

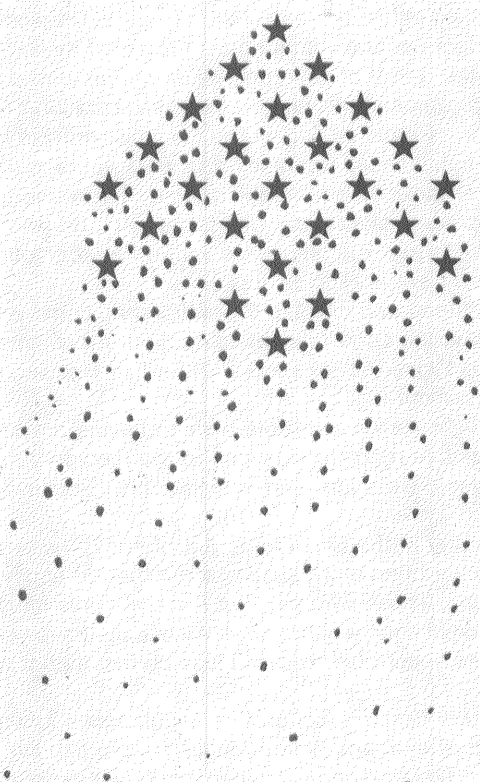
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The Civil Rights Quarterly

PERSPECTIVES

SUMMER 1982



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Editorial

The Civil Rights Struggle: Yet to be Won

It is difficult to believe that a quarter-century has passed since Congress enacted and President Eisenhower signed into law the Civil Rights Act of 1957. It is equally difficult to believe that this was the first national civil rights legislation passed during the 20th Century.

The '57 Act focused on voting rights. It created a Civil Rights Division in the Department of Justice to protect Federal voting rights. It created the U.S. Commission on Civil Rights to study the denial of voting rights as well as denials of equal opportunity in education, employment, housing and the administration of justice based upon race, creed, color, or national origin. The Commission was later empowered to study denials of civil rights based upon sex and, later yet, age and handicap.

The Commission was born in anxious and troubled times. The same month, September 1957, in which the President signed the Civil Rights Act, he also had to order Federal troops into Little Rock to assure compliance with a Federal court order admitting nine black pupils into Central High School.

Though the path has been steep and difficult, this nation has come a long way since 1957 toward guaranteeing the constitutional rights of all Americans. The Civil Rights Act of 1964, the Voting Rights Act of 1965 and the Fair Housing Act of 1968 are no small legislative achievement.

The Commission on Civil Rights takes justifiable pride in having provided factual information and effective, workable recommendations to the President and the Congress as these important issues were addressed in legislation, Executive orders and Federal regulations.

Today, on the 25th anniversary of the Civil Rights Act of 1957, the problems often are more complex, discrimination often more subtle, and issues of equity as well as equality are under consideration. Those who say that the civil rights struggle has been won, deny reality; the constitutional rights of all Americans have not been fully secured; yet the national will to secure them seems less certain than it was a decade ago.

Despite all difficulties, the U.S. Commission on Civil Rights looks forward with confidence in the belief that a diverse and heterogenous people can live together in equality and tranquility and the Declaration of Independence was prophetic in holding that "governments are instituted" to secure the rights of the people. It remains our duty to strive, vigorously and incessantly, in the endeavor to secure the full constitutional rights of all Americans.

Just as the Commission on Civil Rights was instrumental in securing the progress already made in civil rights, it stands today, in its twenty-fifth year of service to the nation, fully committed to working for the cause of equality and justice. ♦

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SUMMER 1982

VOLUME 14 NUMBER 2

Silver Anniversary Issue

Perspectives marks the 25th birthday of the U.S. Commission on Civil Rights with a special issue dedicated to the history of the civil rights movement. Scholarly looks at the civil rights struggles of yesterday, today and tomorrow are accompanied by special features on leaders of the movement, the books that helped shape it and cartoons that captured its feeling. We are especially pleased that a number of leading American authors, poets and playwrights have written special pieces for this occasion.

FEATURES

The Revolution That Never Was by John W. Blasingame
A reappraisal of the 30 years of rending and healing, gaining and losing, hoping and despairing, now known as the civil rights movement.

Tickling Our Funny Bone; Pricking Our Conscience
Ironic or sardonic, subtle or outrageous, editorial cartoons have been mighty weapons in the fight for civil rights.

The "Silver Writes" Movement
Alice Walker, Arthur Miller, Laura Hobson, Vine Deloria and other leading writers on what "civil rights" means to them.

Civil Rights in the Third Wave by Alvin Toffler
Looking beyond the technological horizon, our foremost futurist predicts a new age of equal opportunity or social upheaval—depending on what we do now.

DEPARTMENTS

The Media: Growing up together, civil rights and television have greatly affected each other's development. The TV critic of the *New York Times* looks at how.

Speaking Out: Leaders of the civil rights community share their assessments of civil rights today and their agendas for further progress.

Close Up: The names and faces that made the movement move: Where are they now?

In Review: Scholars and advocates suggest "must" books for those who want to understand the last quarter century of civil rights history.

Credits: Joseph Swanson—front cover; Dean Williams—2, 6, 11, 15; William J. Kircher, Associates—22, 25, 30; Salvador Bru—33, 35, 37; Brian Griffin—39, 41, 67; Robin Tooker—47; Cynthia Foster—49; Nate Fine Photo—51; Toyo Miyatake—52; Greensboro Daily News—58; Wide World Photos—58, 60; Black Star—59, 60; Denver Post—61; National Archives—61.

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The U.S. Commission on Civil Rights is a temporary, independent, bipartisan agency established by Congress in 1957 to:

Investigate complaints alleging denial of the right to vote by reason of race, color, religion, sex, age, handicap, or national origin, or by reason of fraudulent practices;

Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice;

Appraise Federal laws and policies with respect to the denial of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice;

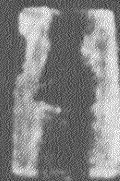
Serve as a national clearinghouse for information concerning denials of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin; and
Submit reports, findings, and recommendations to the President and Congress.

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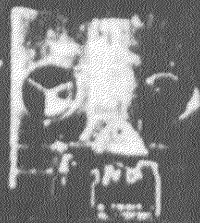
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The Revolution That Never Was

THE CIVIL RIGHTS MOVEMENT, 1950-1980

by John W. Blasingame

A funny thing happened on the way to the widely heralded "civil rights revolution" that began in the 1950s. The "revolution" fizzled as women, the handicapped, homosexuals, Native Americans, Hispanics, and others were swept along by the tailwind of the black vanguard of the movement. Dreams of human dignity and equality of opportunity shared widely by a small segment of the American population in the 1950s seemed to be shrivelling up before their eyes in the 1980s.

Despite contrary myths, revolutions can go backwards. Indeed, retrogression seems natural in a society whose history is marked by longstanding genocidal practices toward Native Americans, enslavement of blacks, and the relegation of women to permanent childhood.

The 1980s malaise in the civil rights movement (it was always too conservative in its goals to be described as a "revolution") was, in one sense, a natural outgrowth of the unparalleled shocks American society underwent in the 1960s and 1970s. Assassins' bullets repeatedly struck down the individuals who uplifted spirits by calling on

Americans to rededicate themselves to their country's ideals. Moral crusades, like wars, are creative and enervative at the same time. Leaders tend to be targets in both wars and crusades.

John F. Kennedy, Martin Luther King, Jr., Robert Kennedy, and Malcolm X died as a consequence of a multitude of ills besetting American society—a longstanding romance with guns, the low valuation placed on human life, white supremacy, extreme fear of change. Martyrs always take on a halo in death that they never had in life. None of these four men were saints. Their importance lies not in that direction. Rather, it was in their ability to prick the conscience of America, to challenge all-powerful interest groups, to break through the lethargy and create energy where passivity had reigned in oppressed groups.

The oppressed came, in the 1950s and 1960s, to depend too heavily on the charismatic power of King, the Kennedys, and Malcolm X. Looking back to that era, it is clear that the reform impulse was fed as much by the presence of visible enemies as by charismatic leaders. There was so much clarity in the struggle. The beautiful truth warred against the ugly lie.

Right against might. Peaceful blacks against violent white segregationists. Evil was personified in giant proportions: George Wallace standing in the school house door in 1956 to block a lone black, Autherine Lucy, from enrolling at the University of Alabama.

Unmitigated evil has rarely been so highly concentrated or so visible as in the memorable men who occupied governors' chairs throughout the South during these decades. Ross Barnett of Mississippi ranted about the "dangerous outsiders" and "communists" coming into his state. They, he argued disingenuously, were behind a string of sadistic slayings. Orval Faubus "protected" the citizens of his state by calling out the National Guard to prevent the integration of Little Rock's Central High School. Lester Maddox used ax handles to keep blacks out of his Atlanta, Georgia restaurant and gained the governor's seat as a reward for his notoriety. Mendacity ran rampant as southern governors talked repeatedly about how "contented" their blacks were.

The subterranean violence that was a daily fact of life for blacks exploded on the nation's television screens in the image of the Birmingham, Alabama police department. As everyone watched, "Bull" Connor unleashed his police dogs, used his electric cattle prods, and turned on high pressure

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water hoses against King and his followers.

Everywhere there were those signs: "white," "colored." The sign and the signified were personalized. One meant purity, the other evil. They were symbols of degradation. It is ironic that the simple desire for a sandwich, a drink of water, or a seat on a bus could produce so many dramatic changes in American society. Later translated into a call for "Freedom Now," the civil rights movement began with an ignoble sandwich and a seat on a municipal bus.

The ignoble was a sign for human dignity or degradation. The logical absurdities of those signs represented a psychiatrist's dream. Is it really possible that august legislators ever seriously discussed the merits of separate bathrooms for black and white people? Yes. To judge by the debates in southern legislatures, the fate of Western civilization hinged on the promiscuous mixing of human waste. The mixing of blacks in bathrooms, or anywhere else, violated, southern whites contended, the Divine plan.

Of all Americans, southern blacks and whites knew about the Divine plan. They read the same Bibles and worshipped the same God. There were no "white" and "colored" signs on the churches. Yet, Sabbaths were rigidly segregated. Those segregated Sabbaths would be the undoing of the Solid South. They were repeated invitations to schizophrenia. Praying to a God who recognized neither gentile nor Jew, southern whites maintained the fragile facade of a Christianity stressing brotherhood, fair play, honesty, charity.

Martin Luther King, Jr. shattered the facade. The right man at the right moment, King mobilized the black community of Montgomery, Alabama to support Rosa Parks' claim to human dignity. Parks, in one of those individual impulsive acts that changes the course of history, had refused to give up her seat to a white male passenger in December 1955. She had worked hard that day. She was a woman. Either her exhaustion or her sex should have guaranteed her the seat she occupied. But the signs "white" and "col-

Major Federal Civil Rights Laws 1957-1978

Civil Rights Act
of 1957

Established the U.S.
Commission on Civil Rights.

Equal Pay Act
of 1963

Prohibits employers from
compensating members of one
sex at a lower rate than mem-
bers of the other sex for
equal work.

Civil Rights Act
of 1964,
As Amended

Prohibits discrimination
based on race, color, reli-
gion, or national origin in
places of public accommoda-
tion or in the use of public
facilities owned, operated
or managed by state or local
governments; prohibits dis-
crimination based on race,
color or national origin in
any federally-assisted pro-
gram or activity; prohibits
discrimination based on race,
color, national origin or sex
in employment practices;
empowers Equal Employment
Opportunity Commission to
eliminate unlawful employ-
ment practices.

Voting Rights Act
of 1965,
As Amended

Requires that no
state or political subdivi-
sion shall impose a voting
qualification, standard,
practice or procedure or
prerequisite for voting to
deny the right of any citi-
zen of the U.S. to vote
based on race, color, age
or membership in a lan-
guage minority group.

Age Discrimination
Act of 1967,
As Amended

Prohibits employers,
employment agencies and
labor organizations from
discriminating on the basis
of age (40-70) in employ-
ment practices.

Indian Civil Rights Act (1968)

Guarantees rights to individual Indians. These rights, patterned after the Bill of Rights and the 14th Amendment to the U.S. Constitution, must be respected by Indian tribal governments.

Civil Rights Act of 1968, As Amended

Prohibits discrimination based on race, color, national origin, religion or sex in the sale or rental of most residential property, in advertising such sales or rentals, and in the financing and provision of brokerage services.

Education Amendments of 1972

Prohibits discrimination based on sex in federally-assisted education programs; prohibits discrimination based on blindness or impaired vision in admission to any federally-assisted education program.

Rehabilitation Act of 1973

Requires Federal government and certain Federal contractors and subcontractors to develop affirmative action programs for handicapped individuals; prohibits discrimination based on handicap in federally-assisted programs.

Equal Education Opportunities Act of 1974

Prohibits state and local governments from denying equal educational opportunity to an individual based on race, color, sex or national origin.

Equal Credit Opportunity Act of 1974

Prohibits discrimination based on race, color, religion, national origin, sex, marital status or age by a creditor in any aspect of a credit transaction.

Age Discrimination Act of 1975

Prohibits discrimination based on age in federally-assisted programs.

American Indian Religious Freedom Act (1978)

Protects Indian religious beliefs and practices.

ored" on the bus signified her degradation rather than recognition of her exhaustion and her position as a woman. As a black, she was outside the pale of womanhood to which southern men paid deference.

Rosa Parks was, on that day, fed up with the "southern way of life," the segregation that had become a way of death for blacks. Individual blacks had challenged southern mores before, often losing their lives in the process. What made Rosa Parks' resistance different was a unique configuration of international developments, courageous men and women, the growth of television, and demographic changes.

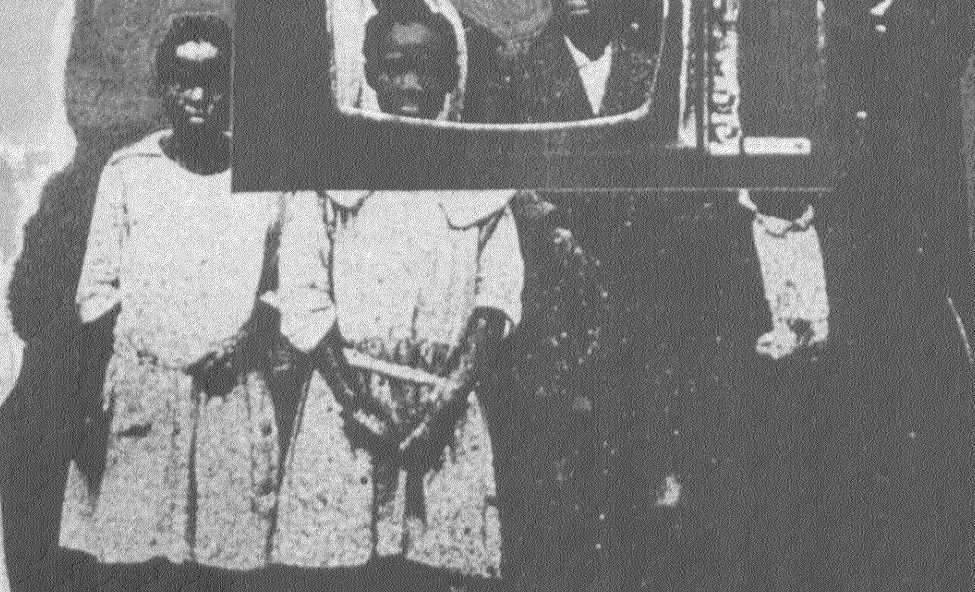
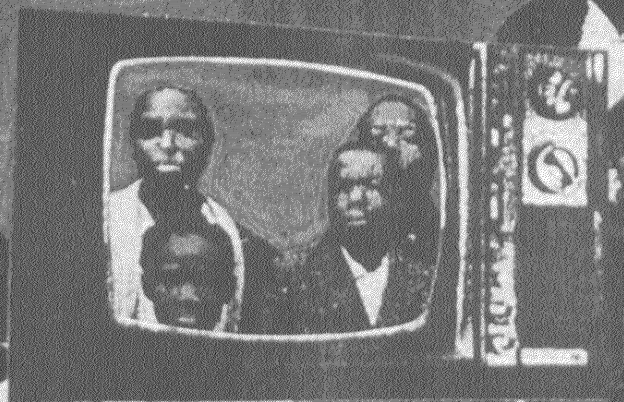
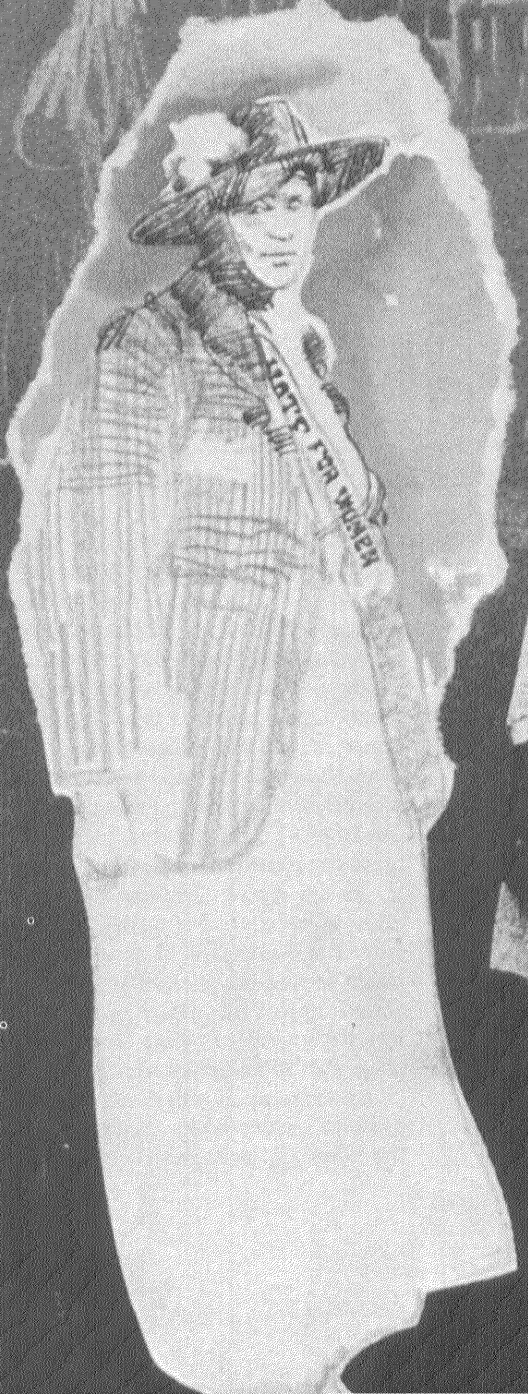
Although Rosa Parks rather quickly faded into the background as a core of unusually talented black ministers organized the Montgomery bus boycott, the Southern Christian Leadership Conference (SCLC), and the Student Non-Violent Coordinating Committee (SNCC), hers was the catalytic role historically played by women in black resistance movements. King, Fred Shuttlesworth, and others translated Rosa Parks' courageous act into a vision of how they could force America to live up to its ideals.

Reformist zeal is normally fed by moral certainty and an unalterable conviction that there will be ultimate victory. King and the other members of SCLC acted on their conviction and their certainty. The tactic they adopted, nonviolent passive resistance, with its logical flaws, would test their conviction. Modeled on Mohatmas Gandhi's successful campaign for independence in India where the oppressed greatly outnumbered the English oppressors who were thousands of miles from their home base, nonviolent passive resistance seemed doomed to failure in the United States. By the 1950s, blacks represented a decreasing minority in the region of blatant oppression after four decades of outmigration from the South. Other than the campaign to abolish slavery that had ended almost a century before, there was little evidence that there was a deep well of religious and moral values in America upon which blacks could draw to induce white citizens to bridge the wide gap between their professions

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and their practices.

To inaugurate a nonviolent passive resistance campaign in the 1950s was to take odds that were infinitely long that America had matured enough finally to live up to the ringing words of the Declaration of Independence. It was to treat the Swedish scholar Gunnar Myrdal's "American Dilemma" more seriously than the myth it was. King and his followers did more, of course, than place their reliance on the innate goodness of the American people. They realized very early that one of the keys to success was creative con-

fusion. Only when people passively involved in segregation were inconvenienced would integration represent a better alternative.

Another key was to mobilize youth. Black and white, their irresistible energy and relative lack of stake in the *status quo* would force their parents to take action. It was no accident that the articulate and fearless college students in SNCC became the shock troops of the movement. Nor is it surprising that the students consistently moved to the left faster than their adult "leaders." They had the impatience, the en-

ergy, and the creativity of youth. They had imbibed far less of the soul-destroying, spirit-depressing, mind-robbing rhetoric of white supremacy than their parents. They had no jobs to lose, no property to be confiscated.

Practically all societies live in fear of their young. From the vantage point of employers, long training is necessary to accustom them to the idea of regular work. Governments must invest even more time trying to teach them to render obedience to symbols of authority, be patriotic, and believe the prime myths of the society.

North and South, young black men were symbolic of America's fear of its young. King utilized their fear. Implicit in all of his campaigns was that denial of the nonviolent demands of black youth today might result in violent demands tomorrow. It was this reason that Malcolm X and his angry calls for violent retribution against whites were so chilling. The media event of a King/Malcolm television debate stated white America's choices in stark and unavoidable terms: discard the visible signs of segregation or stockpile guns for protection against the coming black hordes.

In 1950, blacks were young in freedom and old in oppression. At its best, life was inconvenient. Banned from hotels and restaurants, blacks could travel only by accepting dirty, incommensurate "blacks only" sections of trains and buses. Knowledge could be acquired only in separate schools and colleges. Decent housing was rarely available at any cost. Blacks remained as America's untouchables as the second half of the twentieth century opened.

Even so, the iron curtain systematically encircling black America had begun to show cracks by the 1950s. For two decades, black resistance, white violence, and governmental and judicial responses led to swift changes in American society. Among the first areas affected was education.

By 1950, it was becoming increasingly clear that separation meant discrimination in education. In 1954 the National Association for the Advancement of Colored People (NAACP) tackled the problem head on in a masterful brief in *Brown v. Topeka Board of Ed-*

Civil Rights Executive Orders

1962 E.O. 11063

Prohibits discrimination based on race, color, creed, or national origin with respect to residential property and related facilities that receive Federal financial assistance.

1964 E.O. 11141

Prohibits Federal contractors and subcontractors from discriminating on the basis of age in employment practices.

1965 E.O. 11246

Requires Federal contractors and subcontractors to eliminate employment discrimination based on race, color, religion or national origin and requires affirmative action to provide equal employment opportunity.

1967 E.O. 11375

Adds sex to the prohibited bases for employment discrimination by Federal contractors and subcontractors covered in E.O. 11246.

1969 E.O. 11478

Requires Federal agencies to provide equal opportunity, prohibit discrimination, and develop affirmative action programs in employment practices.

1978 E.O. 12067

Transfers authority to coordinate equal employment opportunity laws, regulations and policies in Federal departments and agencies to the Equal Employment Opportunity Commission.

ucation. In this case, the Supreme Court completely reversed the 1896 *Plessy v. Ferguson* decision, which had approved separate but equal public accommodations, and ordered the integration of public education. Although Delaware, Kansas, and Washington, D.C., immediately desegregated public schools, the Court's call for "all deliberate speed" rather than immediate compliance gave time for massive resistance and evasive maneuvers in the South. While the Court ruled in 1956 that all deliberate speed was inapplicable in higher education, it still had not moved very far from its 1954 position in regard to public education as late as the 1970s.

After the *Brown* decision, several states adopted the policy of interposition (the doctrine that a state may reject a Federal mandate that it considers to be encroaching on its rights), white citizens' councils were organized and supported by state appropriations, and in 1956 19 senators and 81 representatives signed a Southern Manifesto urging resistance to integration. Blacks whose children integrated the schools often lost their jobs, and public schools were closed in Little Rock, Arkansas, in 1957 and in Prince Edward County, Virginia, in 1959. Between 1954 and 1963 there were nine instances in which southern whites rioted over school integration or bombed school houses. Some states planned a very deliberate integration scheme, generally at the rate of a grade a year. There was so much delay in implementing the court order that by 1962 only 7.6 percent of the black students in the South were attending integrated schools.

Caught up in the spirit of the civil rights movement of the sixties, predominantly white colleges rapidly integrated their student bodies. By 1978, more than 50 percent of all black students were attending white colleges. Integration of the colleges was important because it would be students who would keep the wheels of change moving.

Beginning with the Congress of Racial Equality's first freedom ride in 1947, blacks became increasingly aggressive in their demands for integration after the Second World War.

Significant Supreme Court Civil Rights Cases

1954 *Brown v. Board of Education*

Ruled racially segregated educational facilities in violation of the equal protection clause of the 14th Amendment because they are inherently unequal.

1966 *South Carolina v. Katzenbach*

Upheld the major provisions of the Voting Rights Act of 1965 including the special procedures protecting minority voters in states having a history of voting discrimination.

1968 *Green v. County School Board of New Kent County, Va.*

Found a freedom-of-choice desegregation plan ineffective and ordered an end to the delay in desegregation, calling for realistic desegregation plans "now."

1968 *Jones v. Alfred H. Mayer Co.*

Held that the Civil Rights Act of 1866 bars all racial discrimination in the sale or rental of public or private property.

1971 *Graham v. Richardson*

Found that classifications based on alienage, like those based on nationality or race, are inherently suspect and subject to close judicial scrutiny; state statutes that deny welfare benefits to resident aliens or to aliens who have not resided in the United States for a specified number of years violate the equal protection clause of the 14th Amendment.

1971 *Griggs v. Duke Power Co.*

Held that any employment practice that results in disproportionately higher percentage of minority persons or women being excluded from employment opportunities violates Title VII unless the practice can be justified as job-related or a business necessity; found that lack of discriminatory intent is not a defense to a claim of discrimination under Title VII.

1971 *Swann v. Charlotte-Mecklenburg Board of Education*

Approved busing and using race in student assignments as appropriate remedies to eliminate unconstitutionally segregated schools.

1973 *Frontiero v. Richardson*

Found that Federal statutes denying female members of the military the right to claim their spouses as dependents on an equal footing with male members in violation of constitutional guarantees of equal protection of the law.

1973 *Keyes v. School District No. 1, Denver, Colorado*

Held that in defining a "segregated" core city school, Hispanics should be placed in the same category as blacks, since both groups suffer the same economic and cultural deprivation and discrimination; found that de jure segregation can result from official actions or policies as well as statutes.

1974 *Lau v. Nichols*

Held that under Title VI, a public school system must make an effort to ensure that non-English-speaking students are equipped with language skills necessary to profit from their required school attendance.

