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Remembering the March

In 1963, discrimination wore a stark and hostile face. Politicians from the states of the Old Confederacy openly declared that they would defend segregation forever. Opposing this racist social system was daunting because it was enforced by state and local governments, and at least acquiesced to by many southern whites.

The momentum for the civil rights movement was built on the courageous acts of individuals like Rosa Parks and collections of heroes like the Freedom Riders and students holding sit-ins at segregated lunch counters. Marches, demonstrations, and sit-ins were the means for seeking redress available to African Americans. Thirty-five years ago, blacks had virtually no voice in government. The black members of Congress then numbered only five. Nationwide, there were just over 100 black elected officials, mostly in low-ranking posts, compared to more than 8,600 black elected officials today.

By August 1963, when the March on Washington was held, the emergence of a national civil rights movement was quite evident. It encompassed men and women of all races and walks of life. Dynamic leaders were anointed in virtually every state and city. Rev. Martin Luther King, Jr., was in the forefront of this new movement. On the day of the march, he spoke of his "dream" of equality and brotherhood in this country.

To get a sense of the progress that has been made toward achieving that dream, it's useful to look at the conditions that existed in 1963. At that time, African Americans and other people of color were routinely turned away from whites-only restaurants, hotels, theaters, parks and swimming pools. Most southern blacks were denied the right to vote. Their children were required to attend racially segregated schools where they studied from outdated textbooks previously used by white students.

Most jobs that offered wages sufficient to support a family were reserved for white men. These conditions were not unique to the South, but in that region, where most African Americans lived, an apartheid-like segregation was rigidly enforced by all—white local governments and their police departments. Blacks who stepped outside white-imposed customs, whether deliberately or inadvertently, were suppressed by police or white terrorist groups like the Ku Klux Klan. A white supremacist assassinated NAACP field secretary Medgar Evers in his front yard in 1963. Later that year, a bomb planted by the Klan ended the lives of four young girls at Birmingham's Sixteenth Street Baptist Church.

Yesterday's civil rights leaders would be impressed by the racial progress that has been achieved in America. Blacks today exercise considerable political and public policy influence in the nation and in many cities and states. Where there is racism today it usually more subtle. Often it is espoused by individuals who hide behind oratory instead of white sheets.

As this issue of *FOCUS* illustrates, the struggle continues. Today, the fight is against anti-affirmative action, forces, inequitable criminal sentencing, police brutaliy, unfair lending practices, attacks on majority-black legislative districts, and the drain of resources from public schools that most American students attend. We must pursue the modern day version of the 1963 March on Washington to demonstrate our concerns and to continue our pursuit of jobs and justice. ■



PRESIDENT

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Shifting Goals, New Strategies

While Great Civil Rights Strides Have Been Made, the Fight Goes on with Different Priorities and a New Set of Players

by David C. Ruffin

There is no doubt that over the intervening years since the 1960s, a great deal of progress has been made. With the passage of landmark statutes and court rulings, much of the overt segregation and racism that flourished in the first half of this century was eliminated by the 1970s. The virtual absence of African Americans in government has also become a thing of the past. Gone are miscegenation laws, poll taxes, and "whites only" signs at restaurants and water fountains. Progress in education has also been dramatic. By 1994, the fraction of African Americans holding college degrees had zoomed from 3 percent in the early 1960s to 13 percent.

Nevertheless, as illustrated in this edition of TrendLetter, the struggle continues. Many of the issues remain the same. African Americans still lag behind their white counterparts by a ratio of two to one in holding management and professional positions. The success of recent lawsuits charging major corporations with employment discrimination also confirms that the more subtle forms of job bias remain widespread. Blacks today may register and vote unmolested anywhere in the country. But the nation is now witnessing attempts to turn back the clock to the days when minority vote dilution was the political norm. Most of the majority-black congressional districts that were drawn in Southern states after the last census have been challenged in the courts. In the criminal justice system, the rising use of the death penalty, combined with extreme racial disparities in the application of that sentence in many states, constitutes a serious unresolved civil rights problem.

Education is now less a civil rights issue and more a concern over quality. Black children are no longer required to attend segregated schools, although most school districts that serve them are overwhelmingly black. Inequalities in education today stem from unfair academic tracking programs, the inequitable administration of discipline, and exclusionary standardized tests. Another serious concern is how to prevent a black undercount in the next census.

On the economic front, job creation and the preparation of young African Americans for an increasingly high-tech workplace through college or other job training programs have become as important as combating employment discrimination. Many policymakers are now working to promote black entrepreneurship, an issue that was nearly absent from the list of priorities in the '60s.

The Players Have Changed

Not only has the agenda changed, so have the players. One reason black civil rights leaders decided on a March on Washington 35 years ago was that African Americans and their concerns were virtually unrepresented in government forums. Today, however, the struggle is no longer exclusively headed by the leaders of civil rights organizations. Black elected officials in important policymaking positions now share this leadership role.

