff. Hispanics did salvage a modest triumph with the eventual election of Ronald Coleman, a Democrat who had been an ally of minorities in the legislature. But the clear task for Hispanics in the coming decade is to find a way to win in districts like the 16th.

Blacks face a more worrisome demographic problem. Because housing patterns are segregated in the northern cities where so many blacks live, districts that become majority-black quickly tend to become virtually all-black. This means that black votes are being wasted. An urban black population of 500,000, rather than dividing itself between two districts and giving black candidates a chance to win both, concentrates in one of the districts and gives a single black incumbent 90 percent of the vote where 50 percent is all he or she needs.

There are two long-term solutions to this problem. One is a breakup of de facto residential segregation. The other is an increased willingness of white majorities to elect black candidates.

There was a sign of this latter trend in 1982 in Kansas City, where black Democrat Alan Wheat won the House seat being vacated by retiring Rep. Richard Bolling, the chairman of the House Rules Committee. Wheat, a 30-year-old state legislator, won his primary chiefly by being the only black candidate in a large field. But he developed an impressive biracial coalition in the fall campaign, and emerged with a 30,000-vote victory over a moderate Republican who had been thought likely to deny him much white Democratic support. Wheat thus became the first black congressman ever to win in a district neither majority-black nor ideologically liberal. His presence in the 98th Congress, representing a constituency three-quarters white, may be the most important symbol of the elections blacks need to win to increase their numbers in Congress. ♦

INNER CITY EDUCATION

Reading the Writing on the Wall

by Meyer Weinberg

Over the past decade, minority students in public schools have received an improved education. But it has been a struggle every inch of the way, led by the civil rights movement and organized parents; not by educational leaders and certainly not by government officials, too many of whom have looked the other way. The progress was brought about principally by desegregation and the "back to basics" movement.

Next to earthquakes, the surest way to shake up an urban school system is to desegregate it. New centers of power are created by the court order. Parents are often given specific tasks by the judge. School boards are directed to consult with parents. Teachers and principals search for changed instructional techniques and subjects. As students and teachers are shifted, virtually new schools appear.

Does all this activity pay off in improved student learning? Early in the desegregation movement, it was too soon to say. But more recent evidence is encouraging. In the most comprehensive and careful study yet, Ronald Krol, an education researcher at Western Michigan University, found the answer is positive: Desegregation helps minority children learn. A broad range of studies of research literature as well as first-hand observation, organized by Willis Hawley of Vanderbilt University, agreed. After 10 years, the oldest desegregated school system—Berkeley, California—found black students to have increased their learning significantly. And even in a recently-desegregated system—New Castle County, Delaware—after only two years, blacks rose in achievement.

Desegregated schools are also marked by employment of more minority teachers, who tend to be more sympathetic to desegregation than white teachers. Accordingly, they are freer to concentrate on teaching and spend less time resisting changes brought on by desegregation. Moreover, researchers have found minority teachers to be more confident than non-minority teachers in the ability of their students—of all races—to learn. Thus, in general, teacher-expectancy of student achievement tends to be higher in de-

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segregated schools. The self-fulfilling nature of that prophecy may well have contributed to achievement gains in such schools.

Experience in desegregated schools has also led to an unexpected discovery: The academic achievement of white children does not slump, even though there are more low-scoring children in the same classes. If a white child learns as well in desegregated and segregated schools, there is no academic advantage in attending all-white schools with better facilities and more experienced teachers.

In the best desegregated schools, black children learn that their race is not a handicap to learning while white children learn that *their* race is not a passport to superiority. Over the long haul, such improved self-knowledge should lead to greater learning.

But what about the recent emphasis on "basic knowledge"? Have minority students profited from the so-called "back-to-basics" movement? No systematic study has been made, but several things are clear. For many minority students, serious attention by schools to teaching them "the basics" would be a big step forward. If "basics" are the way reading and arithmetic achievement can rise, few or no minority parents will complain. On the other hand, minority parents have a mixed record when it comes to volunteering their children to magnet schools specializing in the "basics." This suggests that many are not willing to settle for the "basics," but want a fuller content to their children's education.

Many of the recent gains by minority students are being threatened by current budget reductions, the increased use of block grants that don't include provisions for desegregation, and the proposed New Federalism. Historian John Hope Franklin pointed out years ago that, under legal segregation, black schools were financed to offer only a marginal education. When, therefore, budgets of both black and white schools were reduced by the same percentage, the effect on black schools was devastating. They were so near the margin that a slight push was enough to bankrupt them. Recent unpublished studies suggest the same is true today in northern cities such as New York City, Los Angeles, and Chicago. William Olds, director of the American Civil Liberties Union in Connecticut, in an unpublished study completed last summer, examined schools in Hartford, Connecticut and found strong suggestions of school-to-school financial disparities on the basis of race.

The gradual retreat by the Federal government from its financial support of public schools leaves the matter in the unwilling and often unjust hands of the states. Poor children, according to much research, are far more dependent on the school for learning than are middle-class children who have certain additional resources in the home. Thus, cuts in school budgets that reduce the number of teachers, increase class size, or eliminate classroom aides especially affect poor—and not only minority—children. Few states have compensatory programs financed by state or local money. Just at the time when it is being shown that Federal compensatory programs are among the reasons for improved learning by southern black students, these same



Federal programs are being slashed. Why penalize success?

Federal money for another category of minority students, children whose primary language is other than English, only came into being in 1968. The best way to aid such children is to enroll them in a school system that aims to provide a good education to all children. While special measures, such as bilingual classes, English-as-a-Second-Language (ESL) and the like, may indeed help many minority children succeed in school, such measures alone cannot achieve that end. Still too many minority-language children are enrolled in poor school districts with inadequate bilingual programs.

In the Los Angeles public schools, Mexican American students are exceedingly segregated and grouped in low-achieving schools which—as indicated above—are also short-changed financially. In many cities, the high school dropout rate for Puerto Rican students is between 50 and 75 percent. (While Hispanic communities are frequently split on the issue of desegregation-busing, one bright spot is the finding in a forthcoming report by Abdin Noboa, done for *Aspira*, that the academic achievement of Hispanic high school students benefited from attendance in desegregated schools.)

Governmental retreat from judicial and legislative imper-



atives is growing. Federal educational authorities since late in the Carter Administration have watered down requirements and budgets for bilingual education. State laws for bilingual education have been drastically thinned out in California and Colorado, two states with large Hispanic populations. In Texas, a Federal judge's order expanding greatly the state's obligation in bilingual education was reversed by a higher court. Fiscal pressures elsewhere are also tending to cut down bilingual requirements. Total elimination of bilingual education is unlikely. Still, any weakened implementation of the U.S. Supreme Court's 1974 ruling in *Lau v. Nichols* (that children are entitled to receive instruction in a language they understand) will surely erode many of the gains of the past decade.

Meantime, growing segregation in Hispanic housing and schools is creating additional problems. While detailed 1980 Census data are not yet available, Gary Orfield, a University of Chicago political scientist, has noted the strong trend toward segregation among Hispanics. There is little reason to believe segregation will be any more beneficial to Hispanics than it has been to blacks. Typically, heavily Hispanic schools in large cities are not centers of academic excellence. Separate and unequal remains the rule.

Americans love to hear of discoveries and inventions that

suddenly improve an aspect of their lives. For education, however, no quick fixes are on the horizon. Much ongoing research still considers poor academic achievement to be the fault of the minority student. Schools are let off the hook as a neutral factor, and the children or their parents are viewed as the factors to change. Such research is rather useless, although it continues to be well-financed.

Recently, research has begun to focus on the school as the principal factor to change. In Jacksonville, Florida, for example, the impact of the combination of desegregation and instructional improvement on learning is being studied. While such research seems more realistic, it has taken a long time for academics to formulate theories focused on schools. Indeed, civil rights pickets in the 1960s and 1970s were first in proposing that the schools must change before minority children could be properly educated. As usual, academe and government got the message quite late.

One prominent research effort being led by Ronald Edmonds at Michigan State University's education department seeks to discover the essentials of effective schools. Of course, everyone favors effective rather than ineffective schools, and so the goal of this research is popular. Nevertheless, the definition of educational effectiveness is rather spongy.