1974 *Morton v. Mancari*

Upheld a statute giving Indians preference in Bureau of Indian Affairs hiring since Indians were singled out not as a racial group, but as members of quasi-sovereign tribal entities.

1976 *Craig v. Boren*

Held that a law prohibiting the sale of beer to males under the age of 21 but to females under the age of 18 constituted gender-based discrimination that denied 18-20-year-old males the equal protection of the laws since the classification was not substantially related to the attainment of an important governmental objective.

Joined by sympathetic young whites, drawing pride from the liberation of African peoples, and winning worldwide moral support from press coverage and the presence of the United Nations (UN) headquarters in the United States, blacks gained a number of victories. In 1956, after King led his successful boycott against segregated buses in Montgomery, blacks in other cities quickly followed suit. Four years later, a group of black students in North Carolina began the sit-in movement which led to the desegregation of facilities in 100 cities by 1962. The high points of the movement came with the establishment of the U.S. Commission on Civil Rights in 1957, the March on Washington in August 1963, the passage of the Public Accommodations Law in 1964 and the Voting Rights Act in 1965. Whites were prominent in the movement and joined with dedicated blacks to lay their bodies on the line to organize southern black communities and to fight against segregation.

Displaying moral courage unmatched since the crusade to abolish slavery, John Brown's 1859 raid on Harpers Ferry, and the campaign against peonage and lynching in the 1930s and 1940s, many whites gained heroic stature from their participation in the civil rights movement. This was especially the case of the northern college students who took the war into the enemy's country when they joined the 1964 Mississippi Summer Project. White southerners harassed, shot, and killed the "northern white invaders." The murder of their fellow citizens in the South moved northern voters and the Federal government; too often they had been paralyzed in the face of violence against blacks.

Young whites not only gained and displayed moral courage in their struggle for equal rights for blacks, many were also permanently changed by the experience. No longer so trusting of their elders, government, or big business, they began to reject America's role in the Vietnam war, to call for protection of the environment, and more explicit rights for women. By the 1970s, the white veterans of the civil rights movement were almost totally absorbed in these new causes.

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Young whites were pulled and pushed into these new movements. The push came from young black activists dedicated to violent separatist tactics to promote fundamental changes in American society. Ironically, much of the initial success of the civil rights movement stemmed from the dedication of black leaders to integrated organizations. "Black Power," as articulated by Stokely Carmichael and others after 1966, seemed to whites to carry within it self-destructive hatred of all Caucasians. Stressed coincidentally with a spate of riots, Black Power seemed to presage a time when armed blacks would march into white communities, North and South.

Because the Black Power concept was never clearly explained to them, it produced fear among the former white allies of the civil rights movement. Sympathetic and indifferent whites saw in Black Power the threat that their jobs and property would be taken from them. The founding of the Black Panther Party in 1966, the violent imagery in its newspaper and the speeches of its leaders Bobby Seale and Eldridge Cleaver, and well publicized confrontations between the Panthers and the police brought whites to the verge of panic.

The response was predictable: more money to strengthen the police. SWAT teams and acquisition of modified army personnel carriers took priority over the formation of civilian review boards. Above all else, there was a desire to get young black men off the streets. Provide them with summer jobs through the CETA program, put them in the all volunteer army where they could learn some discipline.

However much it frightened whites, Black Power increased the pride of Afro-Americans in their history and culture. It sparked an outburst in poetry, fiction, music, drama, cinema, and painting unmatched since the Black Renaissance of the 1920s. Inevitably, the products of the 1960s "Black Arts Movement" helped to repair the Afro-American psyche battered by almost two centuries of American racism and oppression. Whites learned much more about their black neighbors than they had ever known before.

Knowledge, sympathy, and aversion

1976 *Washington v. Davis*

Held that to prove racial discrimination under the equal protection clause of the 14th Amendment there must be shown a discriminatory purpose; found that showing a disproportionate impact is not sufficient, although it may be relevant.

1977 *International Brotherhood of Teamsters v. U.S.*

Ruled lawful a seniority system that was negotiated and is maintained free from any discriminatory purpose even if it perpetuates pre-Title VII discriminatory hiring and promotion practices.

1977 *Milliken v. Bradley*

Held that an interdistrict desegregation plan is inappropriate if there is no interdistrict violation; remedial education programs may be appropriate as part of a school desegregation decree.

1977 *Trans World Airlines v. Hardison*

Held that although Title VII requires an employer reasonably to accommodate an employee's religious needs, employers are not required to pursue alternative work arrangements that would constitute undue hardship.

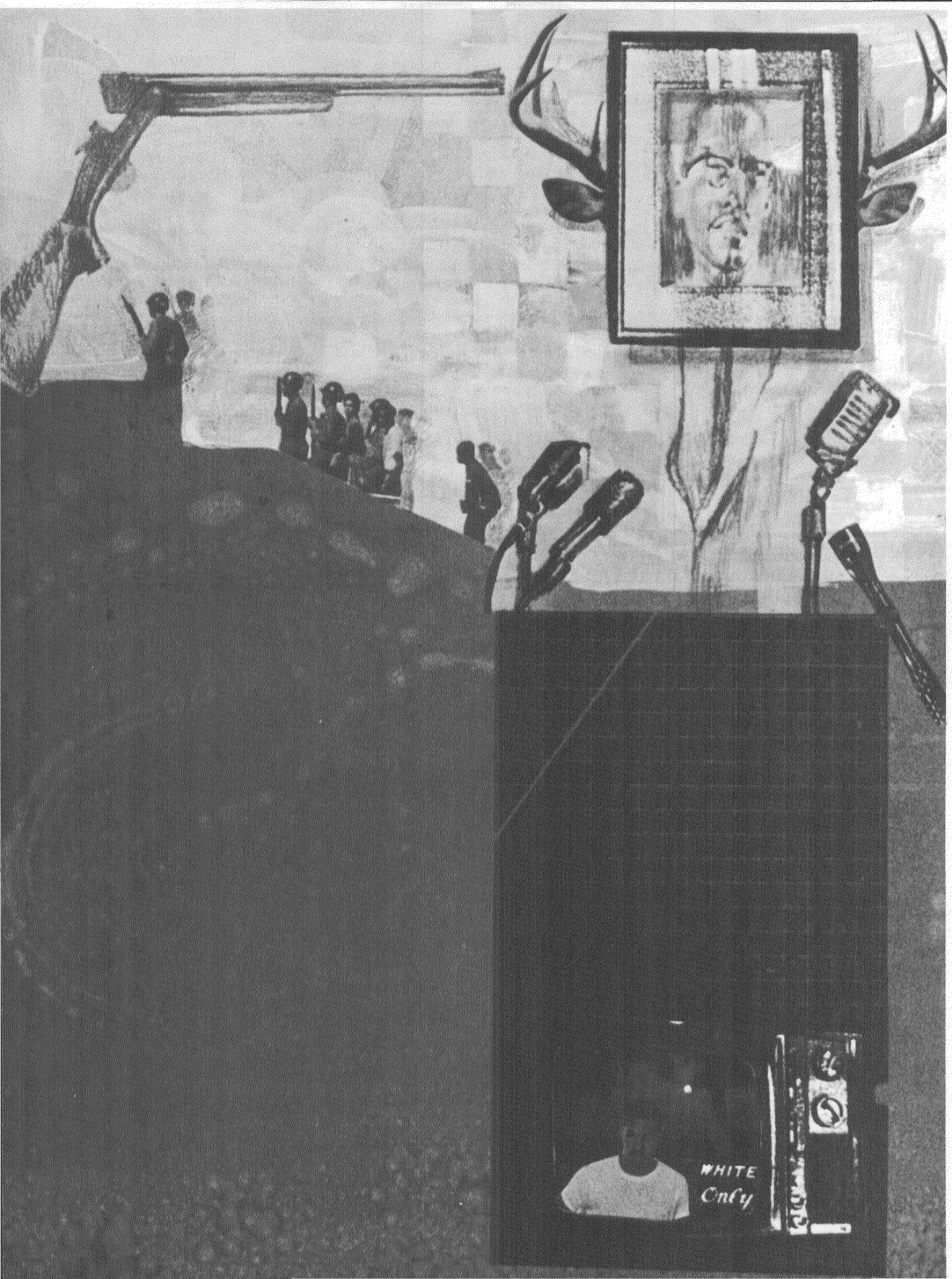
1978 *Regents of Univ. of Calif. v. Bakke*

Found a medical school's voluntary affirmative action plan setting racial quotas for admissions to be in violation of Title VI, which bans racial discrimination in federally-supported programs; found, however, that race can constitutionally be considered as a factor in admissions decisions.

1978 *United Steelworkers of America v. Weber*

Found a voluntary affirmative action training plan to eliminate traditional patterns of racial segregation and hierarchy to be lawful and consistent with the legislative purpose of Title VII, which bans racial discrimination in employment.

continued p. 12



1980 *Fullilove v. Klutznick*

1980 *Plyer v. Doe*

1982 *Youngberg v. Romeo*

Upheld a provision in the Public Works Employment Act of 1977 requiring a 10 percent setaside of Federal funds in local projects to procure services or supplies from minority-owned or controlled businesses.

Prohibited states from withholding state education funds for the education of illegal alien children, and from authorizing local school districts to deny enrollment to such children.

Held that under the due process clause of the 14th Amendment, states must provide an involuntarily committed mentally retarded person with safe conditions of confinement, freedom from unreasonable bodily restraints, and such minimally adequate training as reasonably may be required by these interests.

seemed to go hand in hand. Predominantly white colleges and universities seemed anxious, for example, to integrate their student bodies (starting with their basketball teams). They seemed just as committed to retaining their all white, all male faculties. Student demands for Black Studies programs, though not often considered legitimate, were more acceptable than their insistence on recruitment policies guaranteeing the hiring of minority faculty.

When in 1967 the Department of Health, Education and Welfare (HEW) launched its much ballyhooed crusade to convince American colleges and universities to adopt affirmative action plans to recruit, hire, and promote women and minorities, what remained of the civil rights coalition crumbled. Many Jewish intellectuals and union leaders attacked Federal affirmative action plans as violations of the American way. Sadly lacking in effective enforcement mechanisms, "affirmative action" never represented a real threat

to entrenched white male privileges. Still, charges of "quotas," and "reverse discrimination" stymied progress by women and minorities in the only arena where progress really counted—the economic one.

Title VII of the Civil Rights Act of 1964 and the Equal Employment Act of 1972 banned discrimination by employers with more than 100 workers and empowered the Equal Employment Opportunity Commission to investigate complaints and to bring suits. In spite of frequent documentation of discrimination, few government contracts were cancelled. The Federal government was never serious about ending discrimination. In 1975 less than one-tenth of a percent of the Federal budget was devoted to ending discrimination in employment.

A succession of patronage dispensing programs disguised as economic ones were palmed off on the oppressed. Particularly known as the Poverty, Great Society, and Black Capitalism Programs, they were incredibly small band-aids

for the giant sore of endemic and structural economic deprivation of women and minority groups. Primarily important as political socialization devices, by the 1970s the programs had siphoned off those activists not already killed by the police or harassed into silence by the nefarious activities of the Federal Bureau of Investigation (FBI).

The greatest success and the greatest failure of the civil rights movement came in the political arena. The first civil rights bill to be enacted by Congress since 1875 in 1957 authorized the Federal government to bring a civil suit in its own name to obtain injunctive relief when a person was denied the right to vote. It also created a civil rights division in the Department of Justice. The 1957 Civil Rights Act created the U.S. Commission on Civil Rights and authorized it to investigate denials of the right to vote, to study and collect information concerning legal developments constituting a denial of equal protection of the laws. The Commission held hearings on black voting in several cities and reported that Southern blacks were being denied the right to vote. In 1960, Congress passed another civil rights bill strengthening voting rights enforcement.

Obtaining a relatively untrammelled ballot in 1965 for the first time since the end of Reconstruction in the 1870s, southern blacks dramatically increased their share of state and local offices. The Voting Rights Act of 1965 had, by the mid-1970s, cleansed campaign rhetoric of blatant racist appeals and converted arch and unrepentant segregationists into apparent advocates of color blind policies. Freed of the incubus of race, the Solid South showed signs of breaking apart and developing a two-party system. For the first time since the 1848 election of Louisiana slaveholder Zachary Taylor, Deep South residents could realistically aspire to the presidency.

The widely cited statistics on the increase in black public officials in the South generally hid some sobering facts. The political socialization of blacks was such a painfully slow process that voter turn-outs were abysmally low. Traditional electoral politics promised too much and delivered too

little to mobilize potential voters in the black community. Apathy had to hurt before it could be transformed into even minimal political activism.

Ominous signs appeared on the horizon as black leaders became enmeshed in politics. Even with the right to vote, democratization of the political party apparatus was difficult until Mississippi blacks threatened to tear the Democratic Party apart with slates challenging the regular delegates at the 1964 presidential nominating convention. Compromise on this issue led later to changes in party structure and greater participation by women and other minorities.

The Voting Rights Act converted arch and unrepentant segregationists into apparent advocates of color blind policies.

Despite a growing disinterest in civil rights after 1968, black concentration in urban districts and continued black voting in the South led to some gains. The numbers of black elected officials increased year by year. By 1974, more than 200 blacks sat in 37 state legislatures and 17 in Congress—one senator from Massachusetts, Edward Brooke (the only Republican), and four women, Shirley Chisholm of New York, Barbara Jordan of Texas, Yvonne Braithwaite Burke of California, and Cardiss Collins of Illinois. In 1966, there was no black mayor of any major American city, but by 1974 blacks had served as mayors of a number of small southern towns as well as Cleveland, Los Angeles, Gary, Newark and Washington, D.C.

In May 1975, there were 3,503 blacks in elective offices, but there were more than 500,000 elected officials in the United States—287 elected officials for every 100,000 people—and the 3,503 black elected officials added up to only 16 for every 100,000 people. The South, with 53 percent of the total black population, had 55 percent of the black elected officials.

The benefits of black political participation were still mixed. In 1976 about 57 percent of whites of voting age voted, but only 45 percent of blacks did

so. Of the estimated nine million blacks registered to vote on November 7, 1976, about 64.1 percent voted. Despite the ambiguities involved, the black resurgence in politics should have provided important lessons for an equally oppressed group, women.

Women, the group with the greatest potential for change, marked some gains and some losses in the period between 1950 and 1982. Some of the greatest advances made by women in this period occurred when gender issues were linked to those of race. The failure of the women's rights movement reflected the fracturing of the black/Jewish/labor civil rights coalition. Perhaps as much as anything else, opposition to women's rights was economic. White and black male workers and employers actively opposed equality of opportunity between the sexes in the work place. In the 1970s, women with college degrees earned 16 percent less than men with high school degrees.

Many of the successes and failures of the women's movement were apparent in the campaign for the Equal Rights Amendment (ERA). Approved by Congress in March 1972, 33 state legislatures had ratified ERA by the end of 1974. By 1980, 35 states, three short of the 38 needed, had ratified the amendment. The ratifying states held 71 percent of the population of the country. With few exceptions, opposition to ERA came from the Southern and Mountain states (Utah, Nevada, and Arizona). While Illinois was something of an anomaly among non-ratifying states, the decisive opposition was in those areas of the country traditionally most conservative in promoting equality of treatment of blacks, Native Americans, and Hispanics.

Opponents of ERA, led skillfully by Attorney Phyllis Schlafly, convinced legislators representing 29 percent of the country's total population that the amendment was unnecessary and would greatly expand Federal power. ERA, opponents insisted, would compel women to register for the military draft and to serve in the armed forces. The opponents accused "radical" women of seeking tax-funded abortions, Federal child care for all children, rights for lesbians to teach in the

schools and adopt children, affirmative action to get women in jobs ahead of men, and a Federal spending solution for every problem.

The underlying causes of the defeat of ERA are too numerous for a simple catalog. Perhaps the nationally syndicated columnist Ellen Goodman summed it up best when she wrote on June 30, 1982:

The angry won: people who linked ERA with every evil from unisex toilets to homosexual marriages. The scared won: people looking for a scapegoat for the "breakdown of the family," the changing expectations of women. The politicians-as-usual won: people who traded our rights away as if they were baseball cards.

And so did those who simply wanted to keep, or put, women down. The anti-woman sentiment was always there in this debate, raw and overt, ringing with biblical incantations about submissiveness. It was also there, civilized and sedate, covered by a veneer of protective language and states' rights litanies from people who were for the E and the R but not the A.

Despite attempts to convince professional organizations to ban conventions in the non-ratifying states, ERA supporters could not budge the recalcitrant legislatures. Having significantly raised the consciousness of Americans through the National Organization for Women (NOW), the feminist press, numerous books, and movies, plays and television shows portraying women in a more realistic light in the 1970s, the leaders of the movement failed in the political arena. In the non-ratifying states they could not overcome fears of a unisex society. The small demonstrations they organized when legislatures were considering the amendment were generally ineffective in the face of lukewarm or nonexistent support from American presidents. Schlafly's Eagle Forum was more than a match for Eleanor Smeal's NOW. Still, there were some successes.

The ERA campaign led 15 states to repeal some of their most blatantly discriminatory laws. Federal agencies be-

came much more conscious of the need to promote equality of treatment of women. Women's studies programs proliferated at American colleges. Between 1972 and 1982, the number of women serving in state legislatures increased from 362 to 901. It was not enough. ERA was still three states short of the 38 needed to ratify the amendment at the June 30, 1982 deadline.

Unyielding opposition and tactical political mistakes spelled defeat for ERA. Lobbying efforts were soft and there was an unpardonable delay in mobilizing to defeat opponents in the legislatures of the non-ratifying states.

Women created no ringing slogans to galvanize the masses. They produced no charismatic leaders. They did not use their voting power to reward political friends and punish political enemies. When, however, the defeat of ERA became clear, women demonstrated that they had learned enough from the campaign to use political power effectively in the future. NOW sent more paid political organizers into the field, expanded its direct mail campaigns, and sponsored more caucuses of women. Women mobilized to defeat ERA opponents in the state legislatures. A sign carried by a demonstrator in a June 30, 1982 march in Roanoke, Virginia symbolized the new mood of women: "Don't Get Mad; Get Even. Vote!"

Native Americans adopted and refined the tactics used by women and blacks. While wagons continued to circle waiting for John Wayne and the cavalry, Native Americans' protests against their inaccurate and degrading cinematic image led in the 1970s to fairer and more sympathetic portrayals. The greatest success was achieved in the courts as longstanding land claims resulted in large cash settlements from Florida to Maine. Legal victories notwithstanding, oil and mineral companies continued, with the acquiescence or complicity of the Federal government, systematically to cheat Native Americans out of royalties. Despite some victories, such as the dramatic 1979 fishing rights decision in the Supreme Court which guaranteed half of the annual catch to Northwest

Indians, marches on Washington and violent confrontations with U.S. marshals and FBI agents did little to end high endemic unemployment, improve education in Native American communities, or even to preserve their newly won fishing rights.

The civil rights movement revitalized the sense of separate identity of white ethnic groups.

The handicapped fared, in many ways, far better than Native Americans. Theirs was the quiet revolution adroitly modifying the slogans created by other groups and riding the wave of commitments to veterans following the Vietnam war. The successful campaign of the handicapped for changes in recruitment practices, the design of work places, and transportation and educational facilities may have marked the apogee of American commitment to equality of access to jobs and schools for all of its citizens. Along with the disappearance of "white" and "colored" signs, the appearance of access ramps on streets and to public buildings represented a dramatic change in the physical appearance of American communities.

Puerto Ricans, Cubans, and Mexican Americans were among the fastest growing segments of the population in the last 30 years. United by language but divided by cultural differences, Hispanics mobilized in the 1960s to promote bilingual education. Economically, Cubans fared best. Stereotyped as "wetbacks" and illegal aliens, Mexican Americans long suffered economic deprivation as migrant laborers in the West and Southwest. Cesar Chavez's long and successful campaign to organize farm workers, supported by many groups, enhanced the image of Mexican Americans. As they became increasingly urbanized, Mexican Americans demonstrated more political power and forged loose coalitions with blacks and other oppressed groups.

Coalition politics held relatively little attraction for a number of groups. Japanese Americans began in the

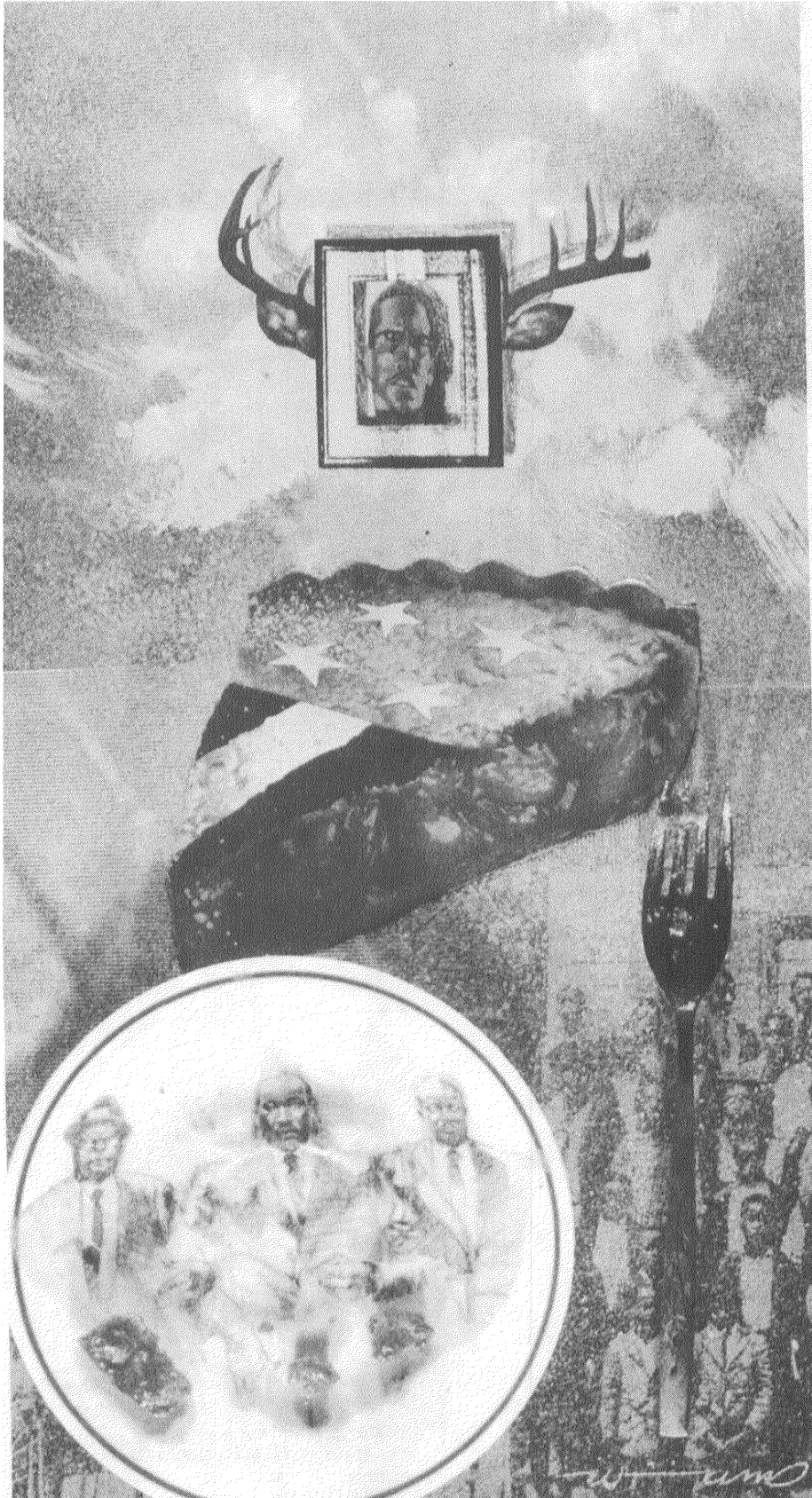
1970s to discuss their dislocation and internment during World War II, but continued to be generally individualistic in their quest for equality of treatment. Among the most highly educated of all ethnic groups, Asian Americans assimilated while holding on to many elements of their unique culture.

The civil rights movement revitalized the pride and sense of separate identity of white ethnic groups. Italian Americans, Irish Americans, Polish Americans and others renewed their ties to their churches and cultural, intellectual, and social institutions. Often, however, the white ethnic males saw themselves as competing with blacks, women, and Hispanics in the economic arena.

Among the potentially most powerful of groups seeking greater economic benefits during this recent period were the aged. Representing elements of all of the other groups involved in the civil rights movement and often mired in poverty, the aged fought against job discrimination and other kinds of victimization. The United States traditionally has devoted few of its resources to care for the aged. The "Gray Power" movement of the late 1960s and early 1970s had the salutary effect of directing political attention to senior citizens. Since the aged voted, there remained some prospects that in the decade of the 1980s they would gain a respectful hearing in the country's legislative halls.

But sympathy and commitment eventually ran out for the aged just as it did for most other oppressed groups in American society. The aged, handicapped, Native Americans, Hispanics, women, and blacks were victims of that turbulent decade in American politics extending from 1972 to 1982.

During this period, American society was shaken by oil shortages and steep price rises that unravelled the myth that Americans were, as David Potter had described them, a "People of Plenty." Creeping recession followed. High inflation-induced reductions in the real standard of living seemed to precede and follow everything. The American pie was shrinking. Faith in government declined at an even faster rate than faith in the economy. Within



ten years, American citizens learned about Agnew, Watergate, and Abscam.

While civil rights activists marked time under President Carter, the racist forces were regrouping. Discarding the stale racist rhetoric of the past, they developed a whole new vocabulary to convey their old ideas. They managed to blur the distinction between friends and enemies. They rewrote history. A Californian, for example, launched a short lived anti-semitic magazine stressing that the Holocaust had never occurred.

In the 1970s, a favorite theme was the high cost of social programs, especially welfare. "Law and Order" were among the verities while "quotas" constituted "reverse discrimination." It was mandatory to have "limited government," and Supreme Court justices who were "strict constructionists." The principle underlying these ideas was that the Federal government would make no special effort to protect or advance the interests of blacks, women, the handicapped, or other minorities. The revolution had gone far enough.

The 1980 election indicates a concerted effort to turn back the clock on civil rights programs. The latest onslaught on civil rights demonstrates anew the importance of reconstructing the civil rights coalition that was so effective in the 1950s and 1960s. Since each of the constituent groups was weaker in the 1980s than earlier, it was crucial that there be even closer cooperation. Groups growing in strength, such as Hispanics and the elderly, have to be brought into a coalition with goals broader than those enunciated in the earlier movement.