The rise of these black elected officials accompanied a relative decline in influence of the major civil rights organizations. The assassination of Martin Luther King, Jr., in 1968 dealt a devastating setback to the Southern Christian Leadership Conference, which King headed. Meanwhile, calls for "black power" from the new, more militant voices of the movement alienated some white supporters, many of whom diverted their energies to protesting the escalating Vietnam War. More recently, civil rights organizations like the revitalized NAACP have recreated themselves. Several have increased their strength by joining coalitions like the Black Leadership Forum and the Leadership Conference on Civil Rights. In Houston last November, an anti-affirmative action initiative was defeated by a coalition of black elected officials led by Congresswoman Sheila Jackson Lee, civil rights groups, and popular outgoing white mayor Bob Lanier.

As a direct consequence of the 1965 Voting Rights Act, literacy tests, poll taxes, and other barriers to voter registration swiftly disappeared, and in the South the number of blacks casting ballots skyrocketed. This brought about a parallel rise in the number of black elected officials. Between 1963 and today, their number has grown more than 80-fold from 100 officials to roughly 8,600. Significantly, most black officials have been elected from states that made up the Old Confederacy. This is true of 16 of the 40 current black members of Congress as well as the current mayors of nine major Southern cities, including Houston, Atlanta, New Orleans, Jackson (Miss.), and Birmingham (Ala.). As sheriffs and police chiefs, on school boards, in judicial chambers, on city councils, and in state legislatures, blacks have transformed the South.

White House Leadership

Since the time of Abraham Lincoln, progress in civil rights has depended in large part on the leadership of the president and on that of powerful members of Congress. Very little changed between Reconstruction and the Great Depression until Franklin Roosevelt dealt blacks into his "New Deal" and opened employment in defense industries to them. Harry Truman took a major step by signing the executive order that integrated the armed forces. Even Dwight

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David C. Ruffin is editor of FOCUS

Shifting Goals

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Eisenhower, despite his disinterest in minority concerns, sent troops to Little Rock to enforce the Supreme Court's decision on school integration and signed legislation that established the U.S. Commission on Civil Rights.

The fight for equality escalated rapidly in the 1960s as a result of the pressure placed on the White House by civil rights demonstrators. John F. Kennedy introduced what would become the Civil Rights Act of 1964, whose passage was achieved by the persistent efforts of his successor, Lyndon Johnson. One year later, Johnson fought for passage of the Voting Rights Act. His breakthrough federal appointments also marked the end of the all-white tradition in the Cabinet and the Supreme Court.

In the 1960s, civil rights was a bipartisan issue. Nearly half the votes for the 1964 Act were cast by Republican members of Congress. And while Republican Richard Nixon won election to the White House in part through his "Southern strategy"—promising to go easy on civil rights enforcement in his campaign—affirmative action was codified during Nixon's administration. Jimmy Carter too made a lasting contribution by appointing 40 African Americans to the federal bench, a remarkable accomplishment for a one-term president.

The Conservative Revolution

The Reagan era represented a sea change in the politics of race relations. When he came to Washington in 1981, Ronald Reagan became the first occupant of the White House since 1932 to shun black leaders and deliberately ignore their concerns. Reagan's sharp ideological shift to the right swayed public attitudes on civil rights as well as attitudes toward the federal government and its social programs, which in turn influenced the philosophical tenor of Congress.

As former Congressman Augustus F. Hawkins (D–Cal.) stated in 1987, "We've made civil rights progress with every president since Franklin Roosevelt, until now." The officials Reagan appointed to head up federal civil rights agencies declined to enforce the laws that Congress had mandated them to administer. His administration lobbied to weaken the 1982 extension of the Voting Rights Act and attempted to eliminate affirmative action as a policy.

Reagan's successor, George Bush, adopted many of his polices. Bush vetoed an important civil rights bill and appointed to the Supreme Court Clarence Thomas, an African American justice who has since voted to weaken civil rights protections in several important cases.

Outside of government during the decade of the '80s, well-financed conservative groups flourished in partnership with a sympathetic White House. The "conservative revolution," with its opposition to big government, zeroed in on civil rights and social programs. Affirmative action—in the workplace, in university admissions, and in government contracting—has been a prime target for conservative organizations like the Institute for Justice, the American Civil Rights Coalition, and the Heritage Foundation. The newly energized anti-affirmative action forces changed the order of battle. Where civil rights organizations had taken the offensive in the 1960s to win equality from segregationist governments in the South, conservative organizations are now waging aggressive campaigns to overturn many of those gains. Minority interests and organizations now find themselves constantly on the defensive.

Public Relations War

Today, conservative groups are more sophisticated than the anti-civil rights forces of the 1960s, which were symbolized by Governor George Wallace's 1963 proclamation, "Segregation forever!" Affirmative action is being attacked with a new weapon—public relations—with the aim of discrediting the policy in the minds of the public through loaded characterizations, including labeling affirmative action as "reverse discrimination," "quotas," and "preferences."