During the mid-1960s, teacher-unionists in New York City convinced the school board to have an Effective Schools program of compensatory education. When someone observed that this would make it appear all the other schools were not effective, a solution appeared promptly: The program was re-named the *More* Effective Schools program, thus implying that while *all* schools were effective, some were going to be made even more so.

This proved to be good public relations. We should not, however, mistake it for progress. Effectiveness through labelling remains spurious though widespread.

How much genuine progress is embodied in the newer research literature of school effectiveness remains problematic. Very little of it is reported in published research reports. Not much is based on observing and analyzing children in classrooms. Too much consists of simple analysis of test scores over a period of time. As a result, the research turns out to be not very helpful.

Many writers in the field define an effective school as one in which poor students learn at a rate comparable with the rate in a middle-class school. (The students may or may not be minority.) Most prominent among these is Edmonds. He points to the need for strong administrative leadership by the principal, an orderly, studious atmosphere, and highest priority in the school for acquisition of basic academic skills. Few, if any, specific schools are cited as examples. Nor, as a consequence, are specific individuals picked out to illustrate one or another practice. The principal's role is under-scored, but, again, only in general.

An especially interesting report on effective schools is Beverly Glenn's examination of heavily-black schools in Richmond, Virginia. Glenn, on the staff of Harvard University's Center for Law and Education, stresses the important role of the central administration in organizing the schools for effective learning. In Richmond, for example, the central school district administration organizes the classroom curricula, stipulates the textbooks, and establishes basic requirements for principals and teachers. The result: Test scores in this high minority district are up. This is the only example of an entire minority school district being classified as "effective." Much more information is needed before Glenn's judgement can be validated.

Some writers have pointed to instances of rising reading-achievement test scores in a few large cities as evidence that education for minority children is improving. Perhaps so. On the other hand, we should be skeptical on the whole. For one thing, city-wide scores frequently rise and fall. Few know why. Indeed, the Los Angeles school board was so surprised one year when scores in some poor Hispanic and black schools rose that it obtained a research grant to discover why. For another, virtually no researcher pays any attention to the reasons why achievement test scores are what they are. Researchers do little more than record scores at two time points and announce the difference, if any. As usual, the schools are eager to claim credit for any success. Failure or declines in scores are ordinarily explained by reference to social class, poverty, genetics, race, ethnicity, or other global factors.

Of special interest to minority students are magnet schools. These are arrangements whereby special educational programs, not available in regular schools, are offered to students on a volunteer basis by parental choice. Minority parents, who regard magnets as special opportunities for their children, often oversubscribe the special schools. Many magnets are desegregated, others remain segregated. Although magnets are supposed to offer different, rather than a better education than non-magnets, in fact they sometimes receive higher per-pupil funding as well. To that extent, minority students in magnets may be receiving an improved education.

But few magnets have been evaluated by independent researchers. Claims of excellence abound, but firm facts are rare. An evaluation team at the University of Pittsburgh recently studied magnet schools in that city. A broad range of topics was examined, but the team did not even try to assess the educational success of the magnets. A similar group from the Educational Testing Service (ETS) analyzed magnets in Dallas without delving deeply into the quality of education being delivered by magnets. The educational content of magnets is clearer in cases of a single magnet school in a city, such as in Richardson, Texas. In Richardson, an all-black school was turned into a magnet school offering programs and laboratories not available elsewhere in the school district. When there is only one school in a district that needs to be desegregated, "magnetizing" it is an effective approach. Whether magnet schools could be used to effectively desegregate an entire school district seems doubtful. So far, evaluation of city-wide magnets is rudimentary.

While magnets are usually associated with voluntary desegregation, ironically the largest-scale system of magnets exists in Boston as part of that city's court-ordered mandatory desegregation plan. Fully one-third of Boston's public school students attend magnet schools. There is a widespread community perception that these schools are better than non-magnets.

In general, magnets and other voluntary desegregation devices are used more readily by black than by Hispanic parents; Asians are devotees of these techniques. One factor affecting participation is the traditional reluctance or readiness to permit one's children to travel to a school further away from the home.

All in all, schooling of minority children has improved over the past decade. Desegregation merits part of the credit. A greater emphasis upon academic achievement, whether in the guise of "back to basics" or some other name, has benefited learning. More enlightened efforts to supply minority-language children with understandable instruction likewise benefits minority children. The general attainment of effective schooling is far more problematical and cannot be achieved by simple formulas. Magnet and other voluntary techniques are adding to effective education for minority children, if only marginally.

Minority learning progress has been real. Efforts to reverse direction are also real and we must stop them in their tracks. It will take an enormous effort to consolidate and defend the fruits of the past decade. ♦

BLACK FARMING

The Erosion of a Scarce Resource

by Pamela Browning

Farming in America has historically been a high-risk venture, but its success has also been one of this country's keys to independence, growth and world power. Important values imbedded in owning and tilling the land have formed an essential facet of our national character and continue to be exported as an important ideological component of non-military aid to the Third World. It is, then, ironic that, if the rate at which black American farmers are losing their land persists, there will be virtually no black farmers in this country by the year 2000.

That seemingly inexorable economic, technological and political forces have transformed U.S. farming into highly productive and profitable agribusiness, is no surprise. Less well known, however, is the fact that historical discrimination and institutional biases in Federally-funded programs also have exacted an exorbitant price from black farmers in this transformation.

While displacement from their land looms as a threat to all farmers, blacks have lost almost 94 percent of their farms since 1920, compared to a 56 percent decline in white-operated farms. Nationwide, according to the most recent Agricultural Census conducted in 1978, there are only about 57,000 farms operated by blacks, down from 926,000 at their peak in 1920.

Moreover, the rate of land loss shows no sign of tapering off for blacks, as it has for white farmers. White land loss peaked at a rate of 29 percent during the 1950s, when the

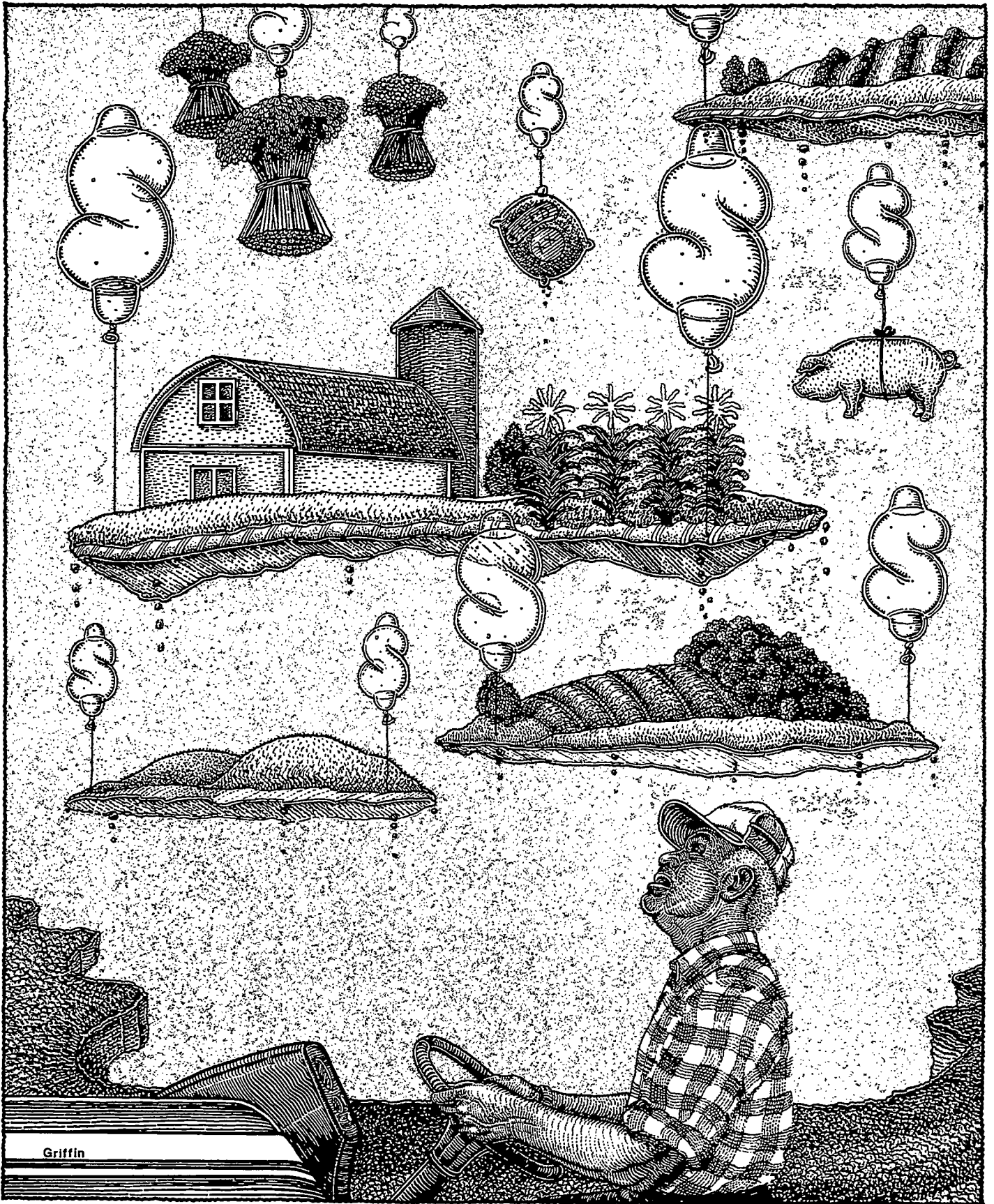
rate of black land loss was 51 percent. The rate of loss for whites then slowed, while the rate of loss for blacks continued to climb to 57 percent by 1978, 2 1/2 times the rate of loss for whites.