The last 30 years brought America closer to being a truly egalitarian society than it had ever been before. The civil rights movement contributed greatly to progress on several fronts. Considering the history of the movement, its supporters will not long be dispirited by temporary regression. Instead, it seems likely that they will, like the feminist component of the movement, draw renewed strength from their defeats and adopt the usual clarion call of disappointed constituencies throughout American history: "Don't Get Mad! Get Even. Vote!" ♦

TICKLING OUR FUNNY BONE;

A sampling of some of the best civil rights cartoons of the past quarter century.

"Help! Man-Eating Tiger!"



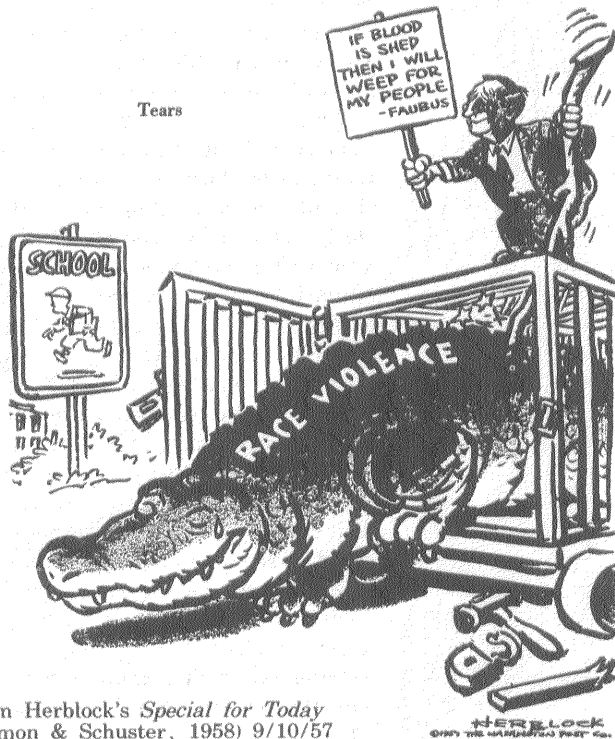
From Herblock's *Special for Today* (Simon & Schuster, 1958) 7/18/56

"Somebody From Outside Must Have Influenced Them"

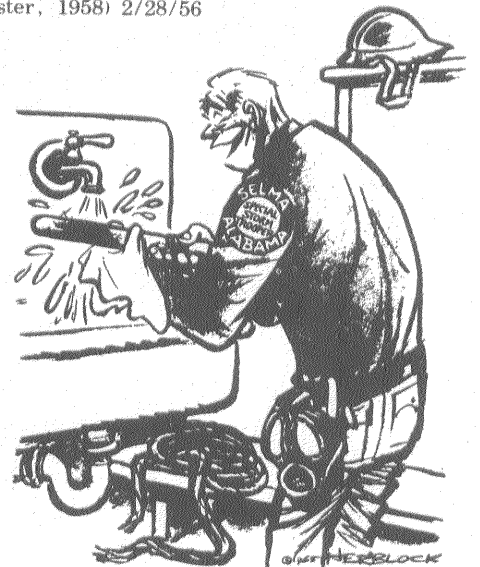


From Herblock's *Special for Today* (Simon & Schuster, 1958) 2/28/56

Tears



From Herblock's *Special for Today* (Simon & Schuster, 1958) 9/10/57



"I GOT ONE OF 'EM JUST AS SHE ALMOST MADE IT BACK TO THE CHURCH."

From *The Herblock Gallery* (Simon & Schuster, 1968) 3/9/65

PRICKING OUR CONSCIENCE



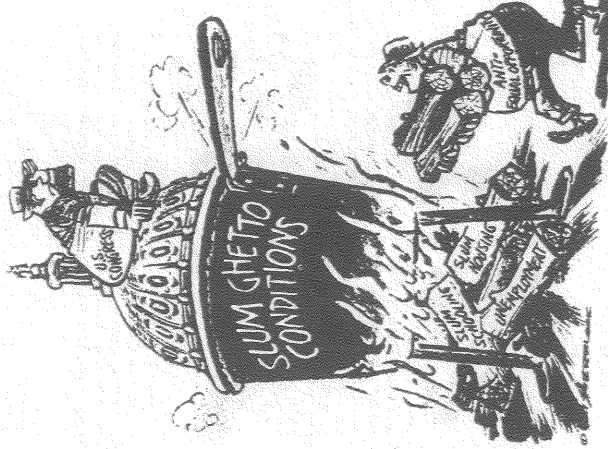
CONTINUATION OF A MARCH

From *The Herblock Gallery*
(Simon & Schuster, 1968) 8/11/65



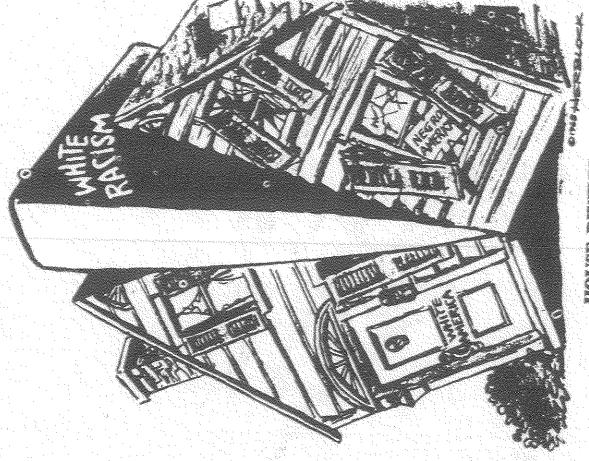
ACCELERATED READING COURSE

From *The Herblock Gallery*
(Simon & Schuster, 1968) 3/31/67



**"KEEP A SHARP LOOKOUT FOR
OUTSIDE AGITATORS."**

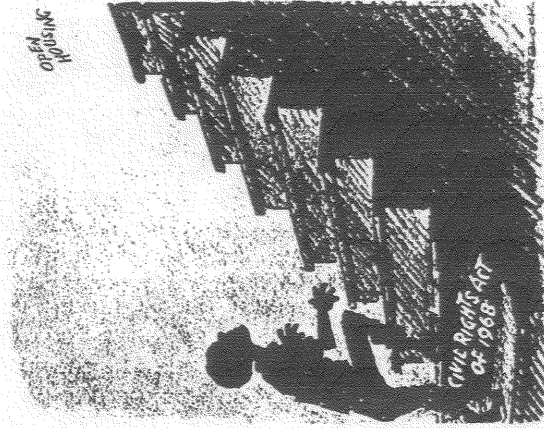
From *The Herblock Gallery*
(Simon & Schuster, 1968) 7/13/67



HOUSE DIVIDED

From *The Herblock Gallery*
(Simon & Schuster, 1968) 3/5/68

TICKLING OUR FUNNY BONE:



THE LIGHT AT THE TOP OF THE STAIRS

From *The Herb Lubner Gallery*
(Simon & Schuster, 1968) 4/12/68



Courtesy Follett Publishing Company



© 1968 Pat Oliphant
Universal Press Syndicate

Look, we in congress are all for real school integration but bussing is an artificial means that doesn't solve the problem!



Also, redrawing of school boundary lines is phony and doesn't get at the problem!



And rezoning the suburbs is just another superficial gimmick that skirts the problem!

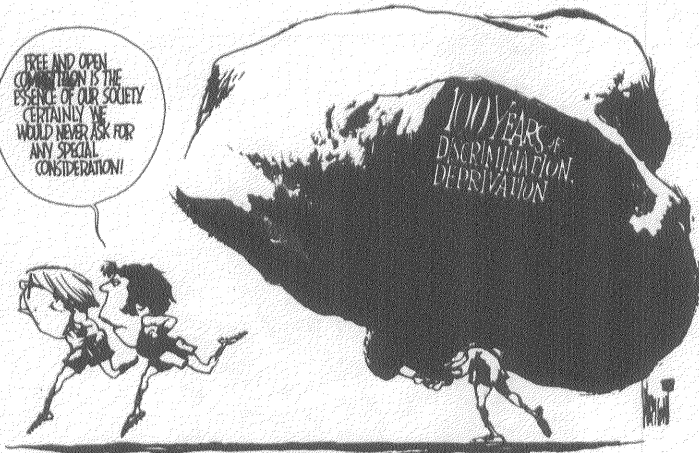


The problem is how to achieve real school integration in an orderly, natural fashion while keeping the races separate.

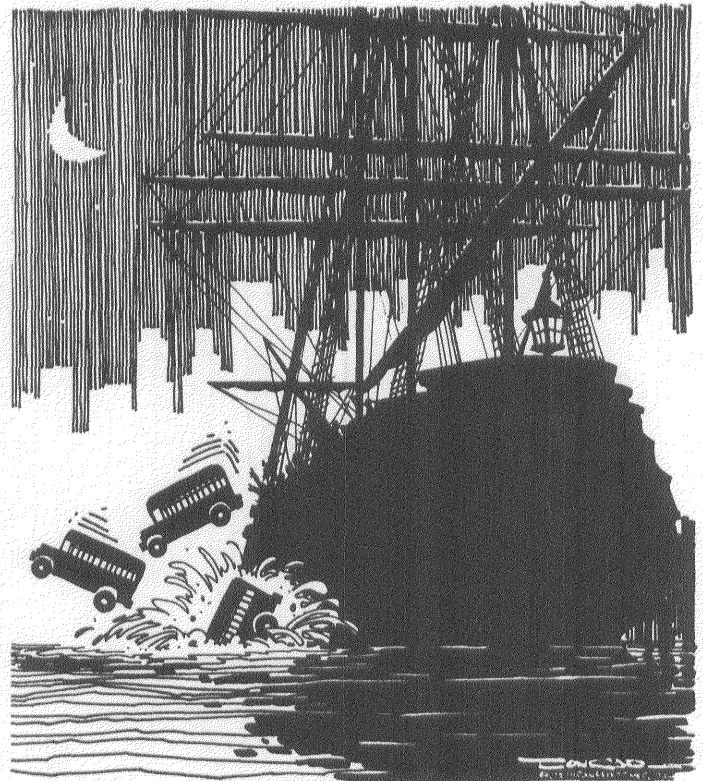


Sanders
The Milwaukee Journal

PRICKING OUR CONSCIENCE



Don Wright
NY Times Special Features Syndicate



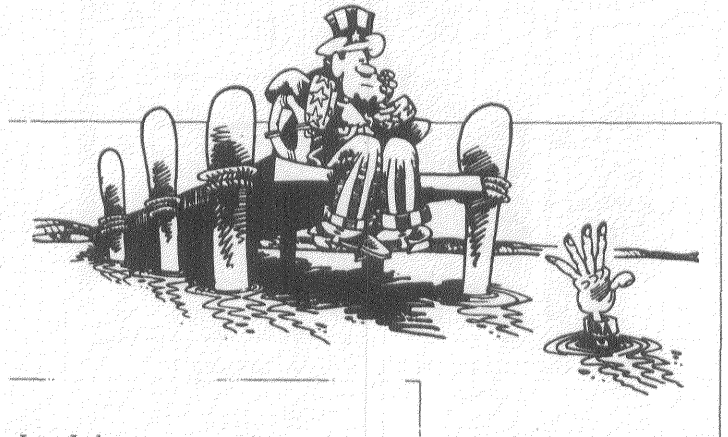
Boston's Bicentennial Celebration

Paul Conrad
© 1974 Los Angeles Times
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Bury My Heart at Wounded Knee

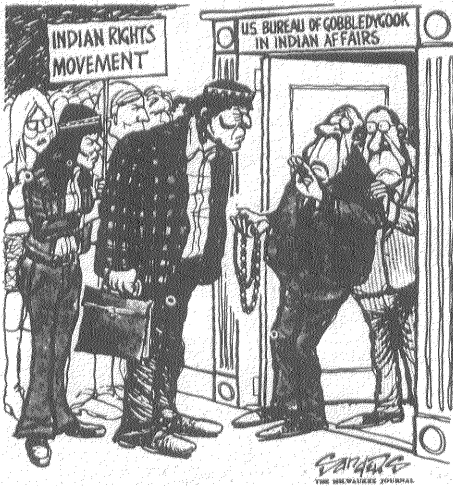
Paul Conrad
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Lee Judge
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Lee Judge
Field Newspaper Syndicate

TICKLING OUR FUNNY BONE:



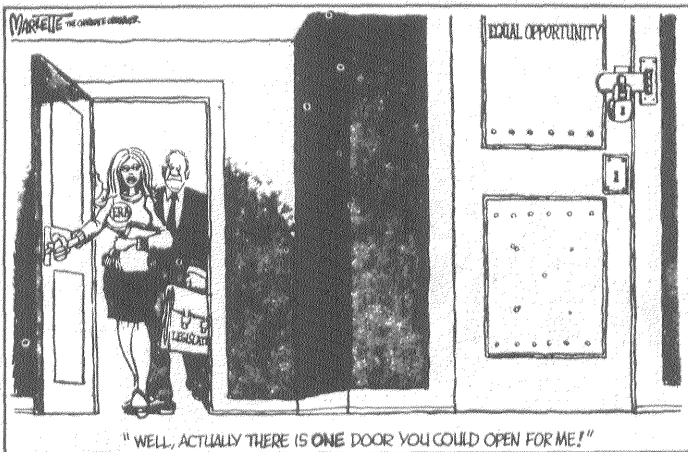
"I don't think they're interested in colored beads anymore."

Sanders
The Milwaukee Journal



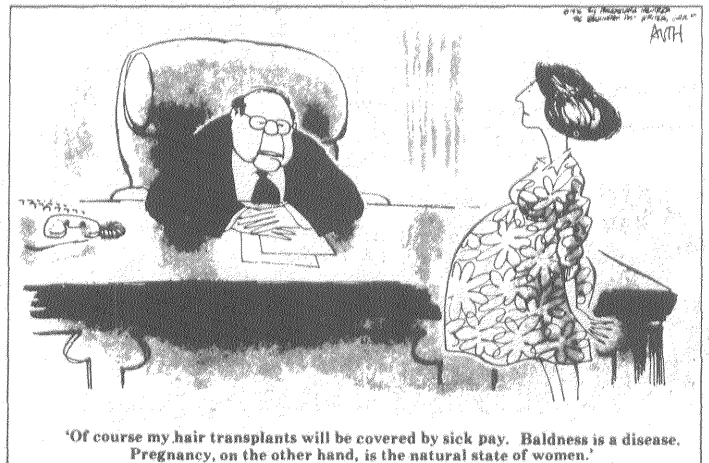
"We operate on the general premise that you're guilty until proven innocent."

Sanders
The Milwaukee Journal



"WELL, ACTUALLY THERE IS ONE DOOR YOU COULD OPEN FOR ME!"

Marlette
The Charlotte Observer



"Of course my hair transplants will be covered by sick pay. Baldness is a disease. Pregnancy, on the other hand, is the natural state of women."

Tony Auth
© 1976 The Philadelphia Inquirer

PRICKING OUR CONSCIENCE



November 1, 1977—The Ku Klux Klan announced that its members would serve as volunteers to patrol the Mexican-U.S. border to help deter illegal aliens.

© George Fisher reprinted by permission of The Arkansas Gazette



Marlette
The Charlotte Observer



Mike Peters
© 1978 Dayton Daily News



Mike Keefe
The Denver Post

The "Silver Writes" Movement

Novelists, poets and dramatists are among the select few who can capture in moving, memorable language enduring truths about the tragedies and joys of their age. They are the historians of our hearts.

To deepen our own understanding of the civil rights movement, *Perspectives* asked leading American authors and poets to share their thoughts on the special meaning the term "civil rights" holds for them.



"Silver Writes"*

by Alice Walker

*It is true—
I've always loved
the daring
ones
Like the black young
man
Who tried
to crash
All barriers
at once,
wanted to
swim
At a white
beach (in Alabama)
Nude.*

"Once," by Alice Walker, 1965

Of all the poems I wrote during the period of most intense struggle for "Civil Rights," (the early sixties), this one remains my favorite. I like it because it reveals a moment in which I recognized something important about myself, and my own motivations for joining a historic, profoundly revolutionary movement for human change. It also reveals why the term "Civil Rights" could never adequately express black people's revolutionary goals because it could never adequately describe our longings and our dreams, nor those of the non-black people who

**Older black country people did their best to instill what accurate poetry they could into this essentially white civil servants' term (while acknowledging the ultimate power behind the formulation of the majority of America's laws) by saying the words with a comprehending passion, irony and insight, so that what one heard was "Silver writes."*

The "Silver Whites" Movement

stood among us. And because, as a term, it is totally lacking in color.

In short, although I value the civil rights movement itself, I have never liked the term. It has no music, it has no poetry. It makes one think of bureaucrats rather than of sweaty faces, eyes bright and big for *Freedom!*, marching feet. No, one thinks instead of metal filing cabinets and boring paperwork.

This is because "Civil Rights" is a term that did not evolve out of black culture but rather out of American Law. As such, it is a term of limitation. It speaks only to physical possibilities—necessary and treasured, of course—but not of the spirit. Even as it promises assurance of greater freedoms it narrows the area in which people might expect to find them. No wonder "Black Power," "Black Panther Party," even "Mississippi Freedom Democratic Party" and "Umoja" always sounded so much better, if in the end they accomplished—by some accounts—less.

"Civil rights" makes one think of bureaucrats rather than of sweaty faces, eyes bright and big for *Freedom!*

When one reads the poems, especially, of the period, this becomes very clear. The poems, like the songs of the time, reveal an entirely different *quality of spirit and imagination* than the term "Civil Rights" describes. The poems are full of protest and "civil disobedience," yes, but they are also full of playfulness and whimsicality, an attraction to world families and the cos-

mic sea—full of a lot of naked people longing to swim free.

Alice Walker's latest novel is The Color Purple. She is also the author of Meridian, The Third Life of Grange Copeland and numerous collections of poetry and short stories.

All of Them

by Arthur Miller

History's cruelest legacy to us is the problem of race. We are all heirs to tribal identities, tribal conquests, defeats and victories back through the ages of man. Even religions, for the most part, have tended to divide "us" against "them." It is amazing the human race is still so numerous on the earth when you consider all the suspicion bred into it.

Still, at least since World War II, the consciousness of vast numbers of people has been raised and, however slowly, the cause of equality has made an advance greater than the magnitude of the problem allows us to perceive.

It is vital to keep up this momentum, which at the present moment has subsided before its next new wave. If there is an Achilles heel for the West, it is surely race. It cannot be allowed to bring down democratic hopes. We know we can do better because we have done better.

A bad legacy is just that; we need not be ruled by it. People can change; we know it because we have seen it happen. But the support for change

must not weaken from Government, from the laws, from every group in society.

If there is an Achilles heel for the West, it is surely race.

I was born in Harlem. I had black and Puerto Rican friends in whose homes there never was a book, and yet they were supposed to compete with those of us who had been handling books since early childhood. They needed a hand and most did not get one and vanished into the streets. A lot of them were smart and able and they were wasted.

We can't afford that now. We need the people. All of them.

Arthur Miller has been one of America's leading playwrights for the past thirty years. Among his best known works are Death of a Salesman, A View From the Bridge and After the Fall.

Their America

by Nicholasa Mohr

On September 9, 1957 this nation was still recovering from the after-effects of McCarthyism. By that time, whatever inroads the Puerto Ricans and other Hispanics had achieved in the unions' closed shops and in the political arena had been squelched. The Rosenbergs had already been executed for treason. I remember members

The "Silver Whites" Movement

of my family and their co-workers disassociating themselves from any political or social organization the least bit left of center. The "red scare" proved successful. Heroin use was rampant and our Hispanic youth were among the first to fall victims to this immobilizing drug. The greatest influx of Puerto Rican migrants had already settled on the U.S. mainland, mostly in New York City. The majority of them desperately worked and struggled to fit in, to be part of the larger society of assimilated immigrants. They foresaw, at least for their children, the possibility of obtaining a piece of the great "American Dream."

The revolution of the sixties with its riots, and burnings, left whole areas of cities almost bereft of human population. The white ethnic groups who fled from these cities and neighborhoods, did so not only out of fear, but because they had places to flee to, and the economic power to get there. We, the people of color, had nowhere to go and no way to have gotten there even if we did. But, at the same time, with the upheaval of the sixties (sit-ins, demonstrations of solidarity, the slogans "black is beautiful"—"black power") came a time of discovery. We gained an important legacy. *We became visible to ourselves*; a consciousness that we were a people others had to reckon with. Within this decade came not only frustration and anger, but a sense of pride, a knowledge of self-worth and the motivation for political action.

During the seventies when the swing to the right began, it was our visibility and political power that helped make programs like Affirmative Action and Bi-lingual education possible. The growing awareness of the Hispanic community as a larger family had be-

gun. Writers, poets, visual artists and composers within our Hispanic family emerged. They have made and are making important contributions with their work.

Now, at the beginning of the eighties, with a strong trend toward a reactionary society and with the Moral Majority threatening the laws and accomplishments we have fought and worked so hard for, *what do our young people face?* Twenty-five years after the U.S. Commission on Civil Rights was created and the first civil rights act in 82 years was signed into law, what kind of challenges await them?

The group that moves me in the most profound way is the children.

From time to time, because of the nature of my work as a writer and visual artist, I leave my typewriter and drawing board to speak to students in public schools and universities, to parents and educators, to organizations interested in the welfare of our young people. The group that moves me in the most profound way is the children who attend our public schools in decaying cities. For these very young people have been left to grow and survive among the ruins. Many attend schools where discipline instead of learning seems to be the imperative of their daily routine. As I speak to them I grapple with a mixture of frustration and inspiration. Before me is a sea of bright dark faces, their eyes shining with an eagerness to learn and a curiosity that is so healthy and natural to children. They wait, listening, alert, attentive, hungry to hear something that

concerns *them*, their neighborhoods, their families, *their America*.

After decades of hard work, struggle, loss of human life and property, there is a legacy I can speak about honestly and personally. *In spite of what surrounds them, these children must matter to themselves*. Once they have this awareness, the strength to achieve, the capabilities and talents they possess can be used and developed. They do have a right to decent housing and to a good education and *do* have an important part to play in the future of this country. And, further, these rights have already been fought for and paid for. I try to point out that they face a fierce challenge, not only to survive, but to prevail. Tremendous sacrifices have been made to this end by their parents and grandparents. There is a network of Puerto Ricans and other Hispanics, Asian Americans, blacks, Native Americans and the white working class poor, that is concerned. *These young people have got to know that some of us are aware of them*. They have not been completely abandoned.

Nicholasa Mohr has written many books for adults and children, including Felita, In Nueva York, and El Bronx Remembered: A Novella and Stories.

Lions, Tigers and Leopards

by Felipe de Ortego y Gasco

My friend, Prudencio Garcia, an octogenarian, asked me to meet him at the Royal Street Crossing, a creperie on the San Antonio

The "Silver Whites" Movement



River, from where one can watch (in part, at least) the human condition. With a flourish of his gnarled brown hand, Prudencio is making some point about humanity. I have inquired about his era of hispanicity. "How was it," I asked, "that Hispanics in the United States seem to lag behind other groups in making their presence felt? What had his generation done to promote that presence?"

"*Hijole*," he says, agitated by the question and by its smuggled accusation. "The young always insist on an accounting of the past." Rebuked, I avert his gaze and look instead at the deep creases on his face etched there by years of survival, years of coming and going upon the earth, seasons of life in the migrant streams of our people. "*Tu*," he says with great calm, capturing me completely, "*tu que sabes bien*, you who knows better, don't expect an answer to that question, do you?" I shake my head. "No, I didn't think so," he says.

And he is right. I have asked the question polemically, more out of the need to sort through the vague sense of frustration I am feeling at the moment. For three days now the LULAC (League of United Latin American Citizens) has been meeting in convention in San Antonio, wrestling with the question of identity. More, perhaps, with the question of definition. Certainly the LULAC conventioners know who they are. As a LULAC conventioner himself, Prudencio Garcia knows who he is. "*Soy mejicano*," he will say, indignant that anyone should ask him his identity. I too identify myself as *mejicano*. Though Prudencio was born in South Texas, and I in the Midwest, Americans, we both think of ourselves as *mejicanos*.

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In that respect, I know we are no different than, say, the Italians in America who still think of themselves as Italian or the Germans in America who think of themselves as German. Essentially, we are all Americans, though different. It occurred to me then that the problems of Hispanics in the United States are not rooted in identity but in definition, a definition that has been eluding us because we have been looking for a constant and fixed definition, a lexical definition we can find easily every time we open the dictionary of life. In part, that's what Prudencio was telling me when he asked if I expected an answer to my question: what had his generation done to promote the Hispanic presence in the United States? His generation of Hispanics defined their situation for themselves in their own place and time. In est terms, it seems so simple: Prudencio's generation of Hispanics did what it did because it did what it did. And so, the LULAC Convention of 1982 is struggling to define the role of Hispanics in American life. Doing what it is doing because it is doing what it is doing.

As if reading my mind, Prudencio interrupts my thoughts. "In a world of lions, tigers and leopards, lambs need more than numbers to survive."

"Yes," I say, "we can become 100 million in the United States and still not make a difference."

"Indeed," Prudencio says, nodding, as if guiding me through some perilous swamp.

I muse. "What Hispanics need is a transformation—in a world of lions, tigers and leopards, lambs must become lions, tigers and leopards."

"Si," Prudencio says. "In the last 25 years, Hispanic lions, tigers and leop-

ards have made a difference. The struggle for the civil rights of Hispanics did not begin in the '50s, nor has it lagged behind other groups. That struggle has been constant. One generation of Hispanics cannot hand its definition of life—or anything—to another. Each generation must define its life for itself. That's why one generation can live in slavery, and another cannot."

I agree, punctuating his words with a resolute nod of my head, pursing my lips, deep in thought. The problems I wrote about in *The Nation*, *Saturday Review*, *The Center Magazine*, and a host of other magazines in the last decade and a half, are not as acute as they once were. But they are still with us. Hispanics are still largely the invisible minority in American life. The visibility of Hispanics in the mainstream of American life is barely apprehensible. The younger generation of Hispanics will have to deal with that for themselves. The struggle for civil rights is far from over.

In a world of lions, tigers and leopards, lambs must become lions, tigers and leopards.

Prudencio now seems calmer, assured perhaps that he has provided me with an important instruction. Like Rabbi Ben Ezra, Prudencio has taken me on a short journey with long implications. One wonders if the tumult of the 60's and the 70's is really over. I, for one, don't think so. And neither does Prudencio as he sits there smiling slightly, like some large Cheshire cat,

knowing something I am just becoming aware of.