A prime example of this is Proposition 209, adopted by California voters in 1996 by a narrow margin. The measure, which outlaws state affirmative action programs in education, employment, and contracting, does not mention affirmative action. Instead, it reads this way: "The state shall not discriminate against, or *grant preferential treatment* to, any individuals or groups. . . ." A poll later revealed that many of the people who voted for this initiative had not realized that it would end affirmative action, and that had they known, they wouldn't have voted for it. An anti-affirmative action initiative in Washington State, I-200, which will be on the ballot in November, uses practically identical language.

Another insidious device is to give anti-affirmative action efforts a black face. For example, Proposition 209 was promoted by Californians Against Discrimination and Preferences, a white organization that invited Ward Connerly, an African American, to chair the initiative drive. Many in the public did not suspect that a group headed by a black man was actually committed to eliminating affirmative action. Similarly, the campaign for Washington State's I-200 recruited unemployed and homeless African Americans from Ohio, Florida, and Chicago to gather petition signatures. These black recruits were initially deceived by campaign organizers who told them that they would be gathering signatures to put a pro-civil rights measure on the ballot. It was hoped that Washington's citizens would be similarly deceived.

With Bill Clinton in the White House and the Congressional Black Caucus at the other end of Pennsylvania Avenue, anti-affirmative action forces have been effectively blocked at the federal level. Clinton, who called for "mending, not ending" affirmative action, has exceeded all of his predecessors in black Cabinet and judicial appointments. But as the struggle over affirmative action continues in courts and state legislatures across the nation, black elected officials, civil rights groups, and other black organizations, in coalition with progressive white leaders, and groups representing the interests of other minorities and women, are weighing in to join these new battles. ■

Where Are They Now?

Many of the Civil Rights Advocates as Well as Those Opposed to Desegregation Are Still Active in Public Affairs

by Marc DeFrancis

The collective efforts of many dedicated Americans—black and white, men and women, Protestants, Catholics, and Jews, young and old—came together in the 1950s and 1960s to become the civil rights movement. Aggressively pursuing nonviolent protests and strategic lawsuits, they dislodged the pervasive system of southern racism that had been established over some 350 years. Of course, change was resisted by white politicians and others committed to preserving the status quo. While it would be impossible to list the thousands of people who helped shape this history, we have chosen to look at the lives of a few individuals, from both sides of the struggle, who played a role then and continue to play a role in our nation's public life.

John Lewis

At age 23, John Lewis was the youngest keynote speaker at the 1963 March on Washington. He spoke as chair of what had become the preeminent organization of young civil rights activists, the Student Non-Violent Coordinating Committee (SNCC). Born the son of sharecroppers, Lewis was still a college student when he decided to risk his life in 1961 as a "Freedom Rider" to end segregation at southern bus terminals. When they reached Montgomery, Alabama, he and other Freedom Riders were brutally beaten by an organized white mob while local police refused to intervene. Four years later, Lewis led a group of marchers across the Edmund Pettus Bridge in Selma, Alabama, into the batons of waiting state troopers. This demonstration of courage, seen on television screens across the country, was instrumental in gaining passage of the Voting Rights Act later that year.

In 1981, Lewis was elected to the Atlanta City Council. Five years later he was elected to Congress, where he continues to represent Georgia's 5th congressional district, which includes the entire city of Atlanta. Lewis's memoir, *Walking With the Wind,* was released this year. He continues to speak of his faith in building the "beloved community" of racial harmony envisioned by Rev. Martin Luther King, Jr.

Strom Thurmond

South Carolina politician J. Strom Thurmond already had a reputation as a committed segregationist before the 1960s dawned. At the 1948 Democratic National Convention, he led a walkout of southern Democrats to protest a civil rights plank to the party's platform called for by Hubert H. Humphrey, then mayor of Minneapolis. Speaking on behalf of white Southerners, Thurmond stated, "All the laws of Washington and all the bayonets of the Army cannot force the Negroes into their homes, their schools, their churches and their places of recreation and amusement."

In the summer of 1964, after most segregationists in Congress had ceased to oppose passage of the historic civil rights act, Thurmond fought a symbolic battle up to the last hour, introducing crippling amendments to delay the vote on the legislation that would finally end segregation in most public places. Now serving his 43rd consecutive year in the Senate, Thurmond, who switched to the Republican party in 1964, is one of only two sitting members of Congress to have voted against the 1964 Civil Rights Act. The other is Senator Robert C. Byrd (D–W.Va).

Harris Wofford

Harris Wofford is a white Tennessean who has had the unusual privilege of straddling two worlds—Washington politics and black activism. With twin law degrees from Howard as well as Yale, and with a deep interest in the nonviolent revolution wrought by Mohandas Gandhi in India, he set out to assist the civil rights movement in the 1950s. He had discussed nonviolent strategies with Martin Luther King, Jr., and was legal counsel to the U.S. Commission on Civil Rights when John F. Kennedy appointed him White House advisor on civil rights in 1961. As a Washington "insider," Wofford was among a handful of people—Clarence Mitchell, Louis Martin, and Joseph Rauh were others—who had access to movement leaders as well as the White House.

Wofford, who also helped found the Peace Corps, has remained active in public life and politics, serving as president of Bryn Mawr College and later as a U.S. senator from Pennsylvania. He currently heads the Corporation for National Service.