The loss of black family farms runs counter to widely held and traditionally cherished values that date back to Jefferson. A Louis Harris Poll found that the public still prefers "a country which has a relatively large number of small farms." The qualities of self-reliance, independence, and a sense of efficacy and self-worth have long been associated with landownership. Like their white counterparts, black landowners have been found to be more civic minded, more active in social and political affairs, and enjoy the status conferred by land ownership.

One may very well question whether such traditional values hold any relevance to a predominantly urbanized, increasingly high-tech-oriented society—let alone to modern agribusiness. That is, until one realizes that those are the very same values motivating bipartisan public as well as private support for the expansion of minority business enterprises in our towns and cities. Such support reflects a national commitment to bring minorities and women into the American economic mainstream to satisfy both moral imperatives and national interest. Yet, the *survival* value of one of the most experienced, entrepreneurial, hard working, civic-minded groups in America—black farmers—has not received the serious attention it deserves.

The threat of black land-loss is accentuated by its virtual irreversibility

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once these farms slip out of black hands. As the value of land continues to escalate, and black farmlands are converted by whites into larger farms or commercial, industrial, and resort properties, these lands will recede further and further from the grasp of blacks who may wish some day to retrieve their share of equity in this most fundamental resource.

The causes for the decline in black farming are rooted in this nation's history of racism. The end of slavery did not bring economic independence to the vast majority of blacks, and Southern whites were vigorous in their efforts to maintain their economic and social superiority after the Civil War. Sharecropping, a frequent means of livelihood for Southern blacks following slavery, was not a stepping stone to advancement. Rather, usurious interest rates extracted from sharecroppers defeated hard work and initiative. Furthermore, blacks were not permitted equal footing with whites to acquire and retain their own land. As recently as the 1950s, some land auctions in the South began with the announcement that: "Bids will be taken by whites only." To purchase land, blacks often had to have approval of the white community, as well as large sums of cash. Moreover, they were restricted to areas with less fertile soil, perhaps tucked away in the hills, not too close to the main highways or railroads, nor to white schools or churches.

To make matters worse, government programs that should have attempted to compensate for the many disadvantages faced by rural blacks, instead have long served to perpetuate them. In rural areas of the South, whites had more opportunities and received greater amounts of government assistance than blacks, which explains, at least in part, why many whites returned to these areas during the Great Depression, while blacks continued to leave agriculture and migrate to urban areas. In some counties in Georgia during the 1930s, for example, educational expenditures for black children were one-eighteenth the amount spent for white children. Even though the average income of blacks was well below

that of whites in these counties, a greater proportion of whites received Federal relief than blacks, and blacks lucky enough to get help received half the amount received by whites. Similarly, blacks did not receive a fair share of Federal rural rehabilitation loans, tenant-purchase loans or emergency assistance grants—all intended to help low-income farmers survive the Depression.

The weight of historical discrimination has resulted in fewer, smaller, and less productive landholdings for blacks. Yet, instead of a Federal effort to offset these effects of discrimination and halt the alarming rate at which blacks are losing their land, their disadvantages are now compounded by government programs that favor large, predominantly white, farmers.

As late as the 1950s, some land auctions in the South began: "Bids will be taken by whites only."

The U.S. General Accounting Office found in 1975, and again in 1980, that most agricultural research, much of which is conducted by public, tax-supported land-grant institutions, has been ill-suited to the needs of small farmers. "[L]arge-scale enterprises have been the principal beneficiaries of agricultural research and extension in the farm sector," concluded GAO. This imbalance has threatened the survival of small farmers. Black tobacco farmers, for example, have suffered from the impact of Federally-funded research that led to the development of mechanical harvesters and bulk storage innovations, which small farmers cannot afford to buy or to use efficiently without expanding their acreage, but without which they cannot compete.

Tax incentives also contribute to the displacement of small and minority farmers; such incentives encourage investors, through tax credits and write-offs, to purchase more expensive technology. Small black farmers have neither the money to make these investments nor high enough tax brackets to take advantage of the tax benefits. Ulti-

mately, they find it difficult to compete in what had been a traditionally labor-intensive sector of agriculture, such as hog farming, which becomes transformed by large farmers and tax-sheltering investors into a capital intensive industry.

Farm commodity programs also benefit large farmers most. These price and income support programs were established to raise farm incomes that have fallen due to technological advances, increased production, and relatively depressed food prices. A 1980 study conducted by the U.S. Department of Agriculture of direct income support payments to cotton, rice, feed grain and wheat farmers under 1978 programs, found the smallest 30 percent received less than four percent of all payments. The size of payments ranged from \$365 for small farmers to \$36,000 for farmers with more than 2,500 acres. The concentration of payments among a few large farmers was greatest in cotton and rice areas of the South, where most black farmers are located.

The recently-instituted Payment-in-Kind (PIK) program provides a current example of disparities in benefits received from commodity programs. According to Joseph Brooks, Executive Director of the Emergency Land Fund, a private non-profit organization created to save black land, "the PIK program will not benefit most black farmers." In his conversations with Georgia black farmers, Brooks found that they had no knowledge of the PIK program. According to Brooks, "Though black farmers are growing corn, sorghum, wheat and cotton—crops eligible for the PIK program, blacks are outside of the network of institutions which informs farmers of the program's requirements and benefits. That's a reflection of the lack of information dissemination and contact with black farmers that is found in all agriculture programs."

Discriminatory Federal funding also has impeded the effectiveness of traditionally black land-grant institutions, which have a special role to play in serving black farmers. While Congress authorized Federal research monies for the predominantly white land-grant institutions in 1887, the black land-grant institutions were not directly allocated Fed-

eral money for agricultural research until 80 years later. Between 1967 and 1971, \$1.4 million was allocated by USDA, from its "discretionary" money, for research at the black institutions. However, this amount totaled just *one-half of one percent* of the amount Congressionally authorized for the white land-grant institutions during this same period. Though Congress finally began to appropriate research money for the black land-grant institutions in 1972, and recently authorized additional money to upgrade their research facilities, these institutions still suffer considerably from the accumulated effect of almost a century of discrimination.

In its report, *The Decline of Black Farming in America*, the U.S. Commission on Civil Rights examined most closely the role of the Farmers Home Administration (FmHA) in assisting black farmers. FmHA, an agency of the U.S. Department of Agriculture, is the nation's principal public lending institution in rural communities. Its historical mission to preserve the family farm and a farm loan budget exceeding \$4 billion annually, combine to make it uniquely suited to assist black farmers. FmHA is known as the "lender of last resort" because of its mandate to provide farm supervision and loans to farmers who cannot obtain credit elsewhere.