Felipe Ortego is a leading expert on Chicano culture and literature. He helped compile the anthology We are Chicanos and is himself the author of numerous stories and articles.

Since Gentlemen's Agreement

by Laura Z. Hobson

This 25th anniversary of the U.S. Commission on Civil Rights just happens to be the 35th anniversary of my novel *Gentleman's Agreement*, and a thousand times in the past few years, I have been asked if I think there's been any gain in the fight against discrimination and prejudice, in the three and a half decades since my book came out.

In some ways that's a hard one to answer, and in others a simple one. For me the simple one comes when I count off the things I could *not* be putting into my book if I were writing it today.

For example, I would not be writing about a young student worrying about whether he could get into a good medical school because he's Jewish; I would not be writing about a landlord or real estate broker asking a direct question like, "Are you of the Hebrew persuasion?" I would have to leave out one of the major scenes in the book—and in the movie made from it—where my hero Phil, doing research about antisemitism, by saying he's Jewish when he isn't, is turned away by a large resort hotel because he says straight out,

The "Gentlemen's Agreement"

"I'm Jewish and you don't take Jews, is that it?" And my heroine Kathy would never talk about "neighborhoods that won't sell or even rent to Jews—it's a sort of gentleman's agreement."

No, I couldn't write those scenes now in 1982. But what if Phil were black or Puerto Rican or Mexican American and trying to rent or buy a house in certain neighborhoods? What about his getting into those good medical schools or renting an apartment or finding a job if he was known to be gay, and refusing to remain a closet gay?

If I were writing *Gentlemen's Agreement* today, I could merely change the word Jew to black or Puerto Rican or gay or Mexican American.

Alas, if I were writing that book this very minute, and merely changed the word Jew to black or Puerto Rican or gay or Mexican American, I could leave most of its scenes intact, marked for the printer, *stet* except for corrections.

And the harder answers include some I myself didn't even consider back there in postwar 1947. What about the discrimination and prejudice—denied and unacknowledged, of course, as most prejudice is—what about it if you're a woman?

To think that at the advanced date of 1982, the Equal Rights Amendment could even be A GREAT BIG ISSUE just about floors me. It is hard for me to believe that there exist today men

and women warped enough in their conception of justice, to make them fight against having our Constitution guarantee equal rights to women, not just voting rights, but equal rights in all areas of working and living.

But equal rights for everybody cannot be forever denied, even by the warped. They will eventually come to all people whose skin is different from the majority's, or whose sex life is different from the majority's, or whose political beliefs are different from the majority's.

Yes, I still hope. Despite all the recent setbacks we talk about so glumly—and so realistically—I still am a believer in decency and change. Like the ebb and flow of the tides, every setback seems to engender a new surge forward. But I confess I am impatient for that return tide of strength in the wide-sweeping ocean of civil rights.

No King Canute can last forever.

Laura Z. Hobson has written many novels since Gentleman's Agreement including Consenting Adult and Over and Above.

This America

by Simon J. Ortiz

*This America has been a burden of steel and mad death, but, look now, there are flowers and new grass and a spring wind rising from Sand Creek.**

When I was a boy growing up in an Indian Pueblo village in New Mexico, there didn't seem to be any discrimination, injustice, or racism. In fact, we seemed to be secure in an isolated little world, except, too often, we found ourselves saying, "Gaimuu Mericano," envying the Americans who were white and resenting ourselves.

Civil rights only has meaning as an active, vigorous fight for human rights.

As I grew to be a teenager and a young adult, I became aware that we, as Native Americans, had to be extremely competitive in order to survive socially, economically, culturally. If survival of a tribal cultural continuity was not possible and, instead, we adopted the Western beliefs, values, and practices of a Euro-American system, there was nothing else to feel except a dreadful failure.

Finally, in the 1960s, I came to understand that Indian people had known exactly what discrimination, injustice, and racism were—they had been fighting these cancers all along. The Indian Pueblo Revolt of 1680, the Wars of the Great Plains in the mid-19th century, the founding of the National Congress of American Indians in the 1940s, the court battles for land claims, tribal sovereignty, and human rights were all part of a continuing struggle. And it is in this that the

*From Sand Creek, *Thunders Mouth Press*, 1981.

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meaning of civil rights comes across strongest and most clearly for me.

By realizing that there has been a continuity and heritage of fighting against oppression, I came to focus in my writing more and more upon the active struggle that would insure social, economic, cultural, and political freedom. Civil rights only has meaning as an active, vigorous fight for human rights. Those resentments and dreaded sense of failure too often felt by oppressed and suppressed peoples can only be replaced by the Dream becoming a reality of human rights assured everyone in this country.

*That dream
shall have a name
after all,
and it will not be vengeful
but wealthy with love
and compassion
and knowledge.
And it will rise
in this heart
which is our America.**

*From Sand Creek, *Thunders Mouth Press*, 1981.

Simon J. Ortiz is the author of From Sand Creek, Going for the Rain, and Fightback: For the Sake of the People, for the Sake of the Land.

The Anglo/Hispanic Culture Drag

by Ramond Barrio

The Anglo version of the Hispanic world short-changes itself miserably. To his credit, the Anglo is industrious, a hustler, clever, a terrific shopping center developer.

The Anglo—as Hispanics refer to Americans of European descent (whity to blacks)—has produced incredibly rich cornucopias, stunning investments, an overpowering industrial megasystem, and a large, comfortable middle class. Yes, yes, such magnificence...but, ummm...

There are aspects of the American business world, however, that are ruthlessly mechanistic and immoral.

To its dishonor, it tolerates a hidden fascist streak which promotes racism and unwarranted discrimination.

Hence the great and continuing need for civil rights and for affirmative action legislation.

The Hispanic is insultingly pictured as a romantic, dreamy, unambitious (lazy!) enjoyer of day-to-day lovely living—what a crime!—which ironically is exactly the myth America avidly seeks on her sunny tropical vacations.

The considerable Latino tradition of mystical symbolism, history, and cultural heritage that Hispanic Americans can draw upon is constantly being diluted and eroded by Anglo frigidity.

The Hispanic intellectual esteems ideals highly and cries out his passionate hatred of injustice in a variety of *gritos*.

The Anglo, in contrast, is addicted to best sellers, credit cards, and expresses a passionate interest in rock stars.

The resulting culture clash may be summed up in one phrase: it is between materialism versus the human spirit.

"A country," they said at Nuremberg, "is not an inert rock. A nation," they added, "is an extension of one's personality."

How to overcome such an offensive disparity?

That is the problem facing Hispanic

and other U.S. minorities.

But the godless greedies among us, the corporate piggies, the mangy dogs who keep everything for themselves, and to heck with inequalities, are crude excrudescences on the embarrassed face of our fair lady liberty.

The dismal record of man's pestilential inhumanity to man is ten thousand miles long, and one wonders why.

The dismal record of man's pestilential inhumanity to man is ten thousand miles long.

No library can contain it.

The detestable conditions dramatized in my 1969 novel, *The Plum Plum Pickers*, still exist, in dirty spades.

Farmworkers in California, Texas, and the U.S. Southwest are still being exploited.

They still work under miserable conditions, no toilets, no drinking water, insecurity, and inadequate education for their children—*Americans!*

Mexican American farmworkers are present statistically in the farm labor force at a ratio seven times greater than their presence among the general population.

Cesar Chavez's UFW is still having to fight against the ruthless odds favoring California's financial combines and greedy growers.

I would like to see huge farm complexes broken up into small family plots, the way the *real* America once was. Independent entrepreneurship. Mom 'n' Pop farms. "Oh no," cry the

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piggies. "That's socialism!" they shout, the Big Lie.

For America's social health, minorities must be encouraged up into upper managerial levels. The reach travels all the way back down to kindergartners.

Children cannot sense ambition if they cannot see their own kind up there as teachers, judges, executives.

When finally freed to make his proper cultural contribution, the Hispanic American has great spiritual riches to offer and share in return.

Extended family, in place of fragmentation.

Warm playful patio, in place of cold empty playgrounds.

Friendly, restful plazas inviting you to sit and chat, in place of signs warning you primly to keep your lass off the grass.

Exciting fiestas to dance to and frolic in, instead of making the kids squirm on hard bleachers just to watch the fireworks from a safe distance.

And maybe—just maybe—the Hispanic American, with his love of symbolism, mysticism, emotionalism, and human warmth—the *effective presence*, say, of Latino diplomats high up inside the State Department—may be able to make some genuinely friendly overtures to the Russians.

Maybe we can then start helping the frazzled world clamber down from this dumb nuclear volcano the Anglo and Russian kamikazes are so determined to fall into, in a death fixation.

That's what the Hispanic American opts for—life, liberty, and right living.

Raymond Barrio is author of The Plum Plum Pickers and The Devil's Apple Corps as well as numerous short stories and articles.

Civil and Rights

by John Rechy

I prefer to find the true essence of the meaning of "civil rights" within the *individual* definitions of the two words which have come to give the phrase a cumulative meaning. We say "civil rights" and we know that to refer to the privileges guaranteed in our country to all citizens by the 13th and 14th amendments to the Constitution, guaranteed augmented by certain acts of Congress. A fine meaning indeed!

The loss of civil rights is a regression to what is primitive.

While respecting that definition, I am able to find further resonance and refinements for a more personal meaning by exploring other nuances contained in "civil" and "rights." "Civil" is what is in harmony with requirements of civilization. To "civilize" is to refine by enlightening; through education, to lead away from the savage and the barbaric. The result—civilization—is a state marked by high standards of social and cultural development and human concern. My expanded definition of "civil rights" would be one which would emphasize the components which honor, respect, and uphold what is humanly *correct*—"right"—in an enlightened, decent—that is, *civilized*—society. The opposite of such a state is savagery and barbarism, and it is in those repressive climates that civil rights are denied or compromised. The loss of civil rights, therefore, is an

assault on civilization; a regression to what is primitive.

John Rechy's works include City of Night, Numbers and Rushes.

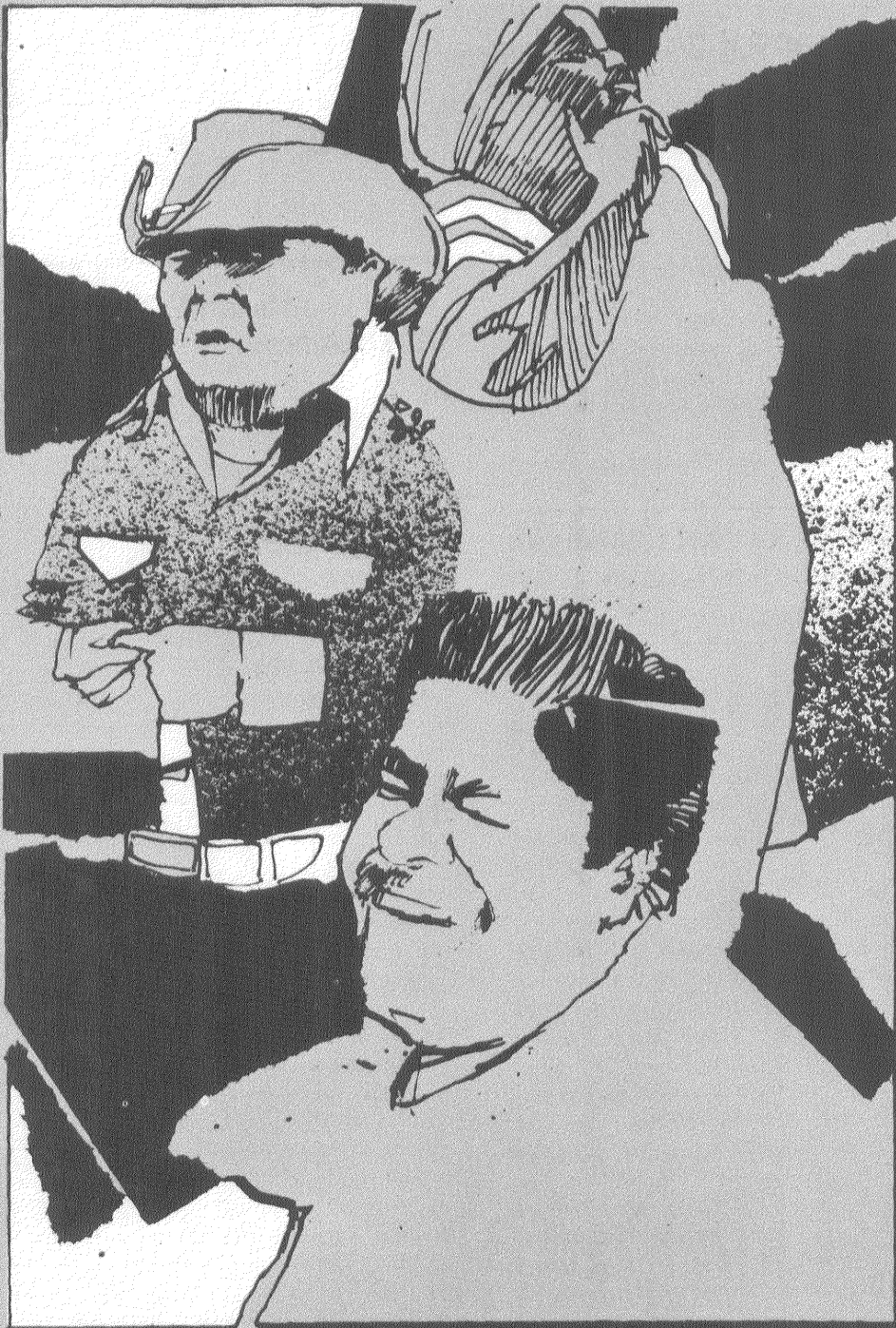
Civil Rights and Civic Responsibilities

by Vine Deloria, Jr.

At the foundation of our concept of civil rights and constitutional protections is the social contract which replaced the old Divine Right of Kings as the dominant concept explaining human political institutions. The social contract is grounded in two principles: a society is composed of rational, responsible citizens and these citizens have a certain degree of empathy and see in the universal human condition a paradigm of their own lives. The social contract works because no citizen will allow the rights of others to be trampled lest his own rights be taken away later in the same manner.

American history has demonstrated beyond question that this analysis describes only those societies which have such a degree of homogeneity that custom, tradition, and belief largely perform the function of law. Minority groups, divergent in some respect from the cultural profile of the majority, suffer sporadic discrimination to the degree that they differ. When minorities are permanently alienated from the majority by skin color, language and culture, or persistent religious belief, they have generally been bur-

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dened with a continuing need to defend themselves even though the social contract and American state documents proclaim universal rights and principles which should protect them.

In 1957 the United States Commission on Civil Rights was established to begin to gather data on systematic patterns of discrimination experienced by minorities in this country. Working to create civil rights advisory committees in the several states, the task of the Commission has been one of educating the public to the importance of civil rights and investigating instances where civil rights have been violated. With our unique division of sovereignty between state and Federal governments this mission has not always been easy since the social fabric of the states often differs considerably from that of the nation as a whole. Without an umbrella function, however, it would be impossible to keep us informed of the national state of citizens' rights and in this sense the U.S. Commission on Civil Rights has been one of the more important institutions of this century.

In the years since the founding of our nation, Americans have curiously reversed their understanding of civil liberties. Two centuries ago citizens might have proclaimed: "I strongly disagree with you but I defend to the death your right to your beliefs." Today too many citizens are only annoyed at dissident voices in our society and seek every means possible to quell questioners of our society. Too many citizens today, including many prominent political leaders, seek only to stifle discussion and avoid engaging in it. We proclaim multiplicity but frantically seek homogeneity.

As we begin the second quarter cen-

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tury of work of the Commission on Civil Rights, we need to return to the philosophical foundations of the social contract and realize that an assault on the civil liberties of any American is a battery on the civil rights of all Americans. Social contract relies not only upon a responsible citizenry but upon a constituency of individuals who are aggressively committed to the principles of justice. It is not enough to pay lip service to abstract principles of equality. We must act positively to ensure that justice is done. In those many instances where minorities are persecuted and abused, the majority must understand that precedents are being established which may be used on another occasion by a dedicated entrenched minority to oppress the majority.

We proclaim multiplicity but frantically seek homogeneity.

The correlative value of civil rights, then, is civic responsibility. The bell, when it tolls for others, really does toll for us as well. Instead of seeking to force everyone to march under the same banner in political beliefs, economic theories, and religious behavior, we should see a determined effort to open the gates of personal freedom to our fellow citizens. The best argument for one's point of view remains that of the good example, and using institutions as weapons in intergroup relations is but a crude way of demonstrating the validity of one's point of view and values. Thus it continues to amaze the public that as each new administration takes office proclaiming its al-

legiance to revered and ancient principles of equality how little is done in the way of examples and how much is done in the way of coercion.

The civil rights problems of our society cannot be resolved by a lethargic citizenry content with paying taxes and asking to be left alone by public institutions. Nor can we solve our pressing problems by pretending that injustice and oppression do not exist. As we move into the future, those who claim to represent the principles for which our nation stands should begin to embody the justice for which we are striving by their sacrificial examples. We have had quite enough words. We need some actions. ♦

Vine Deloria, Jr. is author of Custer Died For Your Sins; We Talk, You Listen and God is Red.

CIVIL RIGHTS IN THE THIRD WAVE

by Alvin Toffler

Does the fast-arriving future point toward intensified racial and religious violence in our communities? Must today's brutal economic dislocations, which affect some groups more painfully than others, trigger social upheavals on the scale of the 1930s or the 1960s? Are we entering a new age of fanaticism? Such questions gnaw at the consciousness of millions as we read each day's headlines.

In thinking about future relationships among minorities, it helps to ask a critical question at the very start: Are we all becoming more uniform, more standardized, more alike? Or are we becoming more diverse, individualized, more unlike one another?

For at least a century, convention has held that, under the onslaught of technology and other "modernizing" forces, we are losing our differences. If this is still true, then the future of minority and intergroup relationships will look one way. If, however, we are becoming more heterogeneous, the future will look very different.

Here I must immediately declare my own bias. I strongly believe that the great age of massification—the industrial era—has come to a screeching halt. This means that, instead of growing more alike, we are rapidly diversifying. And if I am right, it follows that all our accustomed ways of thinking

about minorities and rights will have to be reconsidered.

The Historical Steamroller

The industrial revolution, which began about 300 years ago, tended to steam-roller out the differences among people. Local and regional differences in speech, culture, politics, and life style gave way before the standardizing impact of mass production, mass consumption, mass education, mass communications, mass entertainment and mass movements. The mass society needed workers who were willing to resign themselves to rote and repetitive toil, who accepted orders from the top down, who showed up on time, who were semi-educated, who were willing to defer gratification, who thought alike and conformed to the rules of the system.

In the Third Wave society our usual way of thinking about minorities and rights will have to be reconsidered.

Vast rural populations were uprooted and seduced—or driven—into the cities, where they learned the new industrial way of life and became part of the mass society.

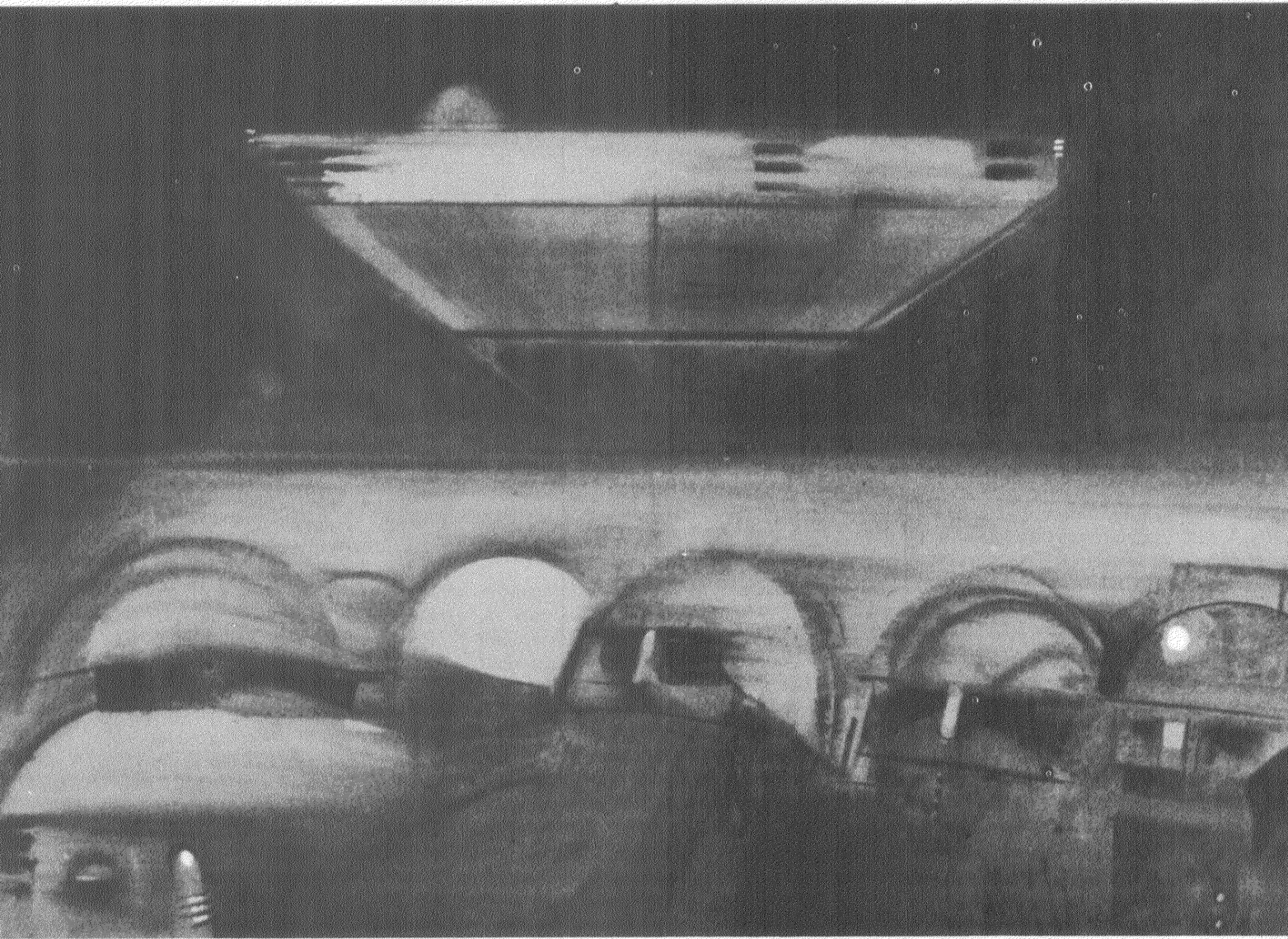
In such a system, the emphasis was

on the suppression of ethnic, religious and other differences. "National unity" was supposed to supplant local or regional loyalties. Political institutions were theoretically founded on majority rule. Minorities were suspect, if not persecuted. This tremendous, almost gravitational, pressure toward uniformity was (and still is) present in all industrializing societies, although it took different forms in each.

Early industrialization in Europe was marked by chronic labor surpluses—massive unemployment and misery. In the U.S., by contrast, the frontier drained populations away from the sweatshops and urban centers of the Northeast, leaving employers faced with frequent labor shortages. Wages, therefore, tended to be higher in the U.S. than elsewhere. This, in turn, encouraged employers to substitute machinery for labor, and the rate of technological innovation in the U.S. accelerated. High wage costs also led industry to substitute cheap energy for human labor—and even today the U.S. still uses more units of energy per units of output than many European countries.

Nevertheless, employers still needed cheap labor, and the response of the political system were laws that encouraged mass immigration. Lured by tales about "the gold-paved streets in America," driven by hunger and repression, millions of poor people from all over flooded across the Atlantic and Pacific. But these workers spoke different lan-

Alvin Toffler is author of Future Shock and The Third Wave.



guages. They ate different foods. They took days off on different ethnic or national holidays. They dressed "funny." They spoke "funny." They had unpronounceable names. They held different values and maintained different lifestyles. They were colorful, varied, idiosyncratic people.

Moreover, most came from peasant backgrounds that ill-prepared them for an urban industrial existence that required predictable behavior, synchronized effort, smooth coordination. In short, they were not uniform—and, as such, they were not yet an efficient factory work force. They had not become "the masses" required by the mass society.

The response to this was a vast educational and cultural campaign to filter out the differences—to homogenize them, to "Americanize the foreign born," to assimilate them into "the American Way of Life," to fuse them in the "melting pot." Note the words. They do not speak of diversity—of many acceptable ways of life. They speak only of "the" American way, as though there were but one socially acceptable life-style. And throughout nearly a century, assimilation into this way of life was the goal of the immigrant populations.

Blacks, of course, faced a special problem in the U.S. Unlike other immigrants, they had come against their will, and they came before the industrial era began, manacled in the verminous holds of slave ships, sold at the auction block, kept ignorant, and later, after the Civil War and Reconstruction, terrorized by the KKK and segregated by force. Despite this history, they, too, struggled not to destroy the system, but to enter it—to become "integrated." Apart from a few "Back to Africa" groups like the Garveyites, blacks, too, tried desperately to "fit in." Many straightened their hair, even whitened their skins to reduce

their differences from the mass of white Americans.

One can theorize as to why, in societies going through this process of "massification," some groups were singled out for discrimination and persecution, despite their earnest efforts to become part of the system. Competition for limited economic opportunities and ingrained racism no doubt play a part. Nevertheless, the basic thrust of the entire industrial system was toward "massification."

The De-Massified Society

Today the high technology societies have changed direction. We are not racing toward further homogeneity, but toward vastly increased diversity. We are rapidly de-massifying the mass society. It is impossible in the space allotted here to present all the evidence, but if we systematically examine the emerging America, we find a simultaneous shift toward heterogeneity occurring at many levels.

We are not racing toward further homogeneity, but toward vastly increased diversity.

Production: Mass manufacturing industries are in trouble. In the new industries—electronics, computers, information, for example—we see the application of numerical controls and computers that permit product customization. Instead of millions of identical objects, we produce 58 of this model and 400 of those, followed by 17 of another. We are moving toward de-massified production.

Work force: This is accompanied by a corresponding rise of diversity in the skills required by the labor force, itself. Instead of millions of blue collar

workers doing routine, interchangeable jobs, the new society requires greater specialization of skills, an even more refined division of labor, with constantly changing skill patterns.

The old-style worker was rewarded for mindless obedience and routine; the new-style worker in the advanced industries is expected to be resourceful, questioning, and individualized. She or he is expected to be adaptive, to function in a less hierarchical, less neatly structured environment. Whether seen in dress codes, in flextime, in cafeteria-style fringe benefits, the emerging industries permit a higher degree of individuality and social diversity than the old.