Byron de la Beckwith

On the evening of June 12, 1963, Medgar Evers, field secretary for the NAACP in Jackson, Mississippi, was assassinated in the driveway of his home. The man who shot Evers, white supremacist Byron de la Beckwith, was at the time a member of the so-called White Citizens' Council in his hometown of Greenwood, 80 miles from Jackson. Despite overwhelming material evidence, the murder charges against Beckwith were dropped after two 1964 trials ended in hung juries. Both juries were all white.

Throughout the trials, Beckwith was treated by Mississippi officials, including Governor Ross Barnett, not as a murder defendant but as an honored guest. Twenty-six

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Mr. DeFrancis is the senior editor at the Joint Center for Political and Economic Studies and a contributing editor to *FOCUS*. Rev. Andre Spivey, a Joint Center summer research assistant and second-year student at Colgate Rochester Divinity School, contributed to this article.

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years later, Beckwith was tried again. In 1994 he was convicted of murder and sentenced to life in prison.

Mylie Evers Williams

"Nothing can bring Medgar back, but the cause can live on." When she spoke those words at a rally the night after her husband's assassination, Myrlie Evers articulated a resolve that would shape her life. Since then, she has been a lecturer, author, and advocate for civil rights. In 1995, she was elected chair of the board of the NAACP, whose reputation had been tarnished by scandals and financial problems. After guiding the venerable civil rights organization back to viability, she stepped down from the chairmanship this year to oversee the Medgar Evers Institute. The institute is dedicated to leadership and development.

Terry Sanford

A white politician in the vanguard of the New South movement, Sanford entered office as governor of North Carolina in 1961, just as student lunch-counter sit-ins that began in his state were sweeping through the South. Sanford refused to join the continuing campaign of "massive resistance" that most of the other Southern governors were waging in defiance of federal court-ordered desegregation. He appealed to his white constituents to stand up for moderation, arguing at the time that "politics will change the moment politicians know there is no longer anything to be gained from racism."

Sanford has also been credited with revolutionizing his state's educational system during his term as governor. After serving a long stint as president of Duke University, he became a U.S. senator— a position he lost to conservative Republican Lauch Faircloth in 1992. Sanford's dedication to equal educational opportunity was reflected in his membership on the boards of numerous educational and nonprofit institutions, including Howard University and the Children's Television Workshop. Terry Sanford died in April of this year.

Julian Bond

In 1963, having dropped out of Morehouse College to work full-time as a protest journalist, Julian Bond was immersed in movement activities. As one of the founding members of SNCC, he had spent the early 1960s organizing student demonstrations in Atlanta that led to the desegregation of many of the city's public facilities.

Bond entered politics immediately upon passage of the Voting Rights Act, winning a seat in the Georgia House of Representatives in 1965. His outspoken opposition to the Vietnam War, however, prompted the legislature to deny him a seat. The U.S. Supreme Court unanimously upheld Bond's right to be seated, and he served continuously there and in the state senate until 1987. Since then, he has spoken out for numerous human-rights causes and worked as a media commentator, book author, and university professor. In February, Bond was elected chair of the board of the NAACP to replace retiring chair Myrlie Evers Williams.

Marian Wright Edelman

A native of South Carolina, Marian Wright was finishing law school at Yale University in 1963. Shortly after graduation, she moved to Mississippi to head up the NAACP Legal Defense and Educational Fund's work in that state and became the first black woman admitted to the Mississippi bar. She defended the rights of black farmers and others in the desperately impoverished Mississippi Delta. In 1968 she moved to Washington, D.C. where she was legal counsel for Martin Luther King's Poor People's March. Today she heads the Washington-based Children's Defense Fund, an organization she founded in 1973 that advocates on behalf of children and families nationwide so that "no child is left behind."

William F. Buckley, Jr.

In 1955, a few short years after finishing college, William F. Buckley founded the *National Review*, which continues to be an influential journal of conservative opinion. Buckley's opposition to federal civil rights measures, including the 1964 Civil Rights Act, has remained unchanged. In a recent debate this year on his television show, "Firing Line," he was questioned by ACLU president Ira Glasser:

> Glasser: In 1961,... you said you were "not ready to abandon the ideal of local government in order to kill Jim Crow."
>
> Buckley: That's true.
>
> Glasser: You ought to be ashamed of that now. Are you?
>
> Buckley: No... In order to advance them [blacks], certain cultural changes, including education, had to be done... Whether it should have been turned over to the federal government, in my judgment, it ought not to have been.

Charlton Heston

The civil rights community certainly appreciated the gesture Charlton Heston made in 1961 when he joined pickets against several whites-only restaurants in Oklahoma City. Popularly remembered for his role as "Moses" in the classic film, *The Ten Commandments*, Heston also participated in the 1963 March on Washington as president of the Screen Actors Guild. Since that time, however, his involvement in public causes has not included minority rights, and his more recent statements suggest a different agenda. Heston today says he is opposed to "blacks who raise a militant fist with one hand, while they seek a preference with the other." The newly appointed president of the National Rifle Association, Heston now rails against affirmative action, feminism, gay rights, and gun control.