Because of their small farms and low incomes, black farmers are less likely than white farmers to qualify for credit from sources other than FmHA. Available data show the median income of black farm families in 1978 was \$7,500 compared to \$17,300 for white farm families. While the average commercial black-operated farm was 139 acres, the average white-operated farm was more than three times that size—497 acres.

Yet, despite their disproportionate need, black farmers received only a small fraction of FmHA farm loans. Moreover, the number and percentage of loans made to blacks is steadily declining. Under FmHA's Farm Ownership Program, which provides loans for purchasing, improving, or refinancing farms, the percentage of loans made to blacks dropped from 3.1 percent in 1980, to 1.4 percent in 1982. Similarly, Operating Loans to blacks declined from 7.9 percent of the total in 1980 to 4.5 percent

in 1982, and Soil and Water Loans declined from 2.9 percent in 1980 to 2.3 percent in 1982.

In some states, the chances of blacks getting FmHA loans were almost non-existent.

Of greatest concern to black farmers is access to FmHA's Limited Resource Loans. These loans, a category of FmHA Farm Ownership and Operating Loans, are provided at lower interest rates and under more flexible terms for repayment. Minorities were specifically identified as among those in need of this special assistance when the Limited Resource Loan Program was created by Congress in 1978. FmHA regulations define a Limited Resource farmer as one who,

due to low income, cannot pay the regular interest rate on Farm Ownership and Operating loans. Due to the complex nature of the problems facing this applicant, special help will be needed and more supervisory assistance will be required to assure reasonable prospects for success. The applicant may face such problems as underdeveloped managerial ability, limited education, [and a] low-producing farm ... (Emphasis added.)

Based on FmHA's definition of a Limited Resource Farmer and the socioeconomic characteristics of black farmers, it would be expected that the majority of black FmHA borrowers would receive their loans at low-interest rates under the Limited Resource Loan Program. And yet, FmHA data reveal this to be far from true. While the number of Operating Loans made to blacks declined by 20 percent between 1980 and 1982, the number of black borrowers receiving low-interest Operating Loans declined by 68 percent. In 1982, only one black FmHA borrower received Operating Loans at low interest rates for every ten Operating Loans made to blacks.

In some states, the chances of a black borrower obtaining a low-interest loan were almost non-existent. Take Arkan-

sas, for example. In 1920, more than 72,000 blacks operated farms in the "Razorback State." Today, that number is less than 2,000. Yet, when FmHA made 113 Operating Loans to black farmers in Arkansas in 1982, only *one* black Arkansas farmer received his loan at low interest rates. Similarly, while 96 Operating Loans were made to blacks in Virginia in 1982, only one black borrower received a low interest loan. In Georgia, while blacks received 92 Operating loans, only three black borrowers received their loans at low interest rates under the Limited Resource Loan Programs.

And while the vast majority of black farmers live in the South, inequities in FmHA's Limited Resource Loan Program appear to be a problem in the North as well. In Illinois, Indiana, Iowa, Kansas, Michigan, and Pennsylvania, white borrowers had a greater chance than black borrowers of receiving their Operating Loans at low interest rates in 1981. While 29 Operating Loans were made to blacks in those states, not one was a low-interest Limited Resource Loan.

The small number of low-interest loans made to blacks reinforces the perception held by many minorities that FmHA discriminates against them. According to Joe Brooks, FmHA's loans to blacks are "a dollar short and a day late. FmHA's slow response to loan applications is breaking the backs of black farmers." Brooks acknowledges that white farmers are also hurt by an unresponsive FmHA. But for blacks, who most often operate without an extra margin of resources to tide them over, the effect of FmHA's delays can be devastating. "In mid-April, black farmers in Georgia didn't know if their loans for corn would be approved—while the corn should already have been planted. There are peak times to plant so as to get to market on time to get the best price. FmHA sets blacks up for failure when they can't get their loans on time." In general, says Brooks, "More attention is paid to white farmers than to black farmers. If there are problems, the first ones to get attention are white farmers. It's bad enough in good times—in hard times, it's even worse."

Farmers Home is a highly decentralized agency, and loan determinations are

made locally at more than 2,000 county and district FmHA offices nationwide. FmHA regulations, to allow flexibility, are very general and leave substantial discretion to loan officials. As a result, discrimination could occur in a variety of subtle ways. For example, a potential borrower simply may be discouraged by FmHA personnel from taking a loan application; may not receive assistance needed to fill out the application correctly; may not be advised of all types of loans, or of the most appropriate loans available; and may not have property appraised fairly for purposes of determining collateral.

To prohibit lending discrimination based on race and other factors, Congress passed the Equal Credit Opportunity Act (ECOA) in 1974. ECOA, however, has not been vigorously enforced at FmHA, and more than 200 discrimination complaints have been filed against FmHA annually.

FmHA "sets blacks up for failure when they can't get their loans on time."

USDA's response to these complaints has been ineffective and untimely. For example, a complaint filed against FmHA in February 1980 was investigated by USDA and questionable lending practices were found, including: discrepancies in the real estate appraisal of farmland owned by blacks; inordinate waiting periods between applications and loan approval for blacks; absence of deferred loan payment schedules for blacks; requirements that some blacks agree to voluntary liquidation of their property (should they default on their loans) as a condition of their loans; and disparities in the number and amount of economic emergency loans made to blacks.

Data gathered in this investigation indicated that the rural population in the area served by this FmHA office was 55 percent black, while blacks received only 29 percent of the number of FmHA farm loans awarded during 1979. Information on Limited Resource Loans was not displayed on information racks, and black farmers in the county were found to be unaware of this assistance available through FmHA.

USDA investigators interviewed six local black farmers working in the area served by this FmHA office. Each of these farmers had more than 150 acres of land and more than 10 years of farm experience; yet none knew of FmHA's Economic Emergency Loan Program. One black farmer had asked whether FmHA administered any loan program which might assist persons who were experiencing economic hardships as a result of high unexpected production costs. He was told by the FmHA county supervisor that such a program did not exist and advised to secure off-farm employment. In contrast, the investigators found that a 21-year-old white male with no land received a \$137,000 Economic Emergency Loan from this local FmHA office to purchase a 30 acre farm in 1979 and an additional FmHA Economic Emergency Loan of \$110,000 in 1980.

The black farmers who filed the complaint against this FmHA office, however, were never notified of these findings. A year later, they filed a second complaint, this time alleging retaliation by FmHA. One of the farmers subsequently received a farm foreclosure notice from FmHA. Eventually, the complainants received a response to their complaint stating, merely: "Based on the information in the investigation report, we can find no evidence of racial discrimination."

While USDA's efforts to enforce ECOA and other applicable civil rights laws have been slow and ineffective in the past, last year they essentially came to a halt. USDA conducted no reviews of FmHA field offices in 1982 to determine if they were in compliance with civil rights laws. Similarly, no complaints were investigated "onsite," with file reviews and interviews of the parties involved. Instead, complaints were handled merely by telephone inquiries and correspondence with FmHA personnel to determine if FmHA thought the complaints had merit. Obviously, leaving the determination of discrimination up to the parties charged in a complaint presents a clear conflict of interest.

"There has to be an outside party to police FmHA," according to Joe Brooks. "We can't expect them to be objective about their own personnel—it's a closed system." Indeed, the complaint backlog

was such that in early 1983, FmHA staff had not yet begun to respond to any complaints received in 1982.