Communication: This shift is encouraged by the restructuring of the media. Instead of a few big networks, we are moving toward 100-plus channel television, toward cable, cassette and other forms of electronic communication. Different religious groups, both Protestant and Catholic, have or will have their own satellite-based networks. The Black Entertainment Network, the Spanish-language Galavision network, and many others point to a new communications system for the country in which minorities have their own media.

Ethnicity: As de-massification occurs, demands for integration give way, at first, to demands for Black Power (Italian Power, Jewish Power, Polish Power, etc.) and later to a search for "roots," as different groups reevaluate their past and reconsider the assimilationism of the earlier period. Instead of rejecting racial, religious or national origins, we begin to take pride in our differences.

Family: The same move toward diversity is evident in family life. The nuclear family—mainstay of the mass society—is now, in fact, a minority form, rather than the standard for the whole society. Many types of family



are springing up and gaining social approval, from two-career couples and childless couples, to remarried "aggregate" families and single parent households. There is no norm any longer.

Such moves to a higher level of differentiation in family life, the media and the economy are matched by diversification of our energy technologies, by greater market segmentation in the consumer market place, and by rising evidence of regional diversity—regional magazines, regional art, regional cuisines are all on the upswing.

Politics: We are seeing the break-up of consensus, the fading of allegiance to the mass parties, the increase of independent voters and stay-at-homes, the rise of single-issue groups, the increasing emphasis on localism and grassroots activism. In a political system that is rapidly differentiating, it becomes harder and harder for any group to mobilize mass support—even within minority communities. The Black community, the Latino or Hispanic community, the Oriental community, the Gay community, the Feminist community—all communities are, in fact, increasingly breaking up into smaller and smaller sub-groupings. Even when mass support can be organized around an issue, it seldom lasts. The pace of change is so rapid, the flux so intense, that old alliances break up and re-form along new lines at high speed.

Put all these—and many other tendencies—together and we begin to glimpse a new kind of social order—no longer a mass society, but a high-change, high-diversity, de-massified civilization.

The startling new political fact is that it is now extraordinarily difficult to organize a majority. Short of war and few other issues, it is hard to unite nations behind any policy. Elections, because of the way they are structured, sometimes give the illusion

of majority control. But even where a majority is forced into being by the voting rules, it usually dissolves the morning after the election. In this society, everyone is a member of a minority group. Even the Moral Majority is in no sense a majority. It is, in fact, just one more deeply alienated minority group in our society, frightened by the collapse of a traditional industrial society and the emergence of a bewildering diversity of values and lifestyles.

Tomorrow's Civil Rights

The agricultural revolution of 10,000 years ago launched the first great wave of change on the planet; the industrial revolution triggered the second. The de-massification process occurring today is part of the Third Wave of global change.

The worldwide transformation is marked by the decline of "Second Wave" industries like auto, textile, or steel, and the rise of "Third Wave" industries based on information, the biological revolution, space, ocean and environmental technologies, new forms of agriculture and new services. It involves the transfer of certain jobs out of the office and into homes equipped with personal computers, cheap video equipment and the like—the spread of electronic cottage industry. Also important is the rise of "prosuming"—self-help and do-it-yourself activities.

For those concerned with civil rights, this massive economic restructuring presents enormous problems. The emerging industries need highly skilled workers. But because of the heritage of discrimination, and for other reasons, job skills are not evenly distributed in society. Thus blacks, Hispanics, and other minorities are least prepared to take advantage of the new opportunities. Most non-whites are employed in declining Second Wave occupations, rather than the Third Wave

growth sectors.

In addition, millions of chronically unemployed and underemployed members of minority groups have never cut loose from their First Wave, rural origins. They have never successfully become part of the urban industrial culture. Yet we already face the need to adapt to something dramatically different from both.

Social upheaval, even violence, are probable, unless we take steps to help prepare both groups for the changed conditions of tomorrow. Equality of opportunity is meaningless in the absence of widespread training and retraining facilities. The emerging Third Wave society involves more than jobs, however. A variety of new cultures are evolving, with new life-styles, values, and beliefs. Those who still do not adapt will be excluded. For others, the arrival of the future holds unusual opportunities.

The civil rights struggle to provide quality education must be completely reconceptualized as education itself.

For example, as certain white collar jobs move into the home, new opportunities open up for handicapped workers, for the elderly and especially for women. The traditional labor union response to work-at-home schemes is flat opposition on grounds that it makes possible various sweat-shop arrangements. Surely, we need to protect ourselves against that. Yet the electronic cottage will also open entirely novel—and liberating—options for individuals, and even for whole families.

The same holds true for education. Today, we think of education as something that occurs in classrooms, and

much of the history of the civil rights movement has revolved around our schools. Yet today large numbers of youngsters are getting an important education in computer stores and in their own kitchens. What happens in school is secondary. As home computers proliferate, kids who know how to use them will have an edge over those who don't, and this means that, unless conscious steps are taken, white middle class children will start out, once more, with an edge that the less affluent lack.

An important sign of the times is a bill introduced by Rep. Newt Gingrich, R-Ga., that would offer tax credits to any family that buys a home computer to use for work or education. Says Gingrich, "I want every American to have access to the same opportunities that computers provide for General Electric and AT&T. That's why working Americans should have the same kind of tax breaks corporations get automatically." Gingrich's "Family Opportunity Act" is an innovative, significant step in the right direction. A similar initiative is Apple Computer's proposal to put an Apple in every American school, provided certain legislation were passed.

Do all Americans have a right to literacy? If so, that right must now be expanded to include computer literacy and media literacy. The civil rights struggle to provide quality education must be as completely reconceptualized as education, itself.

What about other issues arising from use of the computer? Do civil rights include the right to privacy? And if so, how do we resolve the conflict between this and the society's need for certain information?

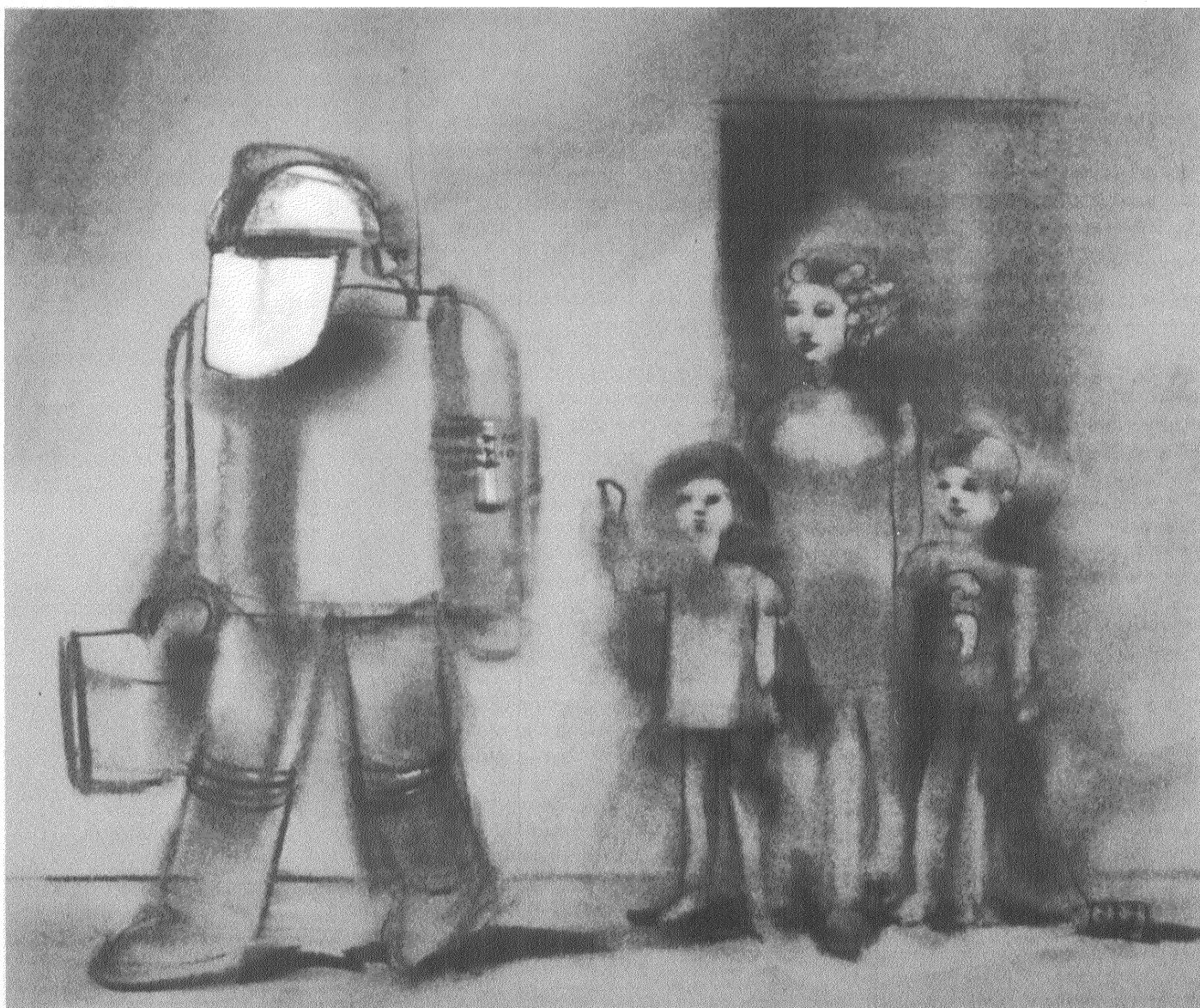
Information will be at the very heart of tomorrow's politics. Access to information may mean the difference between becoming part of the shared culture and being excluded from it. To-

day, for example, we are witnessing a rapid spread of cable television and Pay-TV. Everyone who favors diversity in our society should applaud this development. The spread of interactive TV, direct broadcast satellite, cassette and other new media also have the potential for expanding minority power in the society. But if the only homes

cabled up are affluent middle class homes, and the only homes with VTRs and computers in them are those of the affluent, we will deprive millions of a most fundamental right: access to the culture itself. The new importance of information in all its forms—symbolic, visual, alphanumeric, microform, etc.—will make the issues of ac-

cess central to civil rights in the future.

What about sexism? In societies that depended on muscle-power—whether in the field or the factory—women were often at a physical disadvantage. I do not know whether this explains the emergence of patriarchy and male domination. I don't think anyone



knows. But, as we move into a society in which muscle matters less than mind, and in which work is increasingly part-time, in which many prosume—i.e. produce goods and services for their own use, rather than for sale—the entire relationship of women to production is altered, and along with it the basic roles of men and women.

While the women's movement has fought for equal pay and equal access to jobs, it has also recognized that homemaking, itself, is a form of productive labor (even if Second Wave economists ignored it). And if so,

As "prosuming" becomes more common, our gender roles are likely to change.

shouldn't certain rights attach to the status of housewife (and, for that matter, househusband)? As prosuming becomes a central part of the Third Wave economy of tomorrow, and the role of the home itself changes, our gender roles are likely to change and the rights attached to them reformulated.

What are the rights attached to motherhood, for example, in a society in which cloning and birth technologies redefine motherhood itself? If an embryo is transplanted from a mother who conceived it to a mother who bears it in her womb and then gives birth, who is the mother? Other issues will emerge—out of brain research, genetics, transplant technology, and other new fields. Indeed, how will we define human rights in an age when the very definition of human may undergo revision?

I raise such questions not because I have the answers to them, but merely to underscore the fact that the civil

rights movement, like all other social movements, is now entering a new stage—a Third Wave era. Second Wave solutions and strategies cannot suffice.

Finally, the move to a Third Wave civilization based on high diversity will require basic changes in our increasingly obsolete political institutions. Today's political systems—in all Second Wave countries—are overloaded. They were designed for low-diversity societies, for an agricultural or early industrial age, not a world of computers, instant communications, smart bombs, and ever-accelerating complexity. Some people wish to suppress the new social diversity. Some are fanatics who would like to re-impose a Second Wave uniformity on us, so that the old Second Wave political institutions could work once more. But this retreat into the past is impossible.

Rather, we are going to have to restructure our political and legal institutions to accommodate the new, higher levels of social diversity. We shall need to invent new local, national and even international arrangements for managing conflict, for resolving disputes, for turning zero-sum conditions into non-zero sum cooperative arrangements. The more diverse we become, the more de-massified the society, the more individuality is possible. But for this new civilization to flower it will require a commitment to diversity—the toleration, even the encouragement, of diversity, instead of an attempt to re-create the monolithic character of yesterday's mass society.

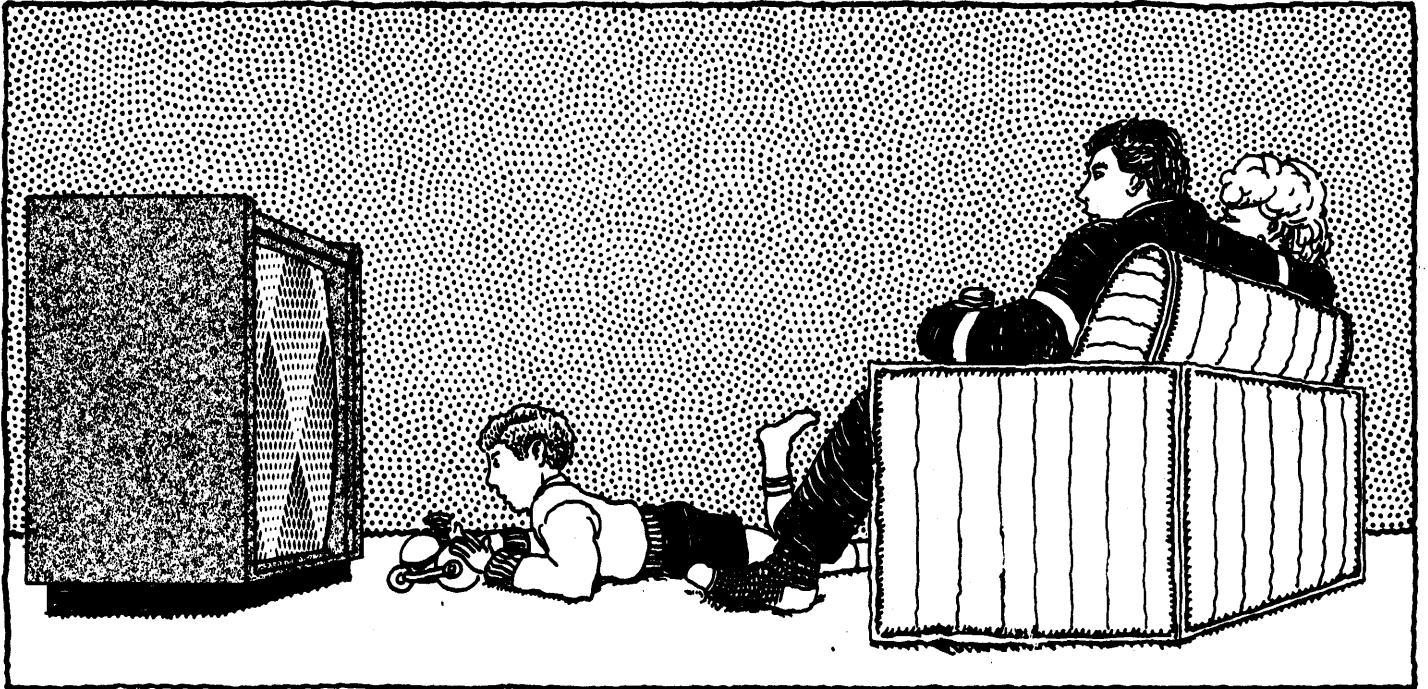
Those committed to the expansion of civil rights must begin thinking now about the new political institutions of tomorrow—an expanded democracy designed for a Third Wave world. ♦

The Media

TV AND CIVIL RIGHTS

The Medium Still Is The Message

by John J. O'Connor



A month or so ago, a Shirley MacLaine entertainment special on a national network featured a segment in which the white star, Miss MacLaine, warmly embraced and kissed her black guest, Gregory Hines, after they finished a musical sketch together. It was an ordinary passing moment on the generally innocuous schedule of the three commercial networks. But anybody with a not terribly long memory might have thought of a time, little more than a decade ago, when the mere gesture of a white Petula Clark linking up arms with a black Harry Belafonte on another entertainment special triggered cries of racist outrage to TV stations around the country.

While the civil rights movement has had an impact on television, in the early days of the struggle, it was the infant

medium that moved national opinion to the side of the civil rights demonstrators. Television had an effect on the civil rights movement in two ways. Ordinary coverage dramatically brought to electronic light, directly into the nation's living rooms, the problems faced daily by most black citizens. At the same time, the very presence of television crews at various "hot spots," such as Little Rock in the 1950s, influenced the course of events.

The 1968 Kerner Commission's "Report of the National Advisory Commission on Civil Disorders" correctly noted that, in order to bring themselves to widespread attention, those on the periphery of our society were forced to stage events: "They must typically assemble themselves in an inappropriate place at an inappropriate time in order to be deemed 'newsworthy'." The problem, of course, was that issues tended to get lost in the drama of the protest.

But, in fact, protests were the primary

vehicle for bringing what Ralph Ellison had called "the invisible man" to center stage in the scenario of the civil rights movement. There was the sudden emergence of "creative disorder," a term earlier coined by James Weldon Johnson. The sit-in was invented in February of 1960. The country began to hear about Martin Luther King and his Gandhian nonviolence, about the Southern Christian Leadership Conference and the Student Nonviolent Coordinating Committee. Hardly a week went by without a wade-in at some beach, a read-in at some library, a kneel-in at some church. These were not race riots. They were the legitimate protests of American citizens demanding their legal rights. The pictures were perfect for television, supplying in full the drama of emotional confrontations.

A peak of sorts was realized in 1963, in Birmingham, when Eugene "Bull" Connor, the police chief, unleashed police dogs and opened up fire hoses on

John J. O'Connor is the New York Times' television/radio critic.

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crowds of youthful demonstrators. When the world saw the famous shot of a dog leaping at the throat of a black school-boy, the demonstrators had made their point vividly. The battle was over, at least as far as the obnoxious extremes of racial prejudice were concerned.

Reuben Frank, now president of CBS News, recalls that he assigned John Chancellor to cover the 1957 Little Rock story and that the tour of duty lasted eleven weeks. Frank believes that the presence of television "limited the excesses." The same effect could be found, he says, at the 1960 and 1964 political conventions in regard to the seating of certain Southern delegations.

Frank stresses that, as far as he was concerned, the coverage was not done out of some sense of responsibility to a "cause." He was merely being a chronicler of his times. There were objections from certain quarters, he says, noting that NBC was sometimes referred to as the "Nigger Broadcasting Company." But there was a job to do, and television was doing it.

The news executive concedes that the story was most interesting while it was political. Pictures of a sit-in or a Klan rally, with some of its more abusive language bleeped out, gave themselves easily to TV coverage. The problems now are subtler, Frank observes. It is infinitely more difficult to cover, for example, joblessness among teenage blacks.

Our personal memory banks are stuffed with subsequent memorable images beamed to us electronically, from the massive 1963 March on Washington to the assassinations of the Kennedys and Dr. King. Certainly, the black man and woman were no longer invisible on the home screen. In the preface to his autobiography "Black Is the Color of My Television," Gil Noble, a member of the

news staff at New York's WABC-TV, is blunt: "My presence in television is the direct result of the black struggle. But for the social upheaval of the 50s and 60s in America, I believe that I would not now be working in television as a news correspondent, weekend anchorman, producer and host of a weekly one-hour program ('Like It Is')."

The first problem for women and minorities is to get on television; the second is to have some control over how they're depicted.

Times have changed, obviously—not as much as the most determined optimists might insist, but enough to realize that the civil rights struggles that began in the late 1950s were effective on certain key fronts and, more important, that they must continue. Nobody has to be told that television is an enormously powerful medium, bringing the nation not only the news which is deemed to be important by a relative handful of executives, but also the attitudes and values that are embedded, implicitly and explicitly, in everything from a situation comedy to a commercial pushing a product that perhaps most of the population cannot afford.

The first problem for women and minorities is to get on television. The second is to have some control over how they are depicted. The women's liberation movement has been active in consciousness-raising in the land of television. They have perhaps been the most successful of all groups, and for a very practical reason. Women watch television more than men, and they are

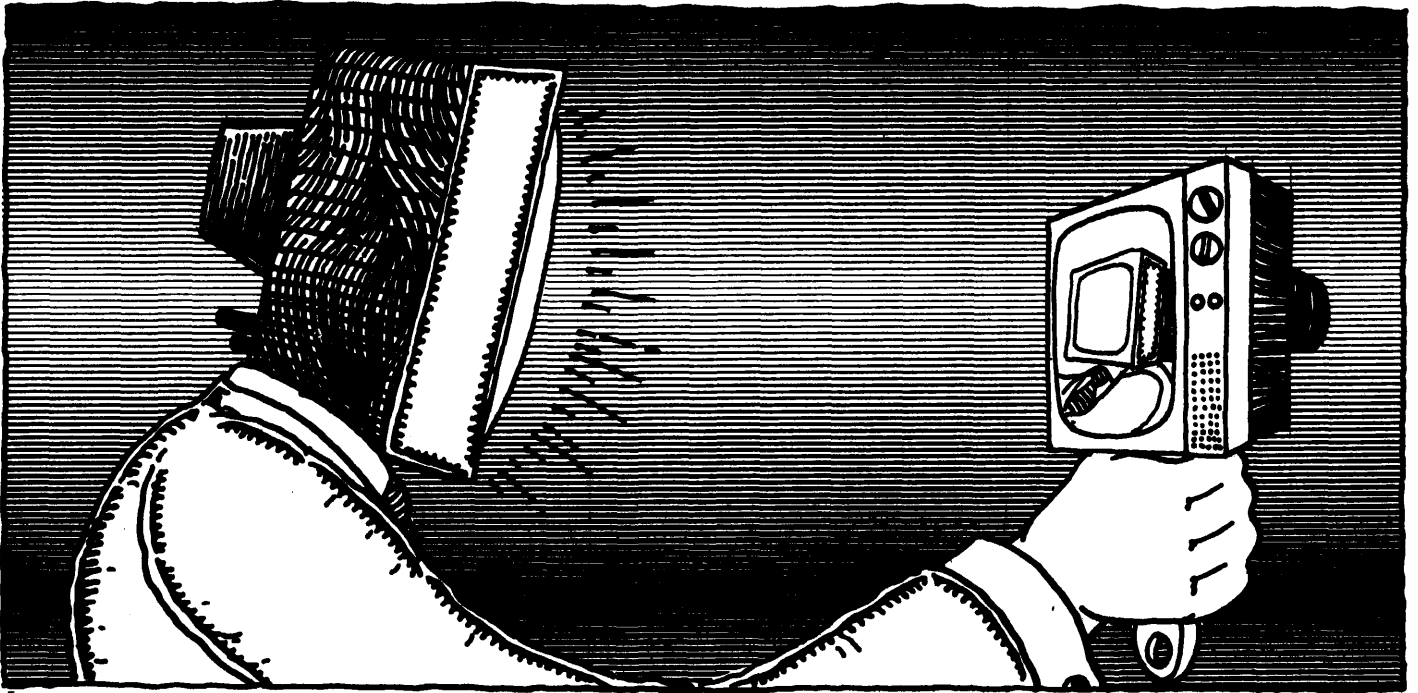
especially crucial to the money-making daytime schedule of soap operas and such. They automatically will be listened to carefully, the prime-time schedule is therefore now crammed with all sorts of heroines exhibiting various aspects of their new-found independence.

The picture is considerably more muddied when it shifts to racial and ethnic minorities. The Kerner Commission came to the conclusion that the news media, and especially television, failed to communicate adequately "on race relations and ghetto problems." Growing out of the Watts riots that shook the nation and indeed the world, the report found that blacks were underrepresented on television and, more significantly, they were presented as whites saw them, not as they saw themselves. That aspect of things has not changed dramatically since 1968.

For one thing, in the cyclical nature of things, the action of the protests inevitably produced a reaction of fatigue. Coverage of the black struggles began to be resented by white audiences, especially those who felt social and economic existences were becoming increasingly precarious. For another, while blacks were more visible, they were not necessarily more powerful in terms of administrative decisions. The situation was noted as far back as 1974 by Sheila Smith Hobson in *Freedomways* magazine: "Simply put, the question is not can whites report the black experience accurately and objectively, but why are not blacks allowed to report their own experiences accurately and objectively in the first person singular and plural."

But blacks will never be in this position, in a broad sense, until blacks are in executive positions to assure that it will happen. Again returning to the 1968 Kerner Commission report, it was pointedly

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noted that a mass medium dominated by whites will ultimately fail in its attempts to communicate with an audience that includes blacks. Until things change appreciably—and they still haven't—television news will continue to pay attention to blacks primarily in terms of their "plight."

Equally important as the inclusion of blacks in the daily news reports are the images of blacks being conveyed in the entertainment sectors of television. Here also, the record is spotty despite the often incredible facts. Two of the most popular and award-winning programs ever presented on television concerned black people: *The Autobiography of Miss Jane Pittman* and the series *Roots*. Sure, most reasonable observers may have thought, these productions must have demonstrated that most Americans are ready to accept serious treatments

of the black experience. Yet, these kinds of productions remain the sporadic exceptions on the prime-time schedule.

The black presence on popular television is still largely limited to the situation comedy. Some observers object to this, asking if blacks are only available as objects of ridicule. More than one black, however, has conceded that "it hurts but it is preferable to exclusion." I would go a bit further, arguing that the presence of blacks on sit-coms has contributed importantly to the new visibility. True, they may have won nothing more than the right to be as silly in public as the whites who inhabit sit-coms. But, in the process, they become part of the curious pantheon of lovable popular characters. On balance, I believe, it is good that Mr. Jefferson is around to balance Archie Bunker. If nothing else, a lot of black performers are getting new career op-

portunities, and television has put an end to the Amos 'n' Andy days when white performers could reap fame and fortune for impersonating blacks.

If the overall television picture for blacks remains decidedly mixed, it is no less so for Hispanics, Native Americans and other minorities. Mexican Americans have moved forward a bit with two drama productions on the recent American Playhouse season on public television. Both *Sequin* and *The Ballad of Gregorio Cortez* dipped into American history at angles not likely to be found in most standard history books. Viewers, for a change, were provoked instead of being lulled. It can be done. But only if the pressures for change continue, and perhaps even intensify, in the face of occasional apathy. ♦

Speaking Out

Civil Rights: Is the Dream Fading?