Constance Baker Motley

By 1963, as counsel for the NAACP Legal Defense and Educational Fund, Motley had already done much to advance the cause of civil rights. She had argued ten civil rights cases before the U.S. Supreme Court and won nine of them. Her better known desegregation cases resulted in the admission

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We Stood Up at the March—A Memoir

The 1963 March on Washington Was a Personal Protest for Many Who Were There

by David C. Ruffin

Just before midnight on August 27, 1963, I boarded a special train to Washington at Pittsburgh's Penn sylvania Station. The mostly black passengers were all headed to the March on Washington called for the next day. I was home on leave from the Air Force. I had 30 days between my new assignment in Japan and the tech school I had left at Goodfellow Air Force Base near the dusty little West Texas town of San Angelo. I was 18.

As I walked through the cars of the train, I recognized friends, neighbors, my favorite uncle Bob, and some of Pittsburgh's most prominent black citizens. Many of the men wore coats and ties; the women wore print dresses. Their attire seemed impractical for a march and day long rally in Washington's summer heat and humidity, but the people on this train were on their way to conduct serious business.

They were presenting themselves at the seat of their government to seek redress for more than 300 years of racism and injustice. The June murder of Medgar Evers was still fresh in their minds. We had all seen the televised images of young demonstrators and freedom marchers being brutalized by white mobs and the police. For me, taking that train to the march seemed to be the right thing to do. I had a personal reason too. Earlier that year, unaware that San Angelo was segregated, I had entered a restaurant in the town only to be refused service because of my color. The indignity of the experience was bad enough, but it was the height of the Cold War, and I was part of a military force that was poised to defend the Free World from the oppressive yoke of communism. This was what I was told in all of my Air Force training, and I believed it. Yet in this bastion of democracy, no one was coming forward to defend my free right to sit down in a restaurant, anywhere in my own country and have a sandwich—something that every white person took for granted.

Searching for a seat on the crowded train, I saw a man from my neighborhood whom I hadn't seen since before I'd enlisted in the Air Force. About the same age as my father, he was one of the adults who played tennis at Ammon Recreation Center, the location of the sole tennis court in the Hill District, Pittsburgh's largest black community. Growing up in that working-class neighborhood, there was always a struggle between youngsters and adults for court time. I remembered this man as one of the more generous adults. On the train, he was wearing a gray suit, white shirt, and knit tie; a gray straw hat with a matching band rested in his lap as he sat there in silence. He recognized me, and I asked if I could sit in the empty seat beside him.

After catching up with each other's lives, I asked him why he was going to the march. He paused a moment. Then he began to tell me about the time when he was in the Army and stationed in the rural South during World War II. Dressed in his khaki uniform, he had taken a bus one day to go into the nearest town and sat in the back of the bus, as all black people did in the segregated south in the '40s. After a while, his bus stopped and picked up another black soldier, also in uniform. The soldier didn't move to the back of the bus, but sat in the front of the vehicle. The white driver ordered him to sit in the back. The soldier refused. The driver cursed the soldier; and again the soldier refused to move.

The driver, flushed with anger, returned to the wheel and started the bus back on its route. Riders came and went, and finally the black soldier in the front of the bus rose to get off at a stop that was little more than a crossroads. As he descended, the driver produced a revolver and shot him in the back. The driver closed the door, walked back to my neighbor, pushed the gun in his face, and said, "Now, what you gonna do about it nigga?" My neighbor sat as still as he could and replied, "Nothing." As the bus pulled away, he looked back and caught a glimpse of the soldier's motionless body lying at the side of the road.

My neighbor paused. By this time, the lights in the train had been turned out, and most of the others on the car were asleep. The only sound I could hear was that of the wheels rushing over the breaks in the tracks—click clack, click clack. Then my neighbor said softly, "I didn't know if he was dead. He looked dead. He was just left there." He paused again. "I've never been able to do anything about that. Now I can. That's why I'm going to the march."

We pulled into Washington's Union Station early on the 28th. The sky was sunny and blue. The younger people from the train, including myself, decided not to wait for the special shuttles to take us to the Mall where the march was to be held—we walked. As all the marchers assembled, I was astounded at the number who had come from all across the nation. I had never seen so many black people in my life.

I heard Peter, Paul, and Mary sing "Blowing in the Wind." I saw Harry Belafonte, Marlon Brando, and Burt Lancaster. Union activists mixed with Catholic nuns in their habits. I saw the front line of the march. There I stood about 20 feet from Martin Luther King, Roy Wilkins,Whitney Young, James Farmer, and John Lewis, the young Freedom Rider we'd all heard so much about, along with Walter Reuther, the presi-

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of James Meredith to the University of Mississippi and of Charlayne Hunter Gault to the University of Georgia.

In 1964, Motley was elected to the New York State Senate, the first black woman to be seated in that legislative body. Shortly afterward, she ran for and won the presidency of the Borough of Manhattan. Impressed by her credentials, President Lyndon Johnson nominated her in 1966 to a federal district judgeship and fought for her nomination over fierce opposition from the southern-dominated Judiciary Committee. Since then Motley has served continuously as a federal judge.