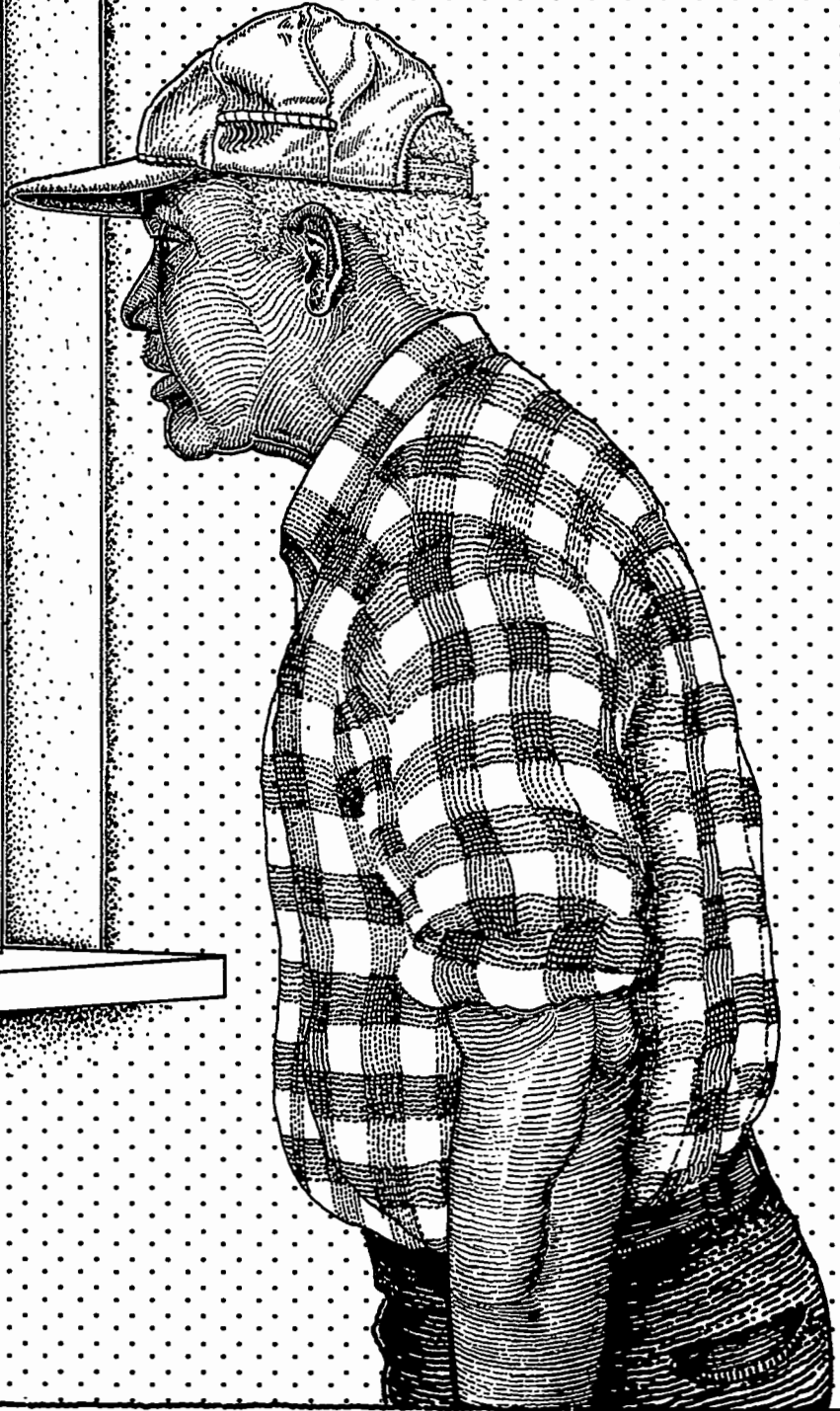
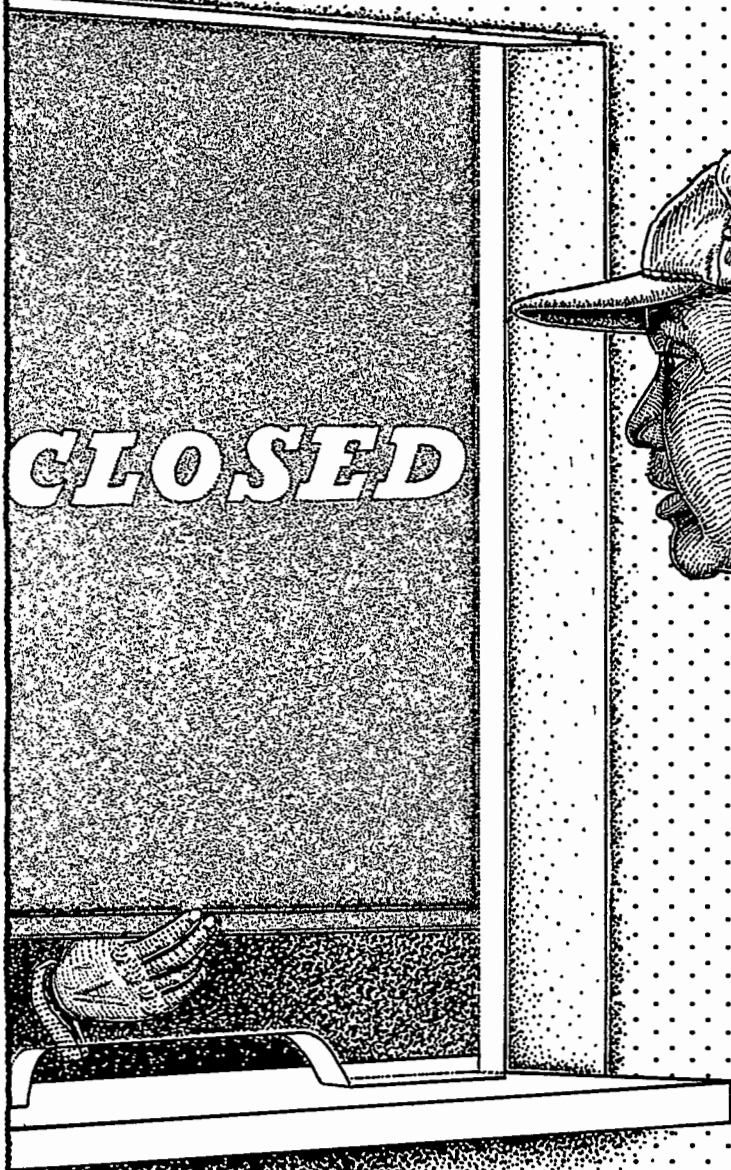
Without adequate enforcement of civil rights protections, there is no assurance that black farmers are receiving their fair share of FmHA loans. In the absence of such enforcement, FmHA's own data and complaints from minority farmers suggest that FmHA may be contributing to the problems of black farmers rather than ameliorating them.

In addition to urging USDA to institute more vigorous civil rights enforcement, the Civil Rights Commission has recommended the establishment of a Department-wide program, involving a broad range of USDA agencies, to provide assistance targeted to minority farmers. Only then can the Department begin to offset the economic and institutional biases that overwhelmingly favor large farm operators and which militate so strongly against the survival of black farming.

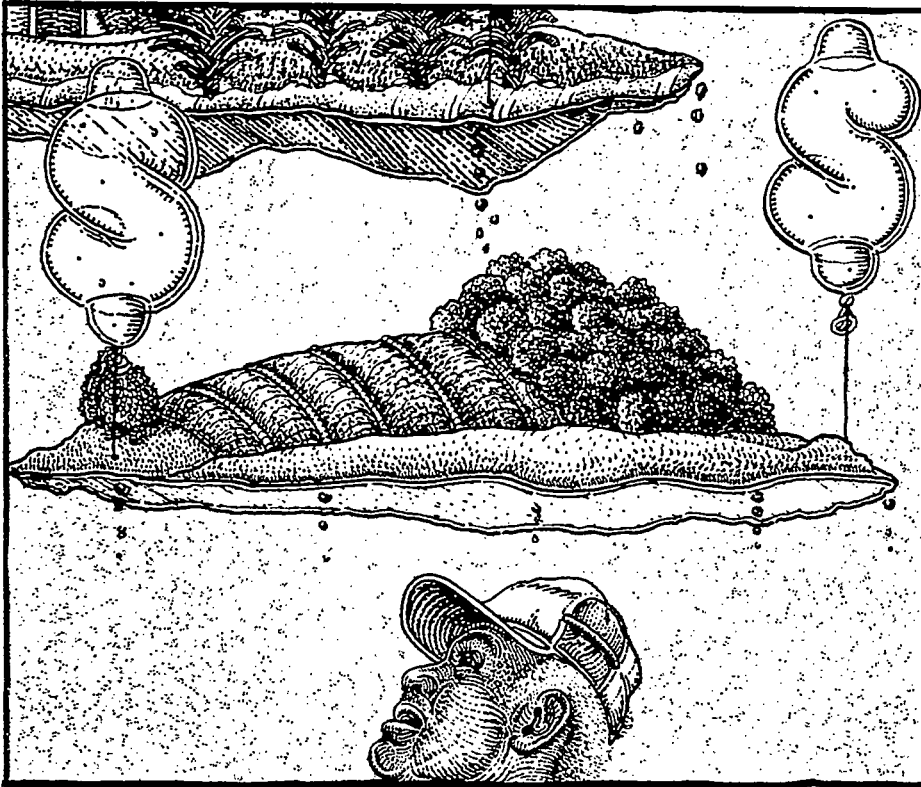
In its response to the Commission's report, however, USDA did not address the need for such a Department-wide program. Moreover, USDA denied that the Farmers Home Administration, or its Limited Resource Loan Program, should be of particular assistance to black farmers. It noted that FmHA provides only a small fraction of all agricultural credit in the United States, while it ignored FmHA's special role as a "lender of last resort." Essentially, it interpreted FmHA's responsibilities narrowly, like those of a private lending institution, rather than as a public agency with an important social function. It attributed the loss of black operated farms to "non-racial factors" and the low number of FmHA loans made to blacks to their relatively few numbers in the farm population. It did indicate, however, that it was in the process of making improvements in civil rights enforcement.