John E. Jacob
President
National Urban League, Inc.

In the 25 years commemorated by this issue of *PERSPECTIVES* the United States has gone through phenomenal change. For black Americans, it has been a period comparable only to post-Civil War Reconstruction.

It seems incredible today that in 1957 separate drinking fountains were normal below the Mason-Dixon line; that black people were denied the vote, that racial apartheid was embedded in local law and custom.

The tides of change swept that shameful situation aside, and today we have black sheriffs in counties where lynching was a local sport and black executives in the corporate inner sanctums where the only blacks seen in 1957 were on the night cleaning crew.

So despite the beleaguered state in which we find ourselves today, we can look back on those 25 years as years of change and progress that radically and irreversibly redefined the rights of black Americans. The old-line segs and the new-style neo-conservatives may try to freeze the clock of progress, but too much has happened to too many people

for too long for the clock to be turned back.

But given that reality, we must also acknowledge that progress stopped far short of including all blacks and minorities. Some of us were able to break through the barriers, but others remain trapped in poverty and deprivation.

Strides in voting rights and affirmative action have helped large numbers of people win some share of political power and some of the economic fruits of our society. But while it is heartening to see black people in the mayor's seats of major cities and small hamlets, it is outrageous that half of black people are still mired in the depths of poverty and hardship.

Because full equality of opportunity is still far from being reached, the frozen nature of civil rights progress is disturbing. It is puzzling to many Americans that back in 1957 a President who never once spoke out in favor of desegregating the schools sent soldiers to enforce desegregation at the point of bayonets, while in 1982 a President pays a humane visit to the victims of Klan cross-burners but also helps the notorious segregation academies get tax-exemptions.

Americans have matured greatly in the intervening years, as the cry of public outrage following the Administration's announcement illustrates. But recent years have seen increased resistance to elementary civil rights proposals.

Affirmative action, for example, has been twisted and distorted out of all recognition by its opponents, who now include the Federal department (Justice) responsible for protecting the constitutional rights of minorities.

Virtually all civil rights actions of the past have been subjected to neglect and to pressures to dilute their effect; hous-

ing discrimination is still rampant absent amendments enforcing the law, affirmative action programs are dormant absent strong enforcement measures, school desegregation is still far from a reality in many parts of the country. The list could be extended indefinitely, and on most issues the nation's leaders have endorsed the freeze on civil rights and supported some efforts to roll back past gains.

The future hinges on the nation preserving its commitment to civil rights and constitutional guarantees, and on our willingness to extend fairness and justice to the economic arena, as well. Civil rights do not exist in a vacuum but must be linked to measures that feed hungry children and to affirmative action steps that train and employ the jobless.

Now, in the midst of a crushing economic Depression for black people, we must push for changes that make equal opportunity a reality—the right to a job, to education and training, to basic survival programs.

* * * *



Eleanor Smeal
National President
National Organization for Women

Although full constitutional rights for

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To help us mark the 25th Anniversary of the U.S. Commission on Civil Rights, Perspectives has invited the leaders of major national civil rights organizations to give their views on the state of civil rights today and the priorities they consider most important.

women were denied on June 30, 1982, the fight for equality will continue, stronger than ever, until justice is ours.

The realities of the 1980's mandate that the civil rights agenda continue to emphasize the economic issues. A majority of women are employed today because they have no other choice.

For the average woman, holding a paid job means being at the bottom end of the pay scale with little or no chance for advancement. Thus, in 1982, women still made only about 60 cents for every dollar paid to men.

Solutions for curbing the wage gap include continuing the effort toward integrating the workforce and pushing aggressively for the expansion of the concept of equal pay for work of comparable value. The road to equality, case by case, statute by statute, will be a slow one. Current equal employment laws are inadequate and enforcement is weak, at best. For women, the laws cannot properly be enforced due to varying judicial and statutory standards of the courts.

As we continue to push for equal access to jobs, efforts must intensify to stop unemployment and layoff practices which ignore affirmative action goals. Women and minorities cannot fall victim to practices of the last hired, first fired. The patterns of discrimination in the workplace must change regardless of the political climate or the whim of the court system.

As a civil rights community, we must also recognize that the needs of the modern workplace are changing. Manufacturing and industrial jobs are declining, while communications, computer and professional service fields are expanding. But our educational system continues to stereotype females by steering them into traditional occupations such as clericals, cosmetology and

home economics. Without adequate training in math, science and technology, the next generation will have no choice but to be channelled into the bottom end of the job ladder. Without access to vocational education and apprenticeship training programs leading to higher paying jobs, the wage gap will continue. In 1981, on the average, men who dropped out of high school made more than females with college degrees. The next generation deserves better.

Attention must now also focus on the "feminization" of poverty—Eleanor Smeal

Immediate attention must also focus on the phenomenon that is being referred to as "the feminization of poverty." Recent data on poverty in America is staggering. In 1979, 12 percent of all Americans were below the poverty line, nine percent of white families and 31 percent of black families. Only seven percent of the male-headed households were so impoverished, while 32 percent of their female counterparts were living below the poverty line.

Budget cutbacks by the Reagan administration hit women with special force. Aid to Families with Dependent Children, food stamp programs, health care for poor women and children, job training programs—all have been dramatically cut or eliminated. And these budget cuts have the greatest impact on those least able to afford it. Minority women, especially, are bearing the burden of double discrimination, and the data continue to reflect the reality of the 1980's in wages, benefits and educa-

tional attainment.

Of all the categories of Americans, elderly women are being hit the hardest. Social Security is a sex-biased system that has condemned millions of women to lives of poverty in their later years. A majority of women over 65 who have been fulltime homemakers and are now alone face a daily struggle for survival. In 1980, the average income for women over 65 was \$4,226 compared to \$7,342 for men. Today, women in their retirement years are shortchanged by a system that has failed to meet their changing needs and guarantee them economic justice.

Although the 60-year fight for the current Equal Rights Amendment has stalled, we learned many hard lessons which have fueled the drive for equal rights. As the second wave of American feminists, we are tired of begging for our rights. Goals of fair treatment under the law and a common concern for the disadvantaged in our society are not really on the political agenda of this administration or of those holding power in the world of business. Women and minorities are not directly represented in numbers or in power where it counts.

On the political side, we need to work to change the makeup of legislative bodies to more truly represent the needs of the diversity within our country. On the economic front, we must move to take the profit motive out of discrimination.

If the corporation won't take seriously their responsibilities to equal employment and if the courts won't enforce existing laws, we must take our case directly to the people. Support for equal rights has never been higher in public opinion. Consumer boycotts and selective buying campaigns are now viable options under the First Amendment. And we intend to make our voices heard in

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the board rooms, the court rooms and in the halls of power.

A women's voting bloc has emerged for the first time since suffrage. Politicians cannot ignore the fact that women, blacks and other minorities, the elderly and other similar disadvantaged groups are voting differently than affluent white men. We believe the economic issues are in the minds of women when they turn thumbs down on reactionary politicians. As the economy worsens and women continue to fall victim disproportionately to the recessionary times, the gender gap will widen.

Our challenge for the future will be to mobilize the growing force of those Americans who recognize the unfair and unjust practices of a society built on discrimination rather than one which uses a foundation of full and equal access to jobs, education, health care, housing and the ability to participate in decisions affecting our lives. The agenda for the civil rights community is a clear one. We must be ready to meet the challenge.

* * * *



John E. Echohawk
Executive Director
Native American Rights Fund

Twenty-five years ago, when the U-

nited States Commission on Civil Rights was established, America was embarking on a historic course to end racial discrimination in this country. At the same time, however, American Indians were enduring one of the worst periods in our history—the termination era. Misguided congressional paternalism during that period led to a policy of terminating the tribal status of over 100 tribes, resulting in the destruction of their tribal governments and the loss of their lands.

Ironically, it was the principle of equality, upon which the Commission was based, that was used by Congress at that time to justify the tribal termination policy. Such a justification, however, ignored the most basic civil right of Native Americans—the right to continue to exist as separate political units, or sovereign tribal governments, as recognized by the United States through the treaty process. This most basic right of Indian people to maintain a political relationship with the United States receives the highest Indian priority and distinguishes them from other minority groups in this country.

This is not to say that traditional civil rights issues are of no concern to Native Americans, but only that they are secondary to the primary concern of preserving tribal existence. On the contrary, Indians face discrimination in voting, education, employment, housing, social services and other problem areas, and have benefited from the vigilance of the Commission on these issues. Indeed, the Indian rights movement for tribal sovereignty and self-determination grew out of the activism of the civil rights movement and has been helped with important political support from other minority groups.

There has been significant progress in realizing Indian rights in the past 25

years. The termination policy of the 1950's has been rejected in favor of a policy of Indian self-determination for this country's 1.4 million Native Americans and recognition of treaty rights and the government-to-government relationship that exists between the Federal government and over 270 tribes. Legal strategies asserting Indian treaty rights have generally been successful in establishing tribal governmental authority over reservation lands and Indian ownership and control over Indian land, water rights, and hunting and fishing rights. Indian control of education has been improved and Indian religious freedom has been advanced. This success in the courts and the Congress has not gone unchallenged, however.

For Native Americans, the basic civil right is to exist as sovereign tribal governments—John E. Echohawk

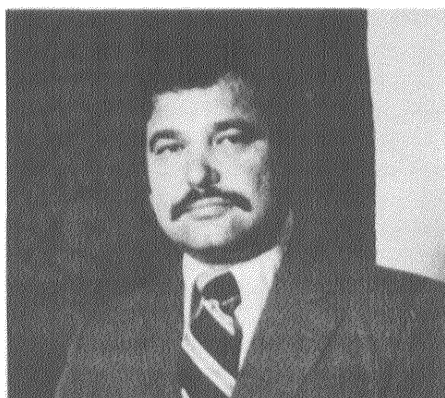
Non-Indians affected or threatened by Indian rights or claims have periodically mounted counter-offensives in Congress to undo Indian court victories and break America's remaining treaty promises to Native Americans. This "backlash" was the subject of an excellent report done by the Commission in June 1981 entitled *Indian Tribes: A Continuing Quest for Survival*. Such threats still continue and are a major concern of Indian people.

A new concern is whether today's economic conditions and the new federalism will erode the gains of the past quarter century. Indian history, however, is a tradition of political and cultural sur-

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vival. Native Americans will continue to rely on their inherent rights as indigenous peoples and the fundamental fairness of the American people to meet any new challenge.

* * * *



Raul Yzaguirre
President
National Council of La Raza

Twenty-five years of intensive civil rights activism led to some of the most far-reaching changes in Federal and state legislation that this country has ever witnessed. From employment to education, from legal services to women's rights, it was made clear that the Federal government believed in and would staunchly defend the civil rights of each of its citizens.

As a participant in that struggle, I feel a sense of personal anguish at steps being taken to erode those hard-won rights. Many of us believed that, as imperfect as the remedies were, the basic legislative framework and, more importantly, the national consensus for giving real meaning and life to our constitutional rights and national ideals, were firmly and irrevocably in place. That assumption is no longer valid.

Granted, there was and still is a long way to go to reach the reality of equal justice (the ERA is just one example), but the message to the people and to the individual states was clear: the citizens of the United States are entitled to protection from *any* impingement on their individual rights to life, liberty, and the pursuit of happiness. In essence, a complicated legal process of defining and clarifying the guarantees of the U.S. Constitution began in earnest, and it was readily acknowledged that the process would not—indeed could not—be completed in our own generation, or in our children's—perhaps not even in our grandchildren's. The process of checks and balances, of compromise, of due process and legal precedent, takes time. But at least the process was started, and going on quite well, so we all thought.

The work of civil rights activists must be to hold steady to those gains already made...—Raul Yzaguirre

Perhaps that is a basic problem—the fact that the process, once begun, gave us hope and trust in the future. When hope and trust replace anger and despair, complacency can result. Lately, I have heard people talk, often with nostalgia, about the civil rights movement of the 1950s and 1960s as though the hard work of the movement was already done and that all that remained was cleaning up the corners of discrimination.

How wrong we all were. Almost overnight, in the time it took for one family to move out of the White House and another to move in, everything has

changed and the very existence of some civil rights legislation is endangered by a Federal government whose primary concern is cutting taxes and increasing defense spending, not defending the rights of the individual.

For those who have been involved in civil rights activism for the past 25 years, it appears that everything has stopped abruptly in mid-movement, like a film stopped in mid-frame. Suddenly, priorities have changed. We used to talk about improvement, about filling the gap between the guarantees expounded in the Constitution and the actuality of discrimination. We used to say that the foundation for protecting basic civil rights is already in place in existing legal statutes; the question was how these rights could be enforced. The answer, we thought, was to strengthen the Federal government, which we as citizens believe is an entity designed to assure the compliance of the individual states to the will of the country as a whole. And for 25 years, the Federal government has strongly supported almost all basic civil rights.

Today, the Federal government can no longer be counted on to stand on the side of civil rights. This fact has been made obvious in many ways: attempts to dismantle the most important of the civil rights agencies; attempts to name persons to head these organizations whose commitment to the concept of affirmative action and equal opportunity is questionable, if not nonexistent; and a noticeable reluctance on the part of the Federal government to take a stand in legal discussions of civil rights issues.

What of the future of civil rights in this country? In my estimation, the most difficult work is just beginning. As long as the economy pits minorities against one another for meager employment oppor-

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tunities, as long as the country's leaders ignore the rights of individuals and concentrate on states' rights, a backlash will occur against those civil rights that appear to the uninformed, as well as the bigoted, to be "preferential treatment" for disenfranchised groups within the general population.

For now, the work of civil rights activists must be to hold steady to those gains already made, to fight hard for continuation of civil rights agencies, and to continue to defend the rights of the individual.

Unfortunately, the next 25 years may find us struggling just to regain the advantages that may well be lost in the next few years. But I am an optimist, as are most civil rights activists (or the cause would have been lost long ago), and I believe that the challenges ahead of us will strengthen our mettle for the next phase in the civil rights battle: recouping our losses and moving on towards a society that is truly committed to equality for all its members.

* * * *



Marion Wright Edelman
President
Children's Defense Fund

In Portrait of Inequality: Black and

White Children in America, the Children's Defense Fund pointed out in 1980 that "a black child still lacks a fair chance to live, learn, thrive, and contribute in America." A black child is more than three times as likely as a white child to be born into poverty, twice as likely to die during the first year of life, more than twice as likely to live in dilapidated housing or be on public assistance. Despite this appalling situation, we are now confronting a government that blames society's victims—including those black children—for society's ills, and is conducting an all-out assault on their civil rights.

Minority children in particular must be protected against discriminatory abuse —Marion Wright Edelman

That assault is coming on a variety of fronts. Much public attention has focused on attempts to weaken school desegregation, affirmative action and voting rights efforts. Less attention has been paid to the government's virtual cessation of enforcement of the less visible civil rights laws. The crucial statutes—such as Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Pub. L. 94-142, the Education for All Handicapped Children Act—theoretically remain in full force. The Federal government, however, has recently weakened regulations and enforcement efforts and undercut reporting requirements. The most recent changes in the roller coaster history of the civil rights effort subvert not only government enforcement but also voluntary compliance and

the belief of minorities in the integrity of the national government's efforts. Recently there has been a resurgence of bigotry and indifference to official discrimination, and the empty rhetoric of state and local "flexibility" has been substituted for the discredited concept of states' rights.

Even less attention is being paid to the setback that civil rights have suffered by the erosion of Federal standards in programs that have served minorities, women and the handicapped. Hundreds of laws that protect against the arbitrary or discriminatory administration of public benefit programs are being eliminated. Explicit Federal substantive standards—that programs be run statewide; that states give poor people a specified share of benefits; or that states objectively define eligibility and priorities of need—have been essential in entitling minorities, and particularly minority children, to a minimal share of governmental benefits. By repealing such requirements, or by converting mandated benefits for people into block grants to states, the Federal government is subjecting the subsistence benefits of minorities to the unregulated actions of state and local officials or private providers of health care and social services. While many such officials and providers are more sensitive to the needs of children and minorities than in the past, many others are not. A child's ability to obtain decent health care, nutritious food, a quality education and adequate housing should not have to depend on where he or she lives.

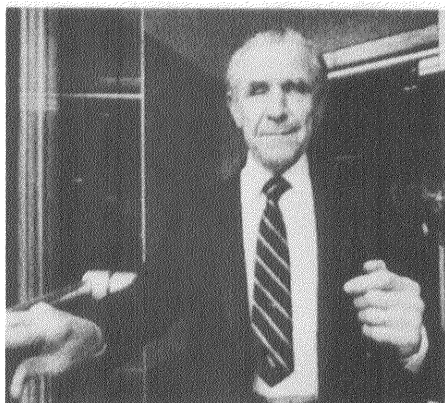
The domestic programs that have been most successfully attacked are, not surprisingly, those that disproportionately benefit minorities. Both dollars for and the substance of programs such as AFDC, Medicaid, food stamps, compen-

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satory education, and community health centers have been slashed. While the majority of beneficiaries of these programs are white, the programs disproportionately serve members of minority groups. Benefits that do not go disproportionately to minorities, from programs such as Medicare to the huge array of tax expenditures, suffered minimal cuts or saw large increases. In the Social Security program, black contributors, because their average life span is significantly shorter than that of whites, subsidize old age benefits for whites, but receive that subsidy back in the disability and survivors components of the programs. In 1981, old age benefits were left virtually untouched, while substantial reductions in the disability and survivors programs were being made. Overall, in 1981 and 1982 outlays for the principal means-tested programs are expected to be cut by 6.3 percent (21 percent after adjusting for inflation). At the same time the principal non-means tested entitlements would grow 22 percent (7 percent even after adjusting for inflation).

Resistance to this multi-faceted assault on minorities is increasing. But those of us who are committed to a decent America where all children and all adults have equal opportunity and are guaranteed the essentials of life have a difficult struggle ahead both to repair the damage of the last 18 months and to progress beyond the dismal balance that prevailed even before. That struggle must guarantee an active and stable Federal role in civil rights enforcement. It must also aim at maintaining the social programs, and the standards contained therein, that give minorities, and particularly minority children, protection against the discriminatory abuses that continue in all aspects of public and private life.

* * * *



Reese Robrahn
Executive Director
American Coalition of Citizens
with Disabilities

In the favorable climate of the aftermath of the civil rights upheaval culminating in the adoption of the Civil Rights Act of 1964, the first civil rights and affirmative action laws for disabled people also were passed by the Congress in Title V of the Rehabilitation Act of 1973.

The most important of these laws is Section 504 of that Act which prohibits discrimination on the basis of handicap in programs receiving Federal financial assistance. The 1978 amendments to the Act expand the application of Section 504 to all operations of Federal agencies. Equally important, in 1975 the Congress passed the Education of all Handicapped Children Act which established for the first time under Federal law the right of all handicapped children to equal opportunity in education under the states' public school programs.

The civil rights movement of black people was organized through dedication and sacrifice, and was successful in bringing about passage of Federal legislation designed to secure and protect their civil rights under the U.S. Constitu-

tion and the Bill of Rights. Unlike that movement, the existing disability rights laws were enacted before the emergence of an organized civil rights movement of disabled people. Failure to implement the laws, in particular Section 504, was the political reality that gave lasting impetus to the movement.

Disability groups on the national, state and local levels banded together to voice their issues and to advocate their right to first class citizenship. In 1974 the American Coalition of Citizens with Disabilities (ACCD) was founded and was conceived to be a nationwide cross-disability umbrella organization representing the interests and concerns of all disability groups. However, nearing the end of the first decade of its history, the movement lags far behind its potential as a viable force in the political arena. Political parties and the public generally regard the movement as weak and without resources, because disabled people as a group are chronically uneducated, unemployed or underemployed, poor, isolated and uninformed.

Onslaughts on the disabled will only strengthen the disability movement — Reese Robrahn

Some political leaders, therefore, regard the disability movement as an easy target. Their three-pronged attack of budget cuts and zero-funding, repeal or amendment of laws, and rescission or weakening of regulations, if successful, will destroy the hard-won gains toward equal opportunity for disabled children and adults made during the last decade.

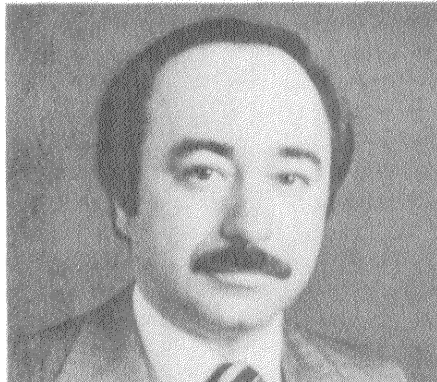
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Efforts to revise the existing guidelines for the development of Section 504 regulations and the draft revisions are so drastic that the resulting substantive changes are tantamount to amendment of the law by means of the Federal rule-making procedure. Efforts are underway to amend the Education of all Handicapped Children Act and revise its implementing regulations to the extent that the law will be rendered meaningless. The administration has placed holds on the processing of complaints under these laws and has cut funding and personnel so that there is little compliance initiative.

Some courts, obviously influenced by exaggerated excessive costs of compliance not at issue in the cases, have rendered adverse decisions as the result of bald-faced and deliberate erroneous interpretations of the statutes and regulations. Typical is the example of the recent decision of the U.S. Supreme Court in the case of *Board of Education v. Rowley*, wherein Justice White, joined by Justices Brennan and Marshall, stated in the dissenting opinion: "In order to reach its result in this case, the majority opinion contradicts itself, the language of the statute, and the legislative history."

These onslaughts from all quarters have and will serve to consolidate and give even greater strength to the disability movement whose members are no strangers to adversity. The movement, with renewed vigor and conviction of the rightness of its purpose, will help to swing the pendulum of socio-political opinion once again to the time when men and women of social and humanitarian good conscience will rectify the wrongs perpetrated and will elevate disabled children and adults to first class citizenship.

* * * *



Fernando L. Camacho
Chief Executive Officer
National Puerto Rican Forum

It is difficult to see any significant effects of the civil rights movement on the condition of Puerto Ricans in the United States if one focuses on the chief gauge of progress, economic improvement.

During the past two decades Puerto Rican median family income has actually plummeted, from 71 percent of the national level to only 50 percent.

Specifically, according to Census Bureau statistics, in 1979 the median family income for all U.S. families was \$19,661. For Hispanic families in general, it was \$14,569. For Cuban families, the figure was \$17,538. For Mexican families, it was \$15,171. For black families, median family income was \$12,618.

The Puerto Rican median family income in 1979 was only \$9,855.

Fewer working-age Puerto Rican males, females and youths are in the labor force than other ethnic groups. Fewer Puerto Rican males, females and youths are, on a percentage basis, working than other ethnic groups. More Puerto Rican households are headed by females, almost 50 percent, and almost 80 percent of these households are in poverty. The high school dropout rate is

the highest of all ethnic groups.

The 1980s have been called the Decade of the Hispanic, yet, in light of Federal budget cuts, the possibility of improving the living standard and social and economic condition of the Puerto Rican community is disheartening. For a community to begin to become self-reliant, certain elements are required: it must reach a basic level of education, have the means of acquiring adequate shelter and enjoy relative good health. And it must develop and be able to maintain its own community institutions in order to impact on local needs and problems.

I cannot feel positive or hopeful about the Puerto Rican future — Fernando L. Camacho

The need for national Puerto Rican and Hispanic institutions is clear. It is these organizations that can monitor national policy and program development, identify resources, obtain technical assistance and bring to the attention of the policy makers the needs of our communities. It is the national organizations that will not only give the Puerto Rican and Hispanic communities advocacy capability, but further the establishment of our economic base.

Yet, of 13 Hispanic national organizations, six have, under this administration's budget cuts, lost all Federal funds. The remaining seven have lost from 40 to 80 percent of their Federal funds.

And the cuts continue. The administration's goal is to balance the budget, not to balance the society.

There have been some gains, to be

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sure. Because of the Voting Rights Act, gerrymandering has been limited and in some cases eliminated, thus encouraging minorities to become more involved in the political process, and in a more sophisticated way. This growing awareness has resulted in some small successes and a few major ones.

Additionally, I see some slight improvement by both Hispanics and non-Hispanics in the intangible area of "perception." For example, there is a growing awareness of Hispanic strength, opportunity and responsibility.

Altogether, however, I cannot feel positive or hopeful about the Puerto Rican future. This community is the youngest in the nation, with a median age of just over 19 years, and it should be remembered that we have been here in significant numbers for just 30 years. I would like to believe that time will settle some of these problems, with or without assistance, but the hard facts are that these are totally different days from those in which other ethnic groups came to these shores.

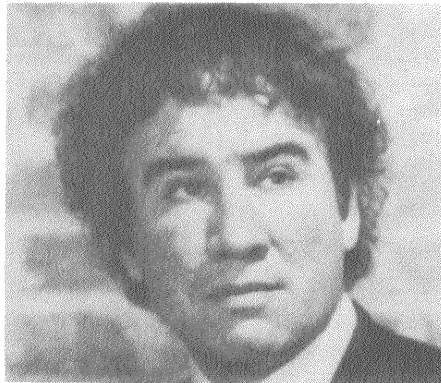
Other arrivals in recent years have received significant government assistance for training, relocating, job placement, etc., and earlier groups came during a time of expansion, when non-skilled labor was much in demand.

Now, technical skills, capital investment, hard experience and much higher educational attainment are required. It therefore becomes less possible for the "most worse off" of the minority ethnic groups to meet any of the above criteria, especially in light of high unemployment, the high cost of borrowing, the high cost of education, and the high cost of representation for grievances and complaints, not to mention the frustration of a clogged judicial system.

Where are these youngsters to go?

How do they work themselves into the great American Mainstream?

* * * *



Ralph G. Neas
Executive Director
Leadership Conference on Civil Rights

The Leadership Conference on Civil Rights salutes the 25th anniversary of the birth of the United States Commission on Civil Rights. The Commission's effective efforts to help protect the constitutional rights of minorities and women represents one of the proudest chapters in American history. It would be truly regrettable if this silver anniversary opens a new chapter in the life of the Commission, one in which its independence, integrity, and effectiveness are weakened.

But the direct attacks on the United States Commission on Civil Rights reflect in large measure what is going on in almost all areas of civil rights enforcement. For it has become painfully apparent that there are political forces in the Administration and on Capitol Hill whose actions and proposals could gut the effectiveness of our nation's civil rights laws. As Dr. Arthur S. Flemming has so aptly observed, we are in danger of entering a second post-Reconstruction period.