Bernice Johnson Reagon

In 1961, Bernice Johnson was arrested during protests against the segregation policies of Albany, Georgia. In the jailhouse, she sang songs like "This Little Light of Mine," "to plant a seed," as she put it. Reagon's fellow protestors responded to her voice by filling the jail with an explosion of music that even the police outside could not ignore. The following year Reagon toured the country with the Freedom Singers, raising money and inspiration for the cause. She has remained a musician, and is well known today for keeping the *a capella* tradition alive through her award-winning choral group, Sweet Honey in the Rock. ■

March

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dent of the United Auto Workers. I knew at that moment that I was standing at the center of a pivotal point in our nation's history.

After the march proceeded down Constitution Avenue, those slated to speak settled in at the steps of the Lincoln Memorial. Perhaps 300,000 people lined either side of the Reflecting Pool in the heat of the day. Sound systems back then weren't what they are today, and I was so far away from the Memorial steps that I could barely hear the speeches. Although I'm still moved when I hear King's "I Have a Dream" speech, I must confess that I couldn't make out much of it when I heard it live.

When it was all over, I walked back to Union Station with the afterglow of having taken part in something very important. I couldn't find the gentle man in the gray suit I rode down with. But his recollection of a black soldier shot in the back on a dusty southern road remains my most vivid memory of the march. He stood up for that soldier at the march. We all did. Other men and women in the racist South faced daily slights and insults, were beaten, and even killed. We stood up for them too. ■

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POLITICAL REPORT

The Struggle Continues

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In 1963, the civil rights struggle focused on winning for African Americans the most basic rights other citizens enjoyed—the right to check in to hotels, to be served at restaurants, and to drink from public water fountains. Those rights have been won.

But today the struggle continues as forces hostile to civil rights work to dilute black voting strength and erode gains in the areas of equal employment and educational opportunity. Indeed, elements of the political right-wing are now casting the continuing effort to obtain equal opportunity and justice for minorities and women as "reverse discrimination" against white men.

Civil rights organizations, black elected officials, and others are now fighting to preserve affirmative action, to halt the drain of resources from public schools, to remove the racial disparities in criminal sentencing, and to ensure that African Americans are not "redistricted" out of contention for seats in Congress and state legislatures. While tremendous civil rights achievements have taken place, future progress is uncertain as rights advocates are actually fighting to prevent a roll-back of certain hard-won gains. Updates of some of the more important continuing civil rights struggles the nation faces are profiled below.

The National Assault on Affirmative Action

In 1963, African Americans in the South were subjected to a system of officially sanctioned racism that explicitly excluded them from consideration for most jobs that offered good wages. When announcements for these jobs appeared in help-wanted ads, it was understood that "Negroes need not apply."

Moreover, the only public education available to most southern blacks was at grossly underfunded segregated schools and blacks-only state colleges. With passage of the Civil Rights Act of 1964, discrimination in both areas began to end. Nevertheless, it was discovered that the mere absence of overt discrimination did not create a level playing field.

In the late sixties and early seventies, affirmative action programs in higher education, employment, and contracting were instituted to help make up for past exclusion and to ensure that African Americans were being accorded equal access to the American dream. Affirmative action also served as a method of intervention to counteract subtle systemic or institutional discrimination that had the effect of excluding minorities or women from opportunities. Such subtle discrimination included exclusionary recruitment practices and examinations whose contents were not job related.

In recent years, a nationwide anti-affirmative action movement has sought to eliminate these programs. Its most notable successes have been the passage of Proposition 209 in California, outlawing affirmative action programs in all state agencies and institutions, and the *Hopwood v The State of Texas* decision of a federal appellate court, now under appeal, which struck down affirmative action admissions programs in the University of Texas system as well as the state university systems of Louisiana and Arkansas.

This November, the citizens of the State of Washington will vote on initiative I-200, which was drafted in language nearly identical to that of Proposition 209. The Washington initiative would eliminate affirmative action in state employment, education, and contracting (see "New Initiative Attacks Affirmative Action" in the June issue of FOCUS).

Bills that would have similar effects have been introduced in more than a dozen state legislatures. In Congress, measures that would nullify affirmative action in college admissions and in federal contracting were voted down earlier this year, but the spon-

sors of those bills are expected to continue their efforts in the future. In the courts, lawsuits have been filed against the affirmative action admissions policies of the University of Michigan, the University of Washington Law School, and other institutions across the country.

Last November, when Houston voters defeated Proposition A, a referendum modeled on Proposition 209, it looked as though the nationwide campaign to eliminate affirmative action programs had been dealt a setback. But on June 26, State District Judge Sharolyn Wood invalidated the results of the Houston vote on the grounds that the redrafting of the referendum by city officials was improper.

City officials had rewritten the original measure's deceptive and confusing language to make it clear to voters that its passage would result in the elimination of the city's affirmative action programs in employment and contracting. Polls taken before the election showed that the measure would have passed if the original wording with its reference to "preferences" had been left intact. Instead the referendum was defeated by a substantial vote of 54 to 46 percent.