However, in March 1983, it was necessary for the Commission to send a followup letter to Agriculture Secretary John Block, expressing concern that the conditions highlighted in its report a year ago, "rather than improving, actually have worsened." The letter re-emphasized that "Federal programs are often the only viable assistance available to minority farmers. It is, therefore, of

BLANDS



Brian Griffin



critical importance that all USDA programs and particularly the Limited Resource Loan Program, be available to minorities on a nondiscriminatory basis. At the very least, our nation's laws require this."

This time, USDA's response was more encouraging. Having recently fired the Director for the Office of Minority Affairs after a controversial memo he authored became public, Secretary Block now appears to be making efforts to improve USDA's poor civil rights image. In an April 20 letter to Commission Chairman Clarence M. Pendleton, Jr., Block promised to address the problems of black farmers "in a substantive way." Based on the recognition "that disparate rates of decline among black farmers may in some way be related to the structure and methods of administration of USDA programs," Block pledged to establish a task force that will, within 90 days, recommend to him "changes in existing programs or proposals for new programs" that would address the problems of black farmers. In light of USDA's past reluctance to respond positively to Commission recommendations, only time will tell if this task force represents more than a token effort by USDA. Con-

tinued monitoring of USDA programs is needed, along with an evaluation of the actual results of the task force's recommendations.

Secretary Block pledged to establish a task force that would address the problems of black farmers.

The picture may be bleak for black farmers but, contrary to what some may think, the eventual disappearance of black farming in America need not be a foregone conclusion. Our government has demonstrated its vested interest in assuring the survival of small farmers—white and black—through the creation of programs such as FmHA. *If* administered equitably, such programs would go far toward enabling black owners of small farms to maintain their stake in their surrounding communities, while continuing their contribution to the nation's economy and to their own heirs. In the process, the prospering of black farm entrepreneurs would serve as valuable reminders that bigger is not always better, that rural is as important as urban, and that the ideals we propagate abroad are worth strengthening at home. ♦

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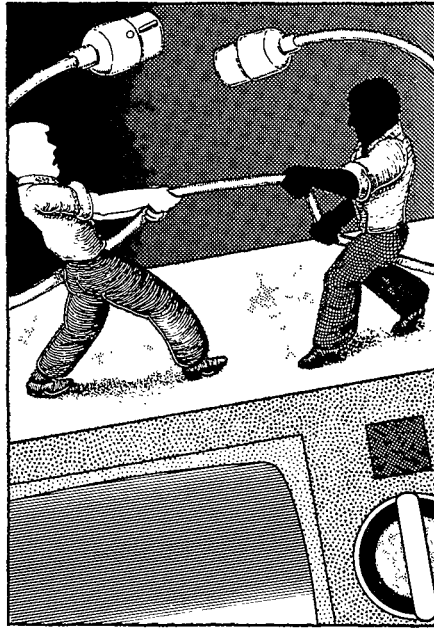
Cable Employment: Where Have All Those New Jobs Gone?

Along with other "new technology" industries, the fast-growing cable television industry is being looked to as a source of good jobs for minorities and women. In the midst of recession, it remains one of the country's most dynamic industries and strong growth is expected to continue throughout 1983. Executives of cable companies are predicting rises in revenues and net income at higher rates than in prior years, spurred by the construction of new cable TV system franchises and improved marketing. Subscriptions are also expected to increase at higher rates than ever before.

And because of this expansion, cable's need for skilled personnel will likewise be on the rise. Forecasters anticipate an increase in job openings ranging from a healthy five percent to as much as 25 percent over last year.

To date, however, the flow of minorities and women into cable employment has been more sluggish than anticipated, albeit not for a lack of interest on the part of job candidates. When a new organization, Minorities in Cable, was announced in *Essence* and *Black Enterprise* magazines two years ago, Gracie Nettingham, founder of the group, said, "We were deluged with over 2,500 resumes and letters from people who wanted jobs in cable. We were overwhelmed with the response—and we don't even have an employment service."

White males continue to dominate the decision-making jobs in cable, according to an extensive report on the status of



minorities and women in cable and how they fare in cable compared to broadcasting, issued last November by the United Church of Christ's Office of Communication.

That report, *Cable System Employment: 1980-1981*, found that white males hold 57 percent of all positions in cable and 75 percent of the upper-level jobs, such as managers, professionals, technicians and sales people. Minorities are employed in only 14 percent of cable's 35,412 jobs and hold only 12 percent of the upper-level positions.

Women, including minority women, hold 33 percent of the jobs in cable, but 74 percent of them work in clerical posts. Women hold only 15.5 percent of the top positions in cable.

Minority women are at the bottom of the cable industry. According to the report, they hold only five percent of cable jobs and two percent of the upper-level positions, while 76 percent of their already-limited numbers are in office and

by Janice M. Engsborg

clerical work. Minority males have nine percent of cable jobs and 10 percent of the top positions, but they are more likely to be sales people or technicians than managers or professionals.

While cable employment shot up 14 percent during 1980-81, minority jobholders increased their ranks by only two percent. Cable's employment of women, however, soared 18 percent.

Cable industry leaders contend that employment profiles tend to reflect the demographics of the geographic area served by the cable system. To date, cable has served "up-scale consumers" who live in rural areas, small towns or suburbs—areas with predominantly white middle-income workforces. Jobholders have reflected these subscriber characteristics. "But we expect that to be reversed in the urban setting," predicts Barry Washington, president of the minority owned and operated Connection Communications Corporation in Newark, New Jersey.

Cable is expected to be in 55 to 60 percent of U.S. television homes by 1987, almost double the number today. Much of that increase will come as major cities approve and install cable systems. Metropolitan areas that are presently considered franchising "hot spots" include Chicago, Philadelphia, Detroit, Baltimore, Washington, D.C., Denver, Cleveland, St. Paul, St. Louis, sections of Los Angeles and four of the five boroughs of metropolitan New York.

According to the most recent census figures available, blacks comprise between 20 and 47 percent of the population in most of these cities. Only in St. Paul, Denver and Los Angeles is the black population less. Washington, D.C.'s population is 71 percent black. On the negative side, in only two of the states where these cities are located—California and New York—is the employ-

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ment of minorities in cable above the national average of 14 percent.

A close look at the New York-New Jersey metropolitan area statistics, however, shows that Barry Washington's expectations for stepped-up minority participation in urban cable systems may be on target. In 1979-80, with 28 percent of all jobs and 26 percent of the upper-level positions, minorities in the New York-New Jersey metropolitan area cable systems fared better than in other parts of the country.

While representation of females dropped from 32 percent overall to 17 percent in the upper-level jobs in 1979-80, women in these metropolitan area cable systems also held proportionately more of the top cable jobs in urban New York-New Jersey than they did nation-wide (13 percent).