While it is entirely accurate and necessary to state that civil rights is in a grave crisis, there are grounds for optimism. Indeed, the stunning victory of the Voting Rights Act extension, a most appropriate commemoration for the United States Commission on Civil Rights which first recommended it, should send out a strong signal of hope. For, in a less than favorable political environment, the civil rights community and our congressional allies managed to extend a strengthened Act for 25 years. But it is vitally important to understand the key factors that led to that accomplishment and why that knowledge must be transferred to other civil rights issues.

First, the extension legislation was the most bipartisan civil rights bill ever passed by the Congress. This fact underscores the fundamental and historic reality that, to be successful, civil rights legislation must be bipartisan.

Public officials found out that fundamental civil rights issues are supported by millions of Americans
—Ralph G. Neas

Second, and most important, we witnessed the most comprehensive and well-organized national lobbying campaign since the mid-1960's. It encompassed not only the historic black-labor-religious coalition, but also the civil rights groups that have emerged with great force and impact since the passage of the original Voting Rights Act: Hispanics, women, Native Americans, disabled persons, and senior citizens. Working side by side, they constituted a united and powerful front throughout the entire extension effort.

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Finally, this coalition was not just a Washington-based operation. "Save the Voting Rights Act" coalitions were established in virtually every state and congressional district. Hundreds of thousands of citizens participated. Press conferences, newspaper advertisements, letters, telegrams, phone banks, congressional visits, marches, were all part of the national grassroots effort. In an age of sophisticated mass mailing techniques and of increased political activity on the state and local levels, such tactics will become even more important.

Congress and the administration were taught a lesson during the VRA campaign, similar to the one experienced during the consideration of tax exempt status for racially discriminatory schools. They found out that such fundamental civil rights issues are supported by not just minority citizens, but also the millions of other Americans who are irrevocably committed to the concept of equality of opportunity.

There are grounds for optimism in the civil rights community—Ralph G. Neas

In the coming months and years, it will be our responsibility to apply the knowledge and experience gained from our recent successes to other civil rights issues. If we can continue to galvanize our allies, to set in motion the talent, the resources, and the commitment at our disposal, I am confident that we can beat back those who would have us retreat from the basic principles of fairness that underscore the greatness of this nation.

* * * *



Nathan Perlmutter
National Director
Anti-Defamation League of B'nai B'rith

After 25 years—and hopefully this is not the end of an era—we can perhaps pause for an assessment. On the good side, we have seen the passage of far-reaching civil rights laws which have made discrimination illegal in ever-broadening areas of American life. Opinion polls over the years show a steady decline in prejudiced attitudes among Americans. And there is continuing statistical good news and visible evidence of an advancement in earning power among minorities and women.

The troublesome reality on the other side of the picture is, of course, the easy perception that some sort of absolute has been achieved and the struggle completed, or that the need for government enforcement of civil rights laws has become obsolete or otherwise unwarranted. A deputy attorney general has stated that there are "better ways" to eliminate discrimination than "to bang people over the head in the courts," and the better ways appear to be inaction and deregulation. We have recently witnessed efforts to exempt small colleges from laws barring race and sex discrimi-

nation, to grant tax exemptions to discriminatory schools, to prevent a strengthening of the 1965 Voting Rights Act. And we have observed a dramatic drop in the number of Federal suits enforcing laws against housing discrimination and school segregation. If civil rights law is to remain a protection, its enforcement teeth must be kept sharp.

Despite the laws enacted during the 1960s, much actual discrimination (albeit unintentional in many instances) continued to stem from certain subtleties in employment and admissions practices. Consequently "affirmative action" was born of the need for special training and expanded recruitment techniques, for career-related testing, for observable good-faith efforts and court-ordered remedies for past discrimination.

"Civil rights" is like a plant, needing nourishment, light and perhaps occasional pruning

—Nathan Perlmutter

We must, however, eschew discriminatory, counterproductive quota systems. As the U.S. Commission on Civil Rights' statement *Affirmative Action in the 1980s* makes clear, a purely quantitative analysis of seeming discrimination can lead to a "numbers game" that converts group discrimination into group preference.

"Civil rights" is like a plant needing constant attention and care, a plant that did not spring up in a wilderness but was nurtured with intelligent effort. It needs nourishment and much light, and perhaps occasional pruning.

* * * *

Speaking Out



William R. Hutton
Executive Director
National Council of Senior Citizens

Among the most valuable of the contributions made by the United States Commission on Civil Rights over its impressive 25-year history, is its investigation of age discrimination in programs supported by the Federal government, made over a 15-month period starting in 1976.

During that time, Commission members closely studied ten social programs created to help the needy in such areas as mental health, nutrition, employment, job training, legal aid, and social services.

Their conclusion, reported in a detailed document released in January 1978, was that discrimination on the basis of age was "widespread" among all the programs studied, and that older persons were regularly being denied access to benefits because of age.

"We are shocked," the report stated, "at the cavalier manner in which our society neglects older persons who often desperately need Federally-supported services and benefits."

Thanks to recommendations contained in the report, improvements were

made both in the language and scope of the Age Discrimination Act. In addition, in separate legislation covering age bias in employment, Congress accepted the Commission's proposal to lift the mandatory retirement age from 65 to 70.

Unfortunately, however, four years after the finding by the Commission of "widespread" discrimination against the elderly by the Federal government, older people in America continue to be hapless victims. At a time when more and more elderly persons are falling below the poverty line, the policy of the Federal government is to reduce or eliminate programs created especially to help poor people.

The Federal government is robbing older people of their dignity and worth

—William R. Hutton

Reductions in two of these programs, Medicare and Medicaid, will mean a loss of needed health services for millions of older men and women. Since older people require medical and hospital services to a far greater degree than the rest of the population, it is clear that any reduction in assisted health programs will have a greater impact on the old than on any other age group.

Support for subsidized housing will also be drastically cut back. Since half of such housing is now occupied by elderly persons, once again it is old people who will be the ones most severely hurt. And, at a time when there is a scarcity of job opportunities, older workers are increasingly pitted in keen com-

petition with younger people looking for work. This situation invariably works to the disadvantage of the elderly, since employers historically have given preference to younger workers and continue to do so, according to the Commission's own findings. In spite of this, the government has recommended an end to the Title V Senior Employment Program, and would force 57,000 older men and women off their jobs onto the welfare lines.

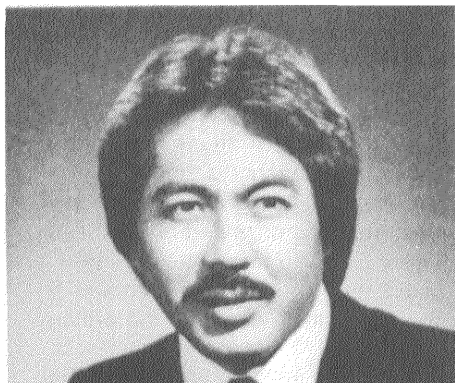
Reduction in Federal assistance in other areas, such as food stamps, legal services, and energy aid, are additional threats to the well-being of America's elderly. All of these cutbacks in programs that help the elderly poor are occurring at a time when new tax laws which favor the wealthy are taking effect. Considering that average Social Security benefits—the major source of income for most people over 65—are now \$695 a month for a retired couple, and \$375 for an aged widow, it is clear that tax laws favoring the wealthy do little good for most elderly people.

Once, when former U.S. Civil Rights Commissioner Arthur S. Flemming, was proposing certain changes in legislation affecting older people, he asked Congress to "remember the principle that is at stake—namely, the dignity and worth of the individual."

When Federal policy for the aged results in the denial of adequate health care, of clean and affordable housing, of good daily nutrition through hot meals and food stamps, and of the opportunity for work instead of welfare, then the Federal government is guilty of ignoring this principle, and older people are indeed robbed of their dignity and their worth. That is the greatest discrimination of all.

* * * *

Speaking Out



Ronald K. Wakabayashi
National Director
Japanese American Citizens League

The achievement of full civil rights for all Americans is basic to the ideology that formulated the values of this nation. Because we are a nation of immigrants, we lack the heterogeneity to allow full implementation without confronting complex questions of contending sensitivities. Civil rights are neither easy to define nor easy to achieve.

The history of each special population is characterized by episodes where an omission or denial of fundamental rights represents the tenor of the time. The civil rights movement has sought to remedy these past wrongs through a variety of constructions imposed upon those tangible institutions in our society that were most accessible. These efforts have been important, not just in their thrust to correct past wrongs, but in reinforcing an outlook that values human worth. These efforts have been significant in providing a basis to understand the complexity of maintaining civil liberties. Most importantly, these efforts have provided a foundation for concrete growth and progress in periods ahead.

The promotion of human dignity ought not to wait. The understandable frustra-

tion caused by delays, or seeming retrogression in the struggle for equality, should not discourage perseverance. While the state of the economy, international conflict or other elements of our environment may put off or impede the growth of civil rights for periods of time, those elements do not remain constant. The conditions for progress will eventually become favorable. The task in this period should be to work toward creating favorable conditions and to be prepared to move forward.

It has been 40 years since the American government placed my parents in concentration camps. In the period subsequent to their release, they were confronted with the task of re-establishing lives that had endured upheaval and disruption. Only this year were there congressional commission hearings on the subject. Only a few years ago were the first voices of the Japanese American community heard that restated what was felt in those concentration camps. There is a call to redress those wrongs. There is a strong commitment to insure that it never happens to any other people again.

The campaign to redress Japanese relocation and internment is but one thread in the civil rights fabric —Ronald K. Wakabayashi

As gross as the constitutional violations against persons of Japanese ancestry were, the campaign to redress those wrongs is but one thread in the fabric of the civil rights effort in this nation. The threads are interwoven among various communities of interest, who champion a particular issue. The interaction that joins these interests gives sub-

stance to the entire movement. The individual thread is supported and interwoven in an entire community of interests.

The slumping American economy impacts most of the citizenry. The unemployment of workers affects us all. It creates agitation among people leading to various forms of strife. It limits resources available to meet essential needs. It generates an environment not conducive to the business of promoting equality. We are equal only in that we equally have basic needs. The needs will be unequally met, offering a future for civil rights movements that will require much wisdom, perseverance and heart.

* * * *



John Kromkowski
President
National Center for Urban
Ethnic Affairs

The civil rights movement served notice that after almost two centuries an American ideal of equal treatment before the law must become a reality. The civil rights movement reminded America that it was the special nation which promised hope, dignity and justice for all. Yet the translation of these profound desires first embodied in the heroic actions of the civil rights movement into civil rights laws

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and these laws into programs and these programs into the bureaucratization of civil and civic impulses is a sobering tale which should remind us that the promises of the American covenant can not be achieved through the sound of great and prophetic words or the pen stroke of a legal authorization.

The tasks of justice emerge from the specific injustices that are encountered. On one level the civil rights movement addressed universal human concerns but on another it was an attempt to solve a regional problem. The civil rights movement embodied an understanding of problems and applied a set of approaches that derived largely from the Southern experience. The slavery experience and its consequences seared the American conscience in the nineteenth century. The destruction of its ancient vestiges seared the nation again in our time and once more burned its grief and anger beyond the South.

There were indeed serious social, economic and civil injustices in the Southwest, Midwest and North. Poor, powerless and excluded ethnic-Americans had suffered crippling disabilities as a result of discrimination; it is not at all true, however, as some asserted that racism was deeper and more intractable there than in the South. The apparent intractability of racism in the industrial cities was a result of faulty analysis and inappropriate approaches to the tasks of justice. The attempt to change patterns and practices which had not been born out of racism (or the desire to discriminate) and the inability to recognize patterns and practices which had intrinsic positive values for individuals and communities illustrates the poverty of our ability to understand pluralism, diversity and citizenship in America. The failure to understand the complexity of

an industrial, multi-class, multi-cultural, and multi-ethnic urban world and the resulting inability to maintain the necessary coalitions to resolve conflicts over the distribution and redistribution of social goods, public resources and private benefits fueled the destruction of urban life in America and undermined the covenant of consent which "inspired" the promises of America. Ironically the legal struggle for rights often eroded the bonds of community in which they had to be rooted.

To rebuild the civil rights movement is to rebuild community in America on an understanding of its complexity and pluralism —John Kromkowski

Given the current economic difficulties and the importance of re-energizing the civil rights movement it is time to recall that, at the deepest level, civility and civil rights are not merely the products of speech and law. They spring from the best and most generous impulses in human society and culture and are created, experienced and learned by most through, and in, living communities. In addition, for all of their weaknesses, the structures of society that tie people together at the human face-to-face level of existence remain the most lasting and effective guarantee of personhood and civil well being. Czeslaw Milosz in his Nobel Award lecture points toward the enormity of the loss that must be overcome if these are destroyed:

Perhaps our most precious gift...is respect and gratitude for certain things which protect us from internal disinte-

gration and from yielding to tyranny.

Precisely for that reason, some ways of life, some institutions become a target for the fury of evil forces—above all, the bonds between people that exist organically, as if by themselves, sustained by family, religion, neighborhood, common heritage. In other words, in many countries traditional bonds of *civitas* have been subject to a gradual erosion and their inhabitants become disinherited without realizing it.

The poor, powerless, and excluded ethnic and minority groups are signs of the unfulfilled promises of America, but the profound disintegration of the spirit which made these promises is a stunning irony for a nation which promised hope, dignity, and justice for all. To rebuild the civil rights movement, then, is to rebuild community in America on an understanding of its complexity and pluralism.

* * * *



Kathy Wilson
President
National Women's Political Caucus

In recent years, we in the civil rights

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community have found ourselves in a rather precarious, if not altogether discouraging, situation. Our priorities have been swamped by what many politicians consider the more pressing worries of economy and defense. And although only a marginal few continue to argue against the very concept of social justice, many now claim that it has indeed been achieved, if not in whole at least in very large measure. Old remedies and safeguards are no longer necessary, they claim, and new ones simply redundant.

With more women and minorities in the ring, the small minded and unrepresentative few will never again be the ringleaders—Kathy Wilson

To wit: the Voting Rights Act gained the support of a lopsided majority, but only after a long string of witnesses convinced many skeptical representatives and senators that minorities do not, in fact, have equal access to the political process. The Justice Department has deemed affirmative action needless. And the National Republican Party and the President, in an aboutface from the party's historic priorities, refused to endorse the Equal Rights Amendment, saying it would clutter the Constitution with a superfluous guarantee.

This attitude, be it sincere or sinister, is rapidly, dangerously, working its way into both the country's policy and consciousness. It's a formidable opponent—more effective, often, than the more overt forms of discrimination—and has

put us on the defensive. We've been catapulted into battles we thought won, distracted from the more creative business of forging ahead.

And so we must enter this new political arena with a new set of skills and a new set of strategies. We have rallied, lobbied and demonstrated for years, and while our message was often translated into policy, it all too often stewed on the back burners of Congress or the legislatures, brought forward only after passing the boiling point. I believe we must move to more practical, constructive forms of advocacy and protest. We can no longer plant our heels on the outskirts of power, begging others, many with but a tacit commitment to our goals, to legislate our interests. We must usher in a new breed of politician, one who remains sensitive to the ongoing struggle for justice, and one who is willing to champion it through the inner circles of the lawmaking process.

The newly ended (but certainly enduring) effort to ratify the Equal Rights Amendment has been, in many ways, a cram course in practical politics. In the beginning, we believed that if we could enlist public opinion, victory, too, would be ours. But when the final legislative tallies rolled in, and with 73 percent of the American people on our side, something was terribly, tragically, amiss. How could the sentiment of a few key unratified states, in the hands of a few key influential men, become the *de facto* verdict of the entire country? The answer, I believe, lies in the very structure of our white male-dominated political institutions, organized at every level along seniority lines. Those who have served the longest have the most power. They chair the major committees, formulate the rules and make crucial committee appointments. And in the case of the

ERA, those senior powerbrokers come, with few exceptions, from the most conservative, unchanging, small town and rural portions of their states.

The seniority system gave power to the unrepresentative few, men who in the past decade became our true adversaries and who, in the future, threaten to halt further progress on many fronts. The National Women's Political Caucus recognized early that the women's movement needed an electoral strategy. Too late we realized that electing a simple majority was not so much the key—we did that many times in many states—but that we must elect a majority that would hold in the face of entrenched opposition. The number of women state legislators increased from 4 percent in 1970 to 12 percent by 1980, a dramatic increase but not enough to capture the pinnacle of political power or to scare it into capitulation.

We've been catapulted into battles we thought were won, distracted from the business of forging ahead—Kathy Wilson

This is a profound lesson and one, I believe which outlines the mandate for the future of the entire civil rights community. Real power is political power, and we must realign and regear our energies toward identifying, training, financing and electing progressive candidates—in urban, suburban and rural areas of the country. With more women and minorities in the ring, the small-minded and unrepresentative few will never again be the ringleaders. Equality

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is going to come around only when lawmakers come around to legislating it. And instead of pleading our case, we must elect representatives who will make it.

* * * *



Ronald P. Andrade
Executive Director
National Congress of American Indians

The 25th Anniversary of the Civil Rights Commission provides an opportune time to review the entire civil rights movement, especially as it pertains to American Indians.

There have been many areas of Indian life that have been bettered because of the civil rights movement. Civil rights for Indian people have come a long way from the early part of America's history when Indians could not even testify in court against white people.

The last 25 years have seen the end of incidents such as the refusal to bury Sgt. John Rice (a Korean War veteran) in the military cemetery in his hometown of Winnebago, Nebraska simply because he was Indian, and the elimination of the "No Indians Allowed" signs in many areas of the United States.

Yet, with all the progress in protection of "individual" Indian rights, the rights of the Tribes as groups have continued to be misunderstood and undermined. It has been a long struggle as we attempt to make not only the anti-Indian forces, but the civil rights forces, *understand* that we view the protection of the Tribal Government as the primary issue. Civil rights proponents have made great strides in the protection of rights of individual Indians, however they have not fully understood the need to protect the rights of Tribes.

The 1964 Civil Rights Act created havoc within the tribal governments. The Indian Civil Rights Act of 1968 was passed as a remedy to the 1964 Act, but it also sought to undermine much of the Tribes' authority and is viewed by many tribal governments as an encroachment upon tribal sovereignty. The 1964 and 1968 Acts were passed by well-intentioned people who had not taken into consideration the rights of the Tribes which in effect was a denial of the civil rights of the Tribes.

Civil rights forces must understand that we view the protection of the Tribal Government as the primary issue — Ronald P. Andrade

Yet, silence has only too often been assumed to mean consent and the support of the civil rights groups on behalf of Indian causes has not been *heard* often enough.

The Indian Tribes still face great obstacles in regard to voting rights. The Justice Department has intervened in

cases in the past year where the Indians on the Reservation were barred from voting in general elections. In another case, the Justice Department threatened to intervene in the state of Arizona's attempt to create an all-Indian county (Apache County) simply as a method to exclude Indian residents. In *Sanchez v. King*, New Mexico plaintiffs are suing the state for using a formula to determine the population of various voting districts for representation in the state government. The formula is alleged to underestimate the minority population and overestimate the majority population. The state of Arizona reapportionment plan has the effect of diluting Indian voting strength by splitting the San Carlos Apache Reservation into three voting districts.

These cases were going on in the shadow of the monumental effort to pass the Voting Rights Act. It could be argued that assistance was being provided to Indians by passage of the Act and not on just a particular case. This would be similar to telling a cancer patient to wait until the final cure is discovered before treatment can be started.

Of course, it has never been well thought of to criticize the civil rights proponents; instead the criticism was to be leveled only at those insidious groups who attempted a frontal attack upon Indian rights.

The most recent example of benign neglect was in response to recent legislation offered to oppose Indian land claims termed the "Ancient Indian Land Claims Settlement Act of 1982." This bill would have settled Indian land claims by eventually denying Indians due process. This, we felt, was a major breach of the civil rights of Indian Tribes and we strongly voiced our opposition. It was the vocal support we lacked that draws

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my concern. Yes, there were some groups who openly offered support. The Black News Network from New York offered continued help. Of course, one of the states affected by the legislation was New York.

The denial of due process to any group should be a national issue and not simply a regional one.

There is a long road still ahead for the protection of Indian civil rights. We have always stood shoulder to shoulder with those people who have fought to extend the Voting Rights Act, as well as to bring down the segregation signs. We have fought to increase educational opportunities for all people and we have fought to insure the human rights of all people.

We have sought, as American Indians, to understand the needs of other people who immigrated to this country by whatever method. What we ask is for those people to understand our needs as well.

* * * *



Seymour Samet

Domestic Affairs Department Director
The American Jewish Committee

Almost two decades ago, comedian and social activist Dick Gregory, commenting on the efforts to pressure southern restaurants to serve blacks,

said, "wouldn't it be awful if when they finally decide to serve us they don't have what we want." In one sense that situation has come to pass. With employment discrimination significantly reduced, jobs are in scarce supply because of the recession. Many schools, although integrated, have been forced to reduce the quality of their programs as budgets for their operations have been slashed. Housing, which was to be made available to the disadvantaged is not being built for lack of resources and much of what is available is of inferior quality.

Economics has become the civil rights agenda for this decade—Seymour Samet

In truth, a prediction I made several years ago has come true. We are now living in a post-civil rights era. Economics has become the civil rights agenda for this decade. One cannot eat in Dick Gregory's restaurant without the money for a meal. That is where, at least, some of the action is and will probably remain for the remainder of this decade. A failure to be adequately involved in helping to direct the course of this nation's economic development has caused the civil rights community to be less than adequate in dealing with solutions for the current economic crisis as it affects minorities and women. This, combined with an inadequate understanding of the negative consequences of liberal support for concepts of "no growth," and "small is beautiful," has left us with an agenda of concerns that Americans are not interested in supporting as they focus their attention on their own fear of insolvency

in what appears to be a shaky tomorrow.

Our mistakes are not only of yesterday's vintage. Now, at a time when Americans are very budget conscious, they hear some civil rights leaders announce that minorities are no better off today than they were twenty and thirty years ago. These same leaders then go on to insist that no budget cuts be made in programs designed to assist the disadvantaged. One wonders what kind of reasoning it takes to assume that a nation will want to pay the cost of continuing programs which civil rights leaders claim have not worked.

The fact is that many of the efforts have succeeded. We should be prepared to say so. Of course, we all acknowledge that there is still much room for improvement. However, neither is there question that we have come a long way. Those who do not believe this are too young to have witnessed the ravages of malnutrition in a society that tolerated starvation...or have forgotten the hotel signs which stated, "No Niggers, Jews or Dogs Allowed." Perhaps they never read the judicial history which described all-white juries or the political history which recorded the struggle of minorities to gain access to the ballot.

It is true that we still have an unfinished agenda. To be effective in responding to it we need the cooperation, not the competition, of others having just claims upon the society. Toward this end I would urge consideration of the following caveats:

- (1) The formation of coalitions for mutually desirable goals is and will remain necessary if minority groups are to achieve further gains. However, these coalitions will be of little value if they are perceived as giving preferential assistance to one segment of so-

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ciety without any benefits, tangible or psychic, for the rest of the society.

(2) Techniques which have failed will have to be abandoned. The revival of talk about minority group violence and riots would be suicidal for the civil rights movement. It alienated the middle class, the strongest component of the civil rights coalition in the 60's. In the 80's, even the threat of such actions is already creating demands for harsh responses in the event they are repeated.

(5) The forces of conservatism are not inherently hostile to the interests of minorities. New and promising ideas are coming from those sources as well as from liberals. There is a need to be eclectic and to support the best proposals of both these groups. ♦

Coalitions will be of little value if they are perceived as giving preferential assistance to one segment of society — Seymour Samet

(3) Minority group leaders will need to speak out publicly against the extremists in their midst in order to assure others that those extremists do not represent them. Among other things, this will require education of the media to assist them in distinguishing between responsible leaders and those with little or no following, but who have learned how to gain national attention by their often irrational behavior.

(4) Americans will not tolerate efforts to trade off the nation's military security in order to expend larger sums for social purposes. It will be necessary to demonstrate that the issue is not "guns vs. butter," but rather how to provide a better balance between guns *and* butter.

Close Up

WHERE ARE THEY NOW?

Little Rock Stirs an Avalanche



LITTLE ROCK THEN—White students block high school doors to newly enrolled black students.

In September, 1957, court-ordered school desegregation was challenged by Arkansas Governor Orval E. Faubus when he called out the state's National Guard to prevent nine black teenagers from entering Little Rock's previously all-white Central High School. After the guardsmen were withdrawn by court order, ensuing mob violence prompted President Dwight D. Eisenhower to federalize the Arkansas National Guard and to send in paratroopers to restore order. A potent media image—armed U.S. soldiers enforcing the law of the land by escorting a few black students through cordons of seething white parents to and from class—began to penetrate the nation's conscience.

Daisy Bates, then president of the Arkansas NAACP and the woman who recruited and trained those nine brave high school students, still lives in Little Rock. Slowed by a 1973 stroke that left her partially paralyzed, she nevertheless continues to take an active interest in the movement.

As to the nine students, all but one have left the Little Rock area. *Minnijean (Brown) Trickey* lives in northern Canada with her zoologist husband and is active in that country's anti-nuclear, anti-war

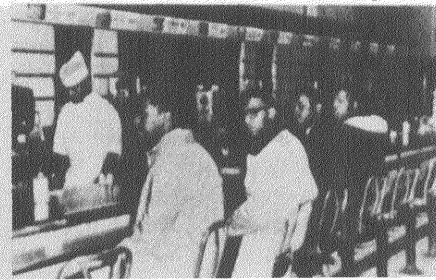


SEVEN OF THE LITTLE ROCK NINE NOW—Seated, from left, *Minnijean Brown Trickey*, *Ernest E. Green*, *Daisy Bates*, *Terrence Roberts*. Standing, from left, *Gloria Ray Karlmark*, *Jefferson Thomas*, *Carlotta Walls LaNier*, *Thelma Jean Wair*.

and conservation movements. *Ernest Green* is a labor specialist, having served under President Carter as Assistant Secretary of Labor for Employment and Training. He is now a partner in Green, Herman and Associates, a Washington, D.C. labor consulting firm. *Thelma Jean (Mothershead) Wain* is a vocational counselor in East St. Louis, Illinois. *Gloria Ray Karlmarck* now lives abroad in Brussels, Belgium, where she manages a telecommunications firm and edits a computer journal she founded several years ago.

Four of the nine have moved to California: *Terrence Roberts* directs the mental health department of a San Francisco hospital; *Jefferson Thomas* works for the government as a Defense Department supervisor in Los Angeles; *Carlotta (Walls) Lanier* is a real estate broker in Fresno; and *Melba (Patillo) Beal* is a writer in northern California. *Elizabeth Eckford* is the only one who stayed in Little Rock, reportedly "quite affected" by the trauma 25 years ago.