The original language of the Houston measure was taken from Proposition 209 and reads as follows:

"The City of Houston shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment and public contracting."

The City Council, at the urging of outgoing Mayor Bob Lanier, Congresswoman Sheila Jackson Lee, civil rights organizations, and other citizens' groups, changed the wording to reflect the actual intent of the referendum's proponents:

"Shall the Charter of the City of Houston be amended to end the use of affirmative action for women and minorities in the operation of the City of Houston employment and contracting, including ending the current program and any similar programs in the future?"

Judge Wood's decision has ramifications for the nationwide battle to dismantle affirmative action. Although the judge ruled that the city's rewrite did not reflect the intent of those who had originally signed the petition to have the measure placed on the ballot, she ruled against the plaintiffs' request to have the city enjoined from rewriting any future referendum on the subject. For the present, the city's affirmative action program remains in place, but its future is unclear. The city has appealed the decision, but state law allows the judge to order a new election even before the appeals process is completed.

Many political observers are concerned that a new election might not attract the same high turnout among minority voters that helped defeat the initiative last November, when Lee Brown, the city's former black police chief and former Clinton drug czar, headed the ballot in a successful bid to become the city's first black mayor.

Vouchers a Drain on Public Education

After the U.S. Supreme Court's 1954 *Brown v Board of Education* decision, civil rights groups fought to integrate racially segregated public schools, primarily because white schools generally had far superior facilities and resources. Today, the biggest fight over elementary and secondary education involves an effort to use tax dollars to support education vouchers that would help pay for tuition and expenses at private and parochial schools.

Over the past few years, several congressional proposals have been introduced to offer education vouchers to poor families valued at between $2,400 and $3,200. That these ideas have met with some support among black parents is not surprising, given the disrepair, violence, and low achievement that plague many urban public schools. In a national Joint Center survey conducted one year ago, 57 percent of African Americans reported that they would support vouchers.

Nevertheless, those opposed to vouchers, including the NAACP, argue that despite the advantages they present to some families, their overall effect would be disastrous both for civil rights and for the public school system. Using tax dollars to support religious instruction flies in the face of the First Amendment separation of church and state.

The second problem is that even at the high-end proposal of $3,200 per pupil, vouchers wouldn't cover the full cost of most private school tuition, leaving virtually all poor families out of the running.

Furthermore, unlike public schools, private and parochial institutions need not shoulder the responsibility of opening their doors to all. Private schools are not subject to federal civil rights protections and they have broad latitude to turn applicants away for reasons other than an inability to pay.

Most private schools refuse to admit applicants who fail to make minimum scores on standardized tests, for example, and many reject applicants with learning disabilities. Few private schools have the resources to accommodate children who are visually or hearing impaired.

At present, 93 percent of the nation's black children, and 88 percent of the nation's white children, attend public schools. But critics fear that vouchers could trigger a damaging new trend, draining both public funds and the best students away from public schools, which would be left with the most difficult and expensive teaching burden as well as weakened public support.

Racial Disparities in Death Sentences

Since the reinstatement of the death penalty for capital offenses in 1976, study after study has shown conclusively that African American defendants are much more likely than white defendants to receive a death sentence for similar crimes. And they are yet more likely to receive a death sentence if the victim is white. Nearly 37 percent of all inmates executed since 1976 have been black, as are 42 percent of the 3,387 inmates on death row today. A recently released report from the Death Penalty Information Center, a Washington, D.C.- based nonprofit institution, confirms that race does indeed influence who lives and who dies.

One new study, conducted in Philadelphia, found that the odds are four to one of a defendant receiving the death penalty if he is black. This held true even when the severity of the crime and the defendant's background were taken into account. A second study showed that 98 percent of the district attorneys in jurisdictions that have the death penalty are white. Only one percent of the district attorneys in these locales are African American. It is generally the district attorney who decides whether to ask for the death penalty in capital cases.

Other studies have shown that the race of the victim is very influential. The Death Penalty Information Center's report notes that in Mississippi, black defendants are 5.5 times more likely to receive the death sentence if the victim is white rather than black, in Florida 4.8 times more likely, and in Illinois 4 times more likely. Altogether, the race of the victim causes a prejudicial racial disparity in sentencing that has been identified in 27 states.

The death penalty is now imposed by the federal government and 40 states, including all of the southern states, where the majority of African Americans live. Southern states also execute the most inmates. As the NAACP Legal Defense and Educational Fund states in its Spring 1998 report, "Death Row, U.S.A.," since 1976, Texas has had by far the most executions—147. Since the penalty was reinstated, nearly one third of the 451 executions in the United States have taken place in Texas.

Another disturbing fact is that since 1991, the number of executions has been increasing dramatically each year. There were 14 executions nationwide in 1991. Last year's record total of 74 executions represents a five-fold increase over a six year period.