At the same time the cable industry is growing, a number of other industries are suffering a decline. Minorities and women gaining hope from increased job openings in cable may find their prospects dimmed by the high unemployment rate nationally. At the end of 1982, unemployment in the U.S. was 10.8 percent, signaling heavy competition for any job opening. Unemployment among black workers (20.2 percent) was more than double the rate (9.7 percent) of white employees. Hispanics fell in between with a 15.7 percent unemployment rate.

While stiff competition may be discouraging, additional and persistent entry barriers for minorities thwart many individuals from even trying for available cable positions. "What's missing," says Washington, "is the network of contacts." In this regard, cable is no different from other industries and organizations. New employees are often recruited from family members and friends, school compatriots and business associ-

ates of current jobholders. Because minorities generally lack such connections in the industry, they are handicapped in job referrals, personal recommendations and placements. "Cable is a tight fraternity," claims Washington, and minorities haven't been initiated.

The lack of awareness by minorities about the kinds of jobs in cable also creates difficulties for them in identifying jobs for which their education, experience or other abilities might be appropriate. For example, after nearly a year of trying to break into cable, Sharon Brown, who holds B.A. and M.A. degrees in mass communications, hosted and produced television programs and is an active community leader, has finally landed a job as program manager at a local cable system in Michigan. "Unmet salary expectations were my trade-off for entry into a new and growing industry," she says.

When cable employers seek individuals with college education or specialized training, minorities fail to qualify as often as white persons. According to 1981 U.S. Census figures, 10.3 percent of white persons 25 years and older have a college education, while only 5.3 percent of blacks in this age bracket have a college degree.

Finally, there is a need to overcome skepticism among industry hiring personnel. Cable leaders complain that they can't find experienced people to fill the jobs, ignoring the fact that work experience and skills can be transferred from other jobs to those in cable. Basic educational talents can be translated to meet cable's needs. Because the cable industry is young and still growing, there are just not enough people already experienced in cable to fill its expanding employment ranks. The challenge is how to make the match by putting forward able minorities and women.

Getting in is only half of the problem. Once entry to cable employment has been gained, minorities often face barriers to career advancement. Job ghettoization was demonstrated in the *Cable System Employment* study: Minority females tended to be office and clerical workers, and minority males most frequently held sales and technician jobs. True, a part-time secretary can become a general manager, as was the case with Group W Cable's Lynne Crandall. But a secretarial position is not the ideal springboard for upwardly-mobile employees.

The study found that top managers were usually generalists; they had experience in a broad range of industry functions, including sales, special services, production and engineering. Cable managers themselves often said that the career path to general manager of a system requires "getting as much hands-on experience in as many different jobs as possible." Neither minorities nor women tend to be found in jobs typically on the career track that leads to general manager.

A related problem is on-the-job discrimination stemming from top management attitudes. In an industry dominated by white males, top and middle-level managers are invariably acculturated to a white male environment. To eradicate job discrimination, say industry minority affairs officials, or even to cause a noticeable improvement in current employment figures, the change must start at the top. While several companies like ATC, Warner and Group W have training programs for managers, more training programs than currently exist are needed to engage top managers in a frank discussion about equal employment issues.

Managers need to clearly understand the realities of Federal equal employ-

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ment opportunity policies and the consequences of noncompliance. Minority cable employees claim managers could benefit from additional information on the meaning of "equal access" to jobs, how to conduct nondiscriminatory interviews, how to document unsatisfactory job performance and how to write job descriptions that clearly articulate performance objectives. Misinterpretation or misstatement of any one of these measures can be translated into discrimination.

In a recent report, *Unemployment and Underemployment of Blacks, Hispanics and Women*, the U.S. Commission on Civil Rights claimed that "persistent discrimination" was a factor contributing to the disproportionately high rates of unemployment among blacks and Hispanics. To date, a strong commitment to affirmative action does not appear to be the norm in the cable television industry.

Finally, problems of a different sort exist when minorities try to move into positions of ownership. The lack of available capital particularly discourages minorities from such initiatives. Cable is a capital-intensive business. Wiring an area for cable costs in the millions. Very often, would-be minority owners do not have access to adequate funding from traditional financial institutions. Thus, minorities find getting started most difficult. There are now only about 20 minority-owned cable systems.

Individuals, wronged by racial or sex discrimination in cable jobs, have been seeking redress by filing equal employment opportunity complaints against local cable operators. Their problems have also led to the emergence of groups and special projects that are pursuing effective remedies and facilitating increased participation of minorities and women in cable.

The two leading special interest asso-

ciations, Women in Cable and Minorities in Cable, held their first national conventions in 1982. About 200 women executives who work in cable, industry leaders and academics gathered at the meeting for Women in Cable. The focus of their discussions was on three of the hottest issues being debated within the cable industry: growth, technical changes and controversies over the industry's responsibilities to consumers and society. Minorities in Cable, on the other hand, explored ways to reverse the low level of employment of blacks and other minorities in cable television systems and examined the reasons for the near non-existence of minority cable ownership. Nearly 300 minority persons who held cable industry jobs and others who were seeking cable employment attended the conference.

The convention topics sadly reflect the relative status of minorities and women in cable. Though the statistics leave room for considerable improvement, women have what amounts to a cushion of 19 percent more jobs in cable than minorities. Because they are not strapped with the nitty-gritty problem of how to improve their overall representation in cable, many women who have been successful in this field seem to have little sense of urgency about the plight of other females who are finding it frustratingly difficult to get in. Minorities, more acutely aware of their underrepresentation, are still grappling for a fair share of the industry.

Telecommunications Career Recruitment (TCR), a nationwide project operated by the United Church of Christ's Office of Communication in cooperation with major cable companies, assists local cable systems in finding qualified minority applicants for available jobs. It is focussing on minorities because that's where the greatest job gap is. In exis-

tence for less than a year, TCR is also developing a career awareness program that will assist minority college students to learn about specific positions in cable so appropriate education and training can be pursued before they enter the work force. According to Gracie Nettingham, founder of Minorities in Cable and director of Telecommunications Career Recruitment, "the problem needs to be tackled early in an individual's educational training—certainly in college, but ideally in high school."

Minorities interested in cable ownership also have a new avenue of support through Syndicated Communications, Inc. (SYNCOM), a Washington, D.C.-based venture capital company committed to helping minority entrepreneurs get into communications. This service provided seed capital for Connections Communication Corporation, the black-owned company that received exclusive rights to the Newark, New Jersey cable franchise. To date, SYNCOM has also helped finance cable systems in East Los Angeles, East Cleveland, Albuquerque and Columbus.

Cable is expected to be a major part of the emerging telecommunications environment that promises revolutionary changes in our daily lives. As our society becomes more dependent on electronically-communicated information, complete integration of minorities and women into all communications media is essential to ensure that the conditions and needs of all segments of our nation will be met. A conscious effort will be required to meet these ideals for a just and democratic society.

If the promises of cable for diversity of programming and services and for unique involvement of local publics are to be realized, then we must ensure opportunities for increased participation by minorities and women. ♦

In Review

by Glenda Riley

"Saints in Sunbonnets" and Other Vanishing Frontier Myths

WOMEN AND MEN ON THE OVERLAND TRAIL

John Mack Faragher
New Haven, Connecticut: Yale University Press, 1979. 281 pp.
\$25 cloth, \$6.50 paper

FRONTIER WOMEN: THE TRANS-MISSISSIPPI WEST, 1840-1880

Julie Roy Jeffrey
New York: Hill & Wang, 1979. 240 pp.
\$11.95 cloth, \$5.95 paper.

FRONTIERSWOMEN: THE IOWA EXPERIENCE

Glenda Riley
Ames, Iowa: Iowa State University Press, 1981. 211 pp. \$19.95 cloth, \$6.50 paper.

PIONEER WOMEN: VOICES FROM THE KANSAS FRONTIER

Joanna Stratton
New York: Simon & Schuster, 1981. 319 pp. \$16.95.

WOMEN'S DIARIES OF THE WESTWARD JOURNEY

Lillian Schlissel
New York: Schocken Books, 1982. 262 pp. \$16.95.

COWGIRLS: WOMEN OF THE AMERICAN WEST

Teresa Jordan
New York: Doubleday & Company, Inc., 1982. 301 pp. \$19.95.