The Greensboro Legacy



GREENSBORO WOOLWORTH—1960—*Joseph McNeil* and *Franklin McCain*, left, are joined on the second day of the sit-in by *Billy Smith* and *Clarence Henderson*.

Four young freshmen from Greensboro, North Carolina's Agricultural and Technical College created one of the most successful tactics for overcoming deep-rooted discrimination: the sit-in.

On February 1, 1960 the four—*Ezell Blair, Jr.*, *Franklin McCain*, *Joseph McNeil* and *David Richmond*—sat down at the "white" counter of the F.W. Woolworth five-and-dime store. They were refused their cups of coffee, and so they sat there, immobile, practicing the passive resistance which was a hallmark of the early civil rights movement.

Today, Blair, who became a Black Muslim and changed his name to Jibreel Khazan, lives in New Bedford, Massachusetts. In poor health, he does some part-time teaching. McCain, still active in civil rights in North Carolina as a volunteer with the Charlotte Business League (a clearinghouse for minority business

Close Up

The civil rights movement sometimes accelerated or changed course under pressure from individuals whose acts of courage and ingenuity catapulted them onto center stage for fleeting moments before the media spotlight moved on in search of fresh faces and new stories. Perspectives looks at what some of these civil rights figures did then and where they are now.

Opening University Gates



GREENSBORO WOOLWORTH—1980—From left, David Richmond, Frank McCain, Jibreel Khazan (Ezell Blair) at a 20 year reunion of their sit-in.



THE INTEGRATORS—James Meredith, in center of photograph at left, registers at the University of Mississippi in 1962 escorted by Federal officials John Doar, left, and Marshall McShane. Charlayne Hunter, now a co-host of television's "McNeil-Lehrer Report," was the first black student at the University of Georgia.



opportunities), is a product group manager with Celanese Corporation. McNeil, who joined the U.S. Air Force after graduating from A&T and afterwards became a stockbroker in Saysville, North Carolina, recently moved north to Hempstead, Long Island, and works with the Air Force Reserve. The only one of the four still in Greensboro is Richmond, who works for an operator of nursing homes.

On January 10, 1961, 19-year-old *Charlayne Hunter*, shepherded through a hostile white mob by *Vernon Jordan*, then Georgia field director for the NAACP, became the first black to enroll at the University of Georgia. She graduated in 1968 with a masters in journalism from the University of Georgia's Henry Grady School of Journalism and joined the editorial staff of *The New Yorker Magazine*. Subsequently she switched to the *New York Times* and four years ago, joined the Public Broadcasting System. Charlayne Hunter-Gault is more widely known these days as the engagingly tough interviewer on television's week-night "McNeil-Lehrer Report."

With the start of the fall, 1962 semester, segregationist walls still stood around the Oxford campus of "Ole Miss"—the University of Mississippi. But on September 30 and October 1, violence erupted on that campus: black student *James E. Meredith*, 29, was being enrolled. Federal marshals already dispatched by the Justice Department could not preserve order, so Federal troops were rushed in. By October 2, with 16,000 soldiers standing by, Jim Meredith broke the Ole Miss barriers.

Four years later, having left Ole Miss in 1965 to enroll at the Columbia University Law School in New York, Meredith returned south to begin a one-man voter registration march that would have taken him the 220 miles from Memphis to Jackson, Mississippi. On the second day out, he was shot in the back of the head, legs and back by a white assailant. In a show of unity, Rev. Martin Luther King, Jr., Stokely Carmichael and others rushed down to complete the march. By the time 30,000 supporters met on the steps of the state capitol in Jackson, Meredith had sufficiently recovered to join them there. He returned to New York to complete law school in 1967, moving back to Mississippi in 1971 to become an entrepreneur and run in various political races—for both major parties.

With Meredith having opened the gate, the first black woman to graduate from the Ole Miss Law School was *Connie Slaughter* (Class of 1970). Five years later, Slaughter became the first black and the first female to serve as a special judge in that once-troubled state. Today, Connie Slaughter Harvey is director of Mississippi's Department of Human Development (the first black to head a state department in Mississippi).

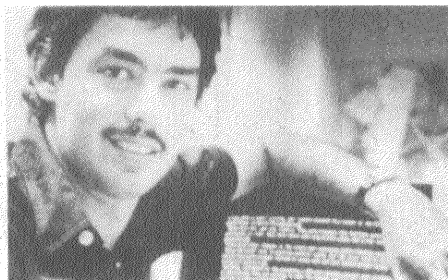
Close Up

WHERE ARE THEY NOW?

Young Lords: Barricades to Barrio Beats



YOUNG LORDS CENTRAL COMMITTEE MEETS IN 1970—From left, Pablo "Yoruba" Guzman, Denise Oliver, Juan Ortiz, David Perez, Juan Gonzalez and Gloria Cruz.



A FORMER YOUNG LORD TODAY—Juan Gonzalez in the news room of the Philadelphia Daily News.

Disabled 504—HEW 0



HANDICAPPED SIT-IN AT HEW—These demonstrators in HEW's San Francisco regional office in 1977 were part of a nationwide effort.

Having originated in Chicago during the 60s, the Young Lords Organization gained a following in other northeastern cities, especially New York City. The New Yorkers, however, became unhappy with Chicago's leadership and broke with the parent group, establishing the Young Lords Party in 1970. Modeled after the Black Panthers and dedicated to fighting for the rights of Puerto Ricans from a revolutionary perspective, the Young Lords are best known for their July, 1970 takeover of decaying Lincoln Hospital in the South Bronx. That protest of the poor health services available to Nuyoricans eventually led to the construction of a new Lincoln Hospital in the same neighborhood.

Leaving behind their revolutionary rhetoric but not their critical sensibilities, several of the highest-ranking Young Lords embarked on careers in the communications field. *Juan Gonzalez*, one-time "Minister of Defense" in the Lords,

is back at work as a staff writer for the Philadelphia *Daily News* (having spent a six-month leave of absence as president of the National Congress for Puerto Rican Rights). Former "Field Marshall" *David Perez* is now in the printing business in Newark, New Jersey. *Felipe Luciano*, the party's first chairman and perhaps the most-recognized ex-Young Lord of them all, worked for a number of years as a correspondent for NewsCenter 4, the NBC Television Network flagship station in New York and is now a communications consultant. *Pablo (Yoruba) Guzman's* byline appears regularly in the New York City weekly newspaper, *The Village Voice*. He also has a news-and-talk show on black radio station WLIB. *Denise Oliver*, the only non-Puerto Rican member of the Lords' leadership, is now director of a black film institute in New York City. *Richard Perez* left his staff position with the Lords to pursue graduate studies and teach at various small colleges in the metropolitan area. He now is completing his doctoral dissertation at New York University on the history of racism in the media.

On April 5, 1977, the American Coalition of Citizens with Disabilities (ACCD) successfully organized sit-ins at U.S. Department of Health, Education and Welfare (HEW) offices all over the country. The purpose was to force then HEW Secretary Joseph Califano to sign the "504" regulations requiring the Federal government to extend "equal opportunity" to all programs and activities funded by the Feds—which meant extending equality to handicapped persons.

The most important of the sit-ins, led by ACCDers *Reece Robrahn*, *Phyllis Rubenfeld* and *Eunice Fiorito* took place in Califano's office: wide media coverage raised the issue to national prominence and the section 504 regs were signed into law. Today, Robrahn serves as ACCD's executive director; Rubenfeld, recently elected ACCD president, is on the faculty at New York's Hunter College; Fiorito, founder of ACCD in 1976 and still on the board of directors, now works for the Department of Rehabilitation Services in Washington.

Close Up

WHERE ARE THEY NOW?

Atoning for Years of Infamy



1941—JAPANESE AMERICAN ROUND-UP— Some of the 120,000 U.S. citizens herded to "relocation camps" after the start of World War II.



STILL FIGHTING FOR JAPANESE INTERNEES' RIGHTS

Minoru Yasui



Gordon Hirabayashi

The American Civil Liberties Union called it "the worst single violation of civil rights in our history." Executive Order 9066, signed by President Franklin D. Roosevelt on February 19, 1942—with the acquiescence of Congress and later, with the blessing of the Supreme Court—declared that Japanese American citizens in our midst represented a "clear and present danger" to national security during World War II and ordered 120,000 of them evacuated from their homes to "internment camps" in desolate parts of the country, where most of them languished until the war's end.

The legality of the Executive Order was quickly challenged by Japanese Americans, but in 1943 the U.S. Supreme Court (in *Yasui v. U.S.* and *Hirabayashi v. U.S.*) found that the military has the right to take whatever steps it deems necessary for the security of the country during wartime—even if this means discriminating against certain citizens on account of background. Undeterred, *Minoru Yasui* and *Gordon Hirabayashi*, the two original plaintiffs, continued their search for justice during the postwar years.

Finally, as a result of increasing, well

focused pressure applied during the 1970s by such groups as the Japanese American Citizens League (JACL) and the National Council for Japanese American Redress, Congress moved to officially reopen the issue: in 1980 it created a nine-member Commission on Wartime Relocation and Internment of Civilians. Today, that Commission is holding hearings to determine the legality of that infamous episode 40 years ago and to recommend what redress, if any, is owed its victims.

Both Yasui and Hirabayashi have been key figures in efforts to obtain justice for victims of the internment. Yasui, now 66, lives in Denver and serves as chairman of the JACL's committee to seek redress for the 1942 evacuation. A man of incredible energy, he spends long hours at his pressured job as executive director of the Denver Commission on Community Relations yet still finds time to belong and contribute to numerous civic and community groups.

The 64-year-old Hirabayashi settled in Canada almost 25 years ago, after years of travel and work in the Middle East, to accept a post in the Sociology Department at the University of Alberta in Edmonton. He also has an appointment as a visiting scholar at the University of Washington in Seattle, where as a student forty years ago, he first challenged the onerous executive order. As co-chairman of the Community Committee for Redress/Reparations in Seattle, he has worked toward the same goal as Yasui, forcing the U.S. government to admit the illegality of the internment.

Apart from their work on the redress issue, the two are also hoping that through a legal technicality they can convince the Supreme Court to rehear their 1942 cases.

Close Up

WHERE ARE THEY NOW?

Tierra Amarilla and the Promised Land



TIJERINA, CHICANO RIGHTS PROTESTER—Reies Lopez Tijerina in custody, left, after his 1967 raid on the county courthouse at Tierra Amarilla, New Mexico. At a 1976 press conference, right, Tijerina continued to protest on behalf of Mexican Americans, as he does today.

On June 5, 1957, the county courthouse at Tierra Amarilla in northern New Mexico was taken over by a group of armed men led by *Reies Lopez Tijerina*, founder of the *Allianza Federal de Mercedes* (Federal Alliance of Free City-States), an organization dedicated to securing for Hispanics New Mexico lands promised to their ancestors centuries ago by the Spanish monarchs and guaranteed by the treaty of Guadalupe-Hidalgo. The courthouse raid began as an attempt to make a citizen's arrest of a district attorney who had allegedly been harassing the *Allianza*. It ended up wounding two police officers. On trial in connection with the takeover, Tijerina was acquitted on initial charges, but later was convicted on other charges.

Now 55, Tijerina leads a quieter but no less committed life in a small adobe house he built in Coyote, one of nine tiny northern New Mexico villages nes-

tled along the borders of majestic, resource-rich San Joaquin National Forest. Many Hispano residents of those villages not only claim ownership of the National Forest lands but depend on them daily to graze their livestock and supply vital firewood, as well as timber and field stones for construction. A group of them recently rebuked Tijerina's skeptics by electing him to a six-year term as head of their fledgling San Joaquin Land Grant Confederation.

There are already signs that these land-poor heirs to the original Spanish land grants may yet wear out their adversaries through creative civil disobedience. Their outright refusal to obey Forest Service regulations—including one requiring the purchase of a permit for the right to graze livestock or remove firewood—has led the Forest Service to relax its enforcement of the regulations. Victories in these skirmishes continue to fire Tijerina as he pursues his elusive dream of securing justice for a poor but proud people. ♦

In Review

"Must" Books For Your Civil Rights Library

Editors Note: In an effort to shed some light on which books have had the most impact on civil rights over the past 25 years, we asked an assortment of lawyers, scholars, editors and activists to indicate the five books they view as having been most important or influential in the civil rights struggle.

Harry S. Ashmore
Editor and Author

I am assuming that the prescribed span of a generation precludes such seminal work as Myrdal's "American Dilemma," and Richard Wright's "White Man Listen." I have confined my selections to books dealing directly and more or less exclusively with civil rights issues as they affect blacks. Also, I have left out books which were principally hortatory and intended to fire radical protest—notably Malcolm X's *Autobiography* and James Baldwin's *Fire Next Time*. The polarization of the movement between those symbolized by Martin Luther King, who insisted on working within the system, and those who espoused revolutionary separatism, is effectively dealt with in Warren's extensive interviews with the principal spokesmen of all persuasions.

The books I have listed below deal with the ongoing reorientation of American race relations in historical context, and are essential to understanding the sweeping changes in law and practice required, and to an extent achieved, by the Supreme Court's mandate in *Brown vs. Board of Education*.

Immodestly, I have included my own current book, *Hearts and Minds*, which has hardly been in print long enough to have had any effect, but which I believe summarizes the quarter century and puts

the present watershed era in perspective.

SIMPLE JUSTICE: The History of Brown v. Board of Education and Black America's Struggle For Equality
by Richard Kluger (Alfred A. Knopf, 1976)

WHO SPEAKS FOR THE NEGRO
by Robert Penn Warren (Random House, 1965)

THE STRANGE CAREER OF JIM CROW
by C. Vann Woodward (Oxford University Press, 1955)

MUST WE BUS?: Segregated Schools and National Policy
by Gary Orfield (Brookings Institution, 1978)

HEARTS AND MINDS: The Anatomy of Racism from Roosevelt to Reagan
by Harry S. Ashmore (McGraw-Hill, 1982)

Robert C. Maynard
Editor and Publisher
Oakland Tribune/Eastbay TODAY

SIMPLE JUSTICE
by Richard Kluger

I believe the Brown case to be central to the case for civil rights in this generation, and nowhere is it better described than in Richard Kluger's book.

IN THE MATTER OF COLOR: Race and the American Legal Process
by A. Leon Higginbotham, Jr. (Oxford University Press, 1978)

The legal structure of our color problem is brilliantly described.

THE REPORT OF THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS
Otto Kerner, Chairman (Bantam, 1968)

In Review

The Kerner Commission report is the most lucid explanation of the urban dilemma.

THE OTHER AMERICA: Poverty in the United States

by Michael Harrington (Macmillan, 1963)

Harrington gave us the sharpest view of American poverty of our time and galvanized the nation to fight the problem as never before. We owe Harrington a debt of awareness.

THE AUTOBIOGRAPHY OF MALCOLM X

Assisted by Alex Haley (Grove Press, 1965)

Alex Haley and Malcolm X gave bold belief to the dilemma racism imposes on Afro-Americans.



Phyllis N. Segal

Legal Director
NOW Legal Defense and
Education Fund

Several books have played an important role in advancing our understanding about sex discrimination, and these five in particular have provided significant impetus to the efforts to secure equal justice for women.

THE FEMININE MYSTIQUE

by Betty Friedan (Norton, 1963)

Friedan's book inspired a new generation to challenge the second-class status of women.

MAN'S WORLD, WOMAN'S PLACE: A Study in Social Mythology

by Elizabeth Janeway (Morrow, 1971)

By deepening the understanding of the emotional force behind the values that traditionally define separate roles for women and men, this book challenged women to move out of that dichotomy.

SEXUAL HARASSMENT OF WORKING WOMEN: A Case of Sex Discrimination

by Catharine A. MacKinnon (Yale University Press, 1978)

This work defined as discriminatory the habitual treatment of women and developed the legal concepts that have been used in successfully challenging sexual harassment.

SEX DISCRIMINATION AND THE LAW: Causes and Remedies

by Barbara Allen Babcock, Ann E. Freedman, Eleanor Holmes Norton and Susan C. Ross (Little, Brown and Co., 1975) and

SEX-BASED DISCRIMINATION: Text, Cases and Materials

by Kenneth M. Davidson, Ruth B. Ginsburg and Herma H. Kay (West Publishing, 1974)

These two legal texts and their sequels have been the basis for educating attorneys for the first time on the issues of sex discrimination, the legal principles that have accorded rights and responsibilities on the basis of an individual's sex, and the legal tools that have evolved in the past decade to challenge such discrimination.

Father Theodore Hesburgh

President
University of Notre Dame

WHY WE CAN'T WAIT (and other writings)

by Martin Luther King Jr. (Harper and Row, 1964)

BLACK LIKE ME

by John Howard Griffin (Houghton, Mifflin, 1961)

SIMPLE JUSTICE

by Richard Kluger

THE AUTOBIOGRAPHY OF MALCOLM X

Assisted by Alex Haley

SOUL ON ICE

by Eldridge Cleaver (Dell, 1968)

THE FIRE NEXT TIME

by James Baldwin (Dial Press, 1963)

OF KENNEDY AND KINGS: Making Sense of the Sixties

by Harris Wofford (Farrar, Straus and Giroux, 1980)

Dr. Robert W. Terry

Director, Education for Reflective
Leadership Program
Hubert H. Humphrey Institute
of Public Affairs
University of Minnesota

I selected these seven volumes because each focuses on one aspect of the complex phenomenon of white racism.

SIMPLE JUSTICE

by Richard Kluger

The work, and the case it describes, sets the historical and legal context of the struggle

In Review

BLAMING THE VICTIM

by William Ryan (Pantheon, 1971)

Ryan pinpoints the focus of the problem.

WHITE OVER BLACK: American Attitudes Toward the Negro 1550-1812

by Winthrop D. Jordan (University of North Carolina Press, 1968)

Jordan uses history to demonstrate the important role culture plays in the definition of racial superiority.

THE COLONIZER AND THE COLONIZED

by Albert Memmi (Orion Press, 1965) and

THE POLITICAL ECONOMY OF RACISM

by Raymond S. Franklin (Holt, Rinehart, Winston, 1973)

Both of these works stress how the dimension of societal power directs cultural supremacy.

BLACK POWER: The Politics of Liberation in America

by Stokely Carmichael and Charles V. Hamilton (Random House, 1967)

Carmichael and Hamilton introduced us to institutionalized racism, particularly how structures unintentionally perpetuate racist practices.

IMPACTS OF RACISM ON WHITE AMERICANS

Edited by Benjamin P. Bowser and Raymond G. Hunt (Sage Publications, 1981)

The book charts a way to combat racism in the 80's. If we are not to blame the victim, and racism is a cultural/political, structural and economic phenomenon, then it is imperative to develop critical self-interest analyses and strategies to impact whites in a white racist society.

Bobble Butler

President
International Association of
Official Human Rights Agencies

BLACK WORKERS IN WHITE UNIONS: Job Discrimination in the United States

by William B. Gould (Cornell University Press, 1977)

I selected this book because I feel that Mr. Gould expresses in great detail and specificity what has and has not happened since the enactment of Title VII. Also, he deals with the impact of union practices and the union responses to the development of law dealing with unions to protect the protected class.

RACISM AND SEXISM IN THE CORPORATE LIFE: Changing Values in American Business

by John Fernandez (Lexington, 1981)

Mr. Fernandez speaks to how affirmative action and equal employment legislation have diversified workforces because critical differences had to be dealt with. He explains how threatening the change is to the power structure, and how corporations have begun to change their management style because of the threats.

IN THE MATTER OF COLOR

by A. Leon Higginbotham, Jr.

Mr. Higginbotham does an excellent job explaining what blacks can and cannot expect from the justice system. He explains how the law is the oppressor of black people, thus helping put into proper perspective how to deal with the system.

FOR WHITES ONLY

by Robert W. Terry (W.B. Eerdmans, 1970)

Mr. Terry explains why he, as a white

male, had to come to grips with racism. I've found this book to be extremely helpful as a training tool for whites because Terry does an explicit and splendid job making whites recognize how racism works, how resources are distributed, and how whites are the ones to combat it.

FREEDOM NOW: The Civil Struggle in America

by Alan F. Westin (Basic Books, 1964)

This book on contemporary history deals with segregation in education and housing as well as the fights against discrimination in public accommodations, for fair employment, and the tension between blacks and ethnic groups. The book gives insight into the civil rights movement explaining the events and giving eyewitness reports on civil rights protests and the techniques used by participants. It helps put into perspective what happened and how during the sixties.

Ruth B. Mandel and

Katherine E. Kleeman

Director and Research Associate
Center for the American Woman
and Politics

Eagleton Institute of Politics
Rutgers University

THE BIBLE

Its messages were motivating forces for so many who became active in the civil rights movement.

THE AUTOBIOGRAPHY OF MALCOLM X

Assisted by Alex Haley

It opened the eyes of both black and white people to the nature of racism and the complexity of possible approaches to its elimination.

In Review

I KNOW WHY THE CAGED BIRD SINGS

by Maya Angelou (Random House, 1970)

It is a sensitive and moving portrayal of one black woman's life, from which much can be learned about the experience of growing up black in the South.

THE FEMININE MYSTIQUE

by Betty Friedan and

THE SECOND SEX

by Simone de Beauvoir (Alfred A. Knopf, 1953)

They awakened women to the artificial constraints placed on them by society and the need for constructive change.

Ron Vera

Attorney

Mexican American Legal Defense and Education Fund

SIMPLE JUSTICE

by Richard Kluger

The book traces the legal developments of the most important case in civil rights litigation, as well as providing a framework for the interplay between law and social change.

NORTH FROM MEXICO: The Spanish Speaking People of the United States
by Carey McWilliams (Greenwood, 1968, 2nd edition)

McWilliams' work serves as a springboard for tracing the Hispanic movement, particularly in describing the plight of the Mexican American. It was and still is the reference tool for many Chicano activists.

KERNER COMMISSION REPORT ON CIVIL DISORDERS

The report sets out the social unrest

which existed in society in the 1960s.

THE AUTOBIOGRAPHY OF MALCOLM X

Assisted by Alex Haley

This book is perhaps the most eloquent and passionate statement of the black movement.

EQUALITY OF EDUCATIONAL OPPORTUNITY: The Coleman Report to the Department of Health Education and Welfare, Office of Education (1966)

Although disputed in recent years, the report clearly demonstrates the importance of education in achieving equal opportunity.

Jane Roberts Chapman

Director

Center for Women Policy Studies

While I recognize that there are many important books dealing with the civil rights of racial minorities, I have included books which deal with women's rights, because that is my field of expertise. The five items which I have listed are very different from one another, and each exerted influence in a different manner.

WE WERE THERE: The Story of Working Women in America

by Barbara Wertheimer (Pantheon, 1977)

This is important because it tells the complete story of American working women—from the Native American women and slaves in the early chapters, on to the cottage industry workers and textile mill women, down through the development of the Coalition of Labor Union Women in the last chapter. The book has inspired pride in American working women, and has shown them

that although they have been "encouraged" in and out of the labor force, the employment of women is a part of American history, and that there have been many successful efforts by women to organize and overcome sex discrimination.

A ROOM OF ONE'S OWN

by Virginia Woolf (1929, latest Edition by Harcourt and Brace)

This book was not written in the past 25 years, but it has been important during this period, because it both forcefully and poignantly illuminates the difficulties for women which surround achievement.

ECONOMIC PROBLEMS OF WOMEN, PARTS 1,2,3: Reports of the Hearings Before the Joint Economic Committee, Congress of the United States, 93rd Congress, First Session.

Economic Problems of Women is a three part report of a landmark set of hearings chaired by Rep. Martha Griffiths. The report presented for the first time, in one place, a picture of the endemic nature of the economic problems of women. Though not widely read by the public, the reports were influential in public opinion, through the press, and served as a spur and resource in the development of programs and policies during the 1970s.

THE FEMININE MYSTIQUE

by Betty Friedan

The Feminine Mystique's importance is tied to the fact that it was popular and readable. It awakened millions to the pattern and practice of sex discrimination by describing the societal context in which women were placed.

The Works of Jessie Bernard

My final reference is to the work of Dr. Jessie Bernard. Her entire body of

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scholarship has made an enormous contribution to an understanding of the status of women. She has also been a scholar-in-residence at the U.S. Commission on Civil Rights, and is an appropriate author to recognize.

Ramon Eduardo Ruiz

Professor of History
University of California, San Diego

THE AUTOBIOGRAPHY OF MALCOLM X

Assisted by Alex Haley

This is an angry book following the odyssey of a person out of the ghetto, jailed, visiting Africa, and coming back and trying to make something of himself while seeking to help other blacks. It not only expresses the anger of blacks, but also voices hope that change and progress are possible.

DARK GHETTO: Dilemmas of Social Power

by Kerineth Clark (Harper and Row, 1965)

Clark provides not just a description of what blacks have lived through, but an assessment of the psychological impact of the black experience.

THE KINGDOM BEYOND CASTE

by Liston Pope (Friendship Press, 1957)

Pope was a social critic who strongly influenced church people. The book sold well and had a mighty impact on whites, though not many blacks read it.

THE BLACK MESSIAH

by Albert B. Cleage, Jr. (Sheed and Ward, 1968)

This book, widely read by black theologians, dealt with the black theology movement and helped shape thought in

the black community.

BLACK POWER

by William V. Hamilton and Stokely Carmichael

This work spawned new thought and a host of imitators. It brought to life a powerful idea in the black world, especially among the young.

Professor Charles V. Willie

Professor of Education
and Urban Studies
Harvard University

SIMPLE JUSTICE

by Richard Kluger

Kluger's book is a history, stage by stage, event by event, of the Supreme Court decision that outlawed segregation and of the struggle by blacks for equality under law.

WHERE DO WE GO FROM HERE: Chaos or Community?

by Martin Luther King, Jr. (Harper and Row, 1967)

King's book tells of the contemporary struggle and strategies after the Supreme Court decision, from the Montgomery bus boycott, to the March on Washington that resulted in legislative victories such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

FROM SLAVERY TO FREEDOM: A History of Negro Americans

by John Hope Franklin (Alfred A. Knopf, 1974, 4th edition)

Franklin's book is the best on the history of blacks in the United States.

DARK GHETTO

by Kenneth B. Clark

Clark's book defines the condition and courage of blacks in the North and institutional oppression.

CHILDREN OF CRISIS: A Study of Courage and Fear

by Robert Coles (Atlantic Monthly Press, 1964)

Coles' book defines the condition of blacks and whites in the South. ♦