Redistricting Blacks Out of Office

In 1868, the Fourteenth Amendment was enacted to extend the rights of citizenship to former slaves. During the 1960s, the Equal Protection Clause of the amendment was at the core of legal arguments to protect minority voting rights and to end segregation and discrimination. Ironically, the same clause is now being used to diminish minority political representation. Opponents of majority-minority legislative districts have successfully mounted court challenges to many such districts that were created during the reapportionment process following the 1990 Census. They claim that these districts violate the Equal Protection Clause, even though the districts were constructed in the first place to meet the provisions of the 1982 amendments to the Voting Rights Act which prohibit states from diluting the voting strength of minorities. As a result of these challenges, federal courts have ordered that several of the districts be redrawn so that they no longer contain black majorities.

North Carolina's 12th congressional district is one example. One of two districts in the state represented by an African American, the 12th has been contested ever since its creation in 1991. On June 22, 1998, a panel of three federal judges approved the state legislature's latest redrawing of the boundaries in the district in which blacks no longer comprise a majority.

The history of the 12th district in this decade is instructive. In 1991, to meet its obligations under the Voting Rights Act, North Carolina's legislature drew two majority-minority districts, the 1st and the 12th, using the data from the 1990 census.

Like other southern states, North Carolina was required to do this because of its history of using a variety of means first to deny blacks the right to vote and then to fashion voting districts that diluted their voting strength. In 1992, each of the two new majority-black districts elected a black representative—Eva M. Clayton from the 1st and Melvin L. Watt from the 12th. Despite the state's 22 percent black population, these were the first African Americans to serve in the U.S. Congress from North Carolina since Reconstruction.

In its pivotal 1993 *Shaw* v *Reno* decision, the U.S. Supreme Court ruled that the "bizarre" shapes of these two

districts were a clear indication that race had been the major consideration in their construction. Writing the Court's opinion in the narrow 5 to 4 ruling, Justice Sandra Day O'Connor stated that the use of race as the primary factor in drawing district lines was prohibited unless the government could show that its use was narrowly tailored to meet a compelling state interest. In 1997, the state legislature redrew the districts to make them more "regularly" shaped.

But a three-judge panel last April ruled that race had still been too dominant a factor in drawing the district lines. The state then asked the U.S. Supreme Court to allow it to postpone redrawing the district yet again until after its scheduled May primary election. The court refused to hear the case, making it necessary for the primary to be rescheduled for September.

Under the original 1991 redistricting plan, the 12th district was majority-black—about 53 percent. The 1997 plan brought the percentage down to 46 percent. The newest plan finally accepted by the judges in June gives the district a population that is only 35 percent black.

Even though his district is now nearly two-thirds white, Representative Watt has announced that he remains a candidate for reelection in the fall primary. However, he strongly criticized the court's decision: "I find it ironic and saddening that 100 years after George H. White was defeated as the sole remaining black member of Congress in 1898 due to poll taxes, literacy tests, and ballot stuffing, the same fights for minority representation are being waged again." Although the new plan will be in effect during this year's election, the state attorney general's office has announced that it will continue its appeal for validation of the 1997 plan.

The continual barrage of challenges to districts represented by black members of Congress throughout the South will be renewed when the redistricting process starts after the 2000 Census.

NAACP Urges a Boycott of Biased Hotels

In 1963, public accommodations in the South were generally closed to African Americans. There were whites-only restaurants, movie houses, even parks and beaches. The number of hotels in the South that would accept black guests was so small, it was necessary for black travelers to stay at the homes of local blacks who would accept temporary boarders. African American families were often forced to sleep in their cars off dark and dangerous back roads. Today, hotels and motels are open to all travelers, but their employment and contracting policies are not always so free of discrimination.

On June 26, the NAACP Lodging Advisory Council released its second consumer guide and report on the hotel/motel industry as a part of the NAACP's Economic Reciprocity Initiative. The report grades the industry on its performance in employing and contracting with African Americans and other people of color. The objective of the report and guide, according to NAACP president Kweisi Mfume, is to allow consumers to make lodging decisions based on companies' commitment to equal opportunity.

Fourteen hotel chains were evaluated based on their performance in employment, vendor development, advertising, investment opportunities, and philanthropy in the minority community. The resulting report card showed considerable progress from the first year's findings in the areas of community involvement, contracts, and programs to promote diversity and equal opportunity in hiring and promotion. Ten of the fourteen chains now have African Americans on their boards of directors, although other minorities are not so well represented.

At the bottom of the rankings were the Omni (*D*-) and Best Western (*D*+) chains. The Best Western's 1998 grade was actually an improvement over its performance for 1997, when it received an F. The Omni was the only chain whose grade was lower this year than last year. (In 1997, it received a *D*). The NAACP withholds its business from hotels with a grade of *D* or below and urges consumers to boycott these chains.

The two highest ranking hotel chains were Cendant (*B*) and Promus (*B*-). Cendant includes Days Inn, Howard Johnson, Knights Inn, Super 8 Motels, Travel Lodge, Villager Lord, and Wingate Inn. Promus includes Doubletree Suites and Resorts, Embassy Suites, Hampton Inn and Suites, Homewood Suites, and Club Hotels by Doubletree. Both hotel chains improved on their grades for the previous year, when Cendant received a *C*- and Promus a *D*. n