WESTERING WOMEN AND THE

Glenda Riley is professor of history and coordinator of the Women's Studies Program at the University of Northern Iowa in Cedar Falls. She is the author of numerous works on the feminist movement, the teaching of women's history, and frontierswomen.

FRONTIER EXPERIENCE, 1800-1915

Sandra L. Myres
Albuquerque: University of New Mexico Press, 1982. 352 pp.
\$19.95 cloth, \$9.95 paper.

The civil rights fervor of the 1960s spawned the emergence of the contemporary feminist movement which in turn triggered the development of the field of study now known as women's history. By the late 60s, and particularly during the 1970s, the outpourings of historians of women quickly became prodigious in quantity and impressive in quality. But, because there was so much reconstructive work to be done on the historical heritage of American women after centuries of virtual neglect, it took some years before these investigators were able to turn their attention away from mainstream women to a consideration of specific categories of women such as frontierswomen.

As a result, the first discussion of western women at the Western History Association's annual meetings occurred as recently as 1976. Since that time, women's experiences on the American frontier have attracted their share of the spotlight. Historians determined to explode the usual stereotypes of Saints in Sunbonnets, Madonnas of the Prairie, Pioneers in Petticoats, Gentle Tamers, Pioneer Mothers, Light Ladies and Calamity Janes are focussing instead on the lives of "average" or "typical" frontierswomen.

These researchers are no longer content with the customary view that:

The chief figure of the American West...is not the long-haired fringed-legged man riding a rawboned pony, but the gaunt and sad-faced woman sitting on the front seat of the wagon, following her lord where he might lead, her face hidden in the same

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ragged sunbonnet which had crossed the Appalachians and the Missouri long before.... That was the great romance of all America—the woman in the sunbonnet.

Rather than depending upon such mythology regarding western women, these historians are inquiring into the nature of women's economic and other contributions to western development and of the political and civil opportunities extended to them in return for their participation in the taming of the American frontier.

Two early entries were John Faragher's *Women and Men on the Overland Trail* and Julie Jeffrey's *Frontier Women* (both 1979). Faragher painted a bleak picture of the exploitation of westering women by their menfolk. His study of some 300 diaries of trail men and women convinced him that the westward trek was "a hated experience" for the majority of women. He concluded that 19th century society fostered a "psychology of social dependency" in women that resulted in their "systematic oppression" by men who held an ingrained and "comprehensive belief in female inferiority." Jeffrey, on the other hand, argued that western women were generally happy, enjoyed "lively moments," and often displayed equanimity in the face of hardship. Although she had hoped to discover that frontierswomen freed themselves from gender roles that were "constricting and sexist," she learned that they preferred to reestablish their known eastern ways as quickly as possible.

What Faragher's and Jeffrey's work demonstrated was that there were no easy answers to the reality of either women's contributions to western development or gains they may have derived from the supposedly democratic and liberating frontier environment. More re-

cently, two other analysts, including this writer, have attempted to delve into these questions through a detailed study of women in one region. My *Frontierswomen: The Iowa Experience* (1981) presents women as staunchly independent individuals who shared in decision-making and were "valuable partners in the frontier experience." One of my most important points is that the "really tough years tended to pass rather quickly for most Iowa frontierspeople. The first primitive dwelling was not an end to a pioneer woman's life; rather, it was a beginning." According to my study of several hundred women's diaries, letters, and memoirs, Iowa women frequently maximized frontier opportunities for their own growth and change.

Some books attack the assumption that the egalitarian West offered extended rights to women in the same manner as to men.

Joanna Stratton's *Pioneer Women* (1981) presents a stirring saga of the bravery and fortitude of women on the Kansas frontier. Drawn from over 800 reminiscences of Kansas women collected by her great-grandmother, Stratton chooses to present dramatic and colorful episodes riddled with generalizations. She states that families were self-sufficient units, a situation that she maintains gave women equality with their spouses, although it has been argued convincingly that women were far from equal in the 19th century marriage relationship, whether on the frontier or elsewhere. Stratton also maintains that women "learned to abide the drudgery and monotony which filled their lives," a view that does not take into consideration the successful farmsteads that ex-

isted or the women who left the farms for other endeavors or were town dwellers. Stratton doesn't dissociate women's reactions to the frontier from men's. She remarks that both men and women shared the isolation, although several investigators have demonstrated that men had a great deal more mobility than did women.

Yet another approach to the complex issues surrounding women's roles, opportunities, and rights on the frontier is offered by Lillian Schlissel's *Women's Diaries of the Westward Journey* (1981). Combining a useful section of analysis based on 103 overland trail accounts with four diaries presented in their entirety, Schlissel's interpretation of the lot of the westering woman resembles that of Faragher. Like him, she insists that the decision to move west was a male one and that women were always charged with all the cooking, household tasks and child care. Schlissel also argues that while the venture was in harmony with male life cycles in that it corresponded with the phase of establishing their livelihoods, it was incompatible with women's in that their energies were being drained by the demands of establishing a family. Both Schlissel and Faragher imply that while female migrants suffered, males enjoyed a rather pleasant jaunt.

One of the most useful aspects of such work is its biting attack on the assumption that the egalitarian West offered extended rights to women in the same manner that it did to men. This premise is tested from another perspective in *Cowgirls* (1982), which brings together dramatic and often touching interviews with 28 women "who work outside, on ranches or in the rodeo, on a regular basis." Writer and lecturer Teresa Jordan spent four years interviewing cowgirls—from ranch wives,

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daughters, hands and owners to rodeo participants—in an attempt to prove that they did exist in the West alongside the “favorite American hero,” the cowboy. She discovered an energetic breed of women who “heartily embrace equal work” yet “share the frustration of women everywhere when they see their contribution, no matter how significant, devalued simply because it is the work of a woman.” She learned that, although these hardy women triumphed over a challenging way of life, they were barred from its full rewards due to their gender. Jordan’s study concludes that, although these hard-working cowgirls were indeed a long tradition in the West, they did not find that it offered them a “feminist utopia,” egalitarianism, or even equal pay for equal work.

A recent and somewhat more encouraging assessment of the realities of frontierswomen’s roles, functions and civil and political status is Sandra L. Myres’ *Westering Women* (1982). Rejecting the perspective of “feminist historians” such as Faragher and Schlissel who embellish historical materials with “psychoanalytic overtones” and portray women as “exploited drudges,” Myres emphasizes the flexibility, adaptability and equal participation of frontierswomen. She sees evidence for the contention that women were often partners with men in the westering experience, stressing the image of strong, egalitarian frontierswomen. Myres also skillfully integrates material from white, middle class women with information on black, Hispanic, French and American Indian women, thus suggesting that the debate concerning western women’s rights and responsibilities has more racial and ethnic dimensions than have as yet been pursued.

What conclusions can be derived from this spirited dialogue? It appears that the

aphorism, “the more we know, the less we know,” is unusually appropriate. No definitive answer to the basic historical questions of whether the frontier experience enlarged women’s “sphere,” increased their civil and political rights, or “democratized” private and public relationships between men and women has emerged. Nor are the thoughts of a majority of frontierswomen regarding issues such as women’s suffrage, coeducation, access to jobs and professions, the right to own property and protection in divorce and child custody actions, apparent. Also discouraging is the fact that the manner in which these areas actually operated and affected western women is equally clouded.

But in not knowing, students of western women have perhaps come to the realization of some larger truths. That the historical heritage of women is rich and complex, not to be easily comprehended, is certainly one of these truths. That a serious need exists for an accurate understanding of “exploitation,” “democratization,” and “liberalization” of these women is certainly another. And that the impact of the 19th century frontier environment upon the roles and statuses of 20th century women may be both enlightening and fraught with useful lessons for our own generation, is yet another.

But, as Jeffrey noted in a recent review of Myres’ work, disagreement on these topics are “an encouraging sign of health.” To her, “with so many sources for exploring the world of frontier women and such a lively debate about what they mean” in full swing, it is likely that many more commentators will jump into the debate in the near future. It is to be hoped that the further controversy that they generate will lead not only to more significant questions, but eventually to some enlightening answers as well. ♦

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