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FOCUS

The monthly magazine of the Joint Center for Political and Economic Studies

Aiding Democracy

The Joint Center Steps Forward to Help the South African People Prepare for Next Year's First-Ever Multiracial Democratic Elections

Is Managed Care the Answer for Blacks?

Black Health Advocates Fear That Managed Care, A Proposal Being Considered by the Clinton Administration, Could Have Serious Downsides

The Court's Blind Eye on Voting Rights

The Supreme Court's Recent Decision on Redistricting for Majority-Minority Districts Threatens Voting Rights Progress

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Inclusion: A Continuing Mission of Our Democracy

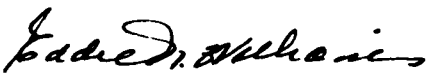
As the nomination of Lani Guinier to be assistant attorney general for civil rights was being withdrawn, banter over whether or not she was a "radical quota queen" obscured what the nomination was really about—inclusion. President Clinton committed himself to assembling an administration that "looked like America." In this, he has achieved some success. In addition to four black cabinet officers (more appointees than any other president), he has named dozens of African Americans to other high-level posts. Latinos have been brought on board as well as numerous women. Clinton ignored critics and held fast to his goal of naming a woman to be attorney general, a post that until now had been a white male preserve. This was a true example of affirmative action—intervening to reverse a pattern of institutionalized exclusion.

It is ironic that Guinier was excluded from serving in this administration. For much of her professional life, she had been successful in litigating against the exclusion of African Americans from the political life of the nation, and she won court cases that struck down barriers to black voter registration and to electoral victories of black candidates in numerous legislative districts. Guinier's nomination was opposed largely because she had been an effective fighter for civil rights—the ongoing crusade for inclusion. Regrettably, even in 1993, in some quarters that's still radical.

Since the founding of the Republic, significant elements of the society have opposed the full inclusion of peoples from different racial, ethnic, and religious groups. The 39 signers of the Constitution in 1787 were all wealthy, powerful white men who wrote a document that not only withheld political rights from women and blacks but also allowed the franchise to be denied to white men who did not own property.

Over the last two centuries, one of the great missions of this society has been to extend its constitutional covenant to include the excluded. But inclusion has always been resisted. In the 1830s, for example, secret "nativist" societies with names like the "Order of United Americans" and the "Sons of '76" sprang up to oppress Irish Catholic immigrants who were frequent victims of discrimination and mob violence at the hands of "America Firsters." Other immigrant groups—Chinese, Jews, Italians, and Latinos—have experienced worse persecution.

In his Gettysburg Address, President Abraham Lincoln posed one of the great questions that we must continue to address as a democracy: Can a nation, conceived in liberty and dedicated to the proposition that all men are created equal, long endure? Whether we will succeed as a multiracial, multiethnic democracy remains an open question. At its best, our society has responded to this great challenge of inclusion admirably. The 13th, 14th, and 15th Amendments freed the slaves, granted them citizenship and the right to vote. Women won the franchise with the passage of the 19th Amendment. The 1954 *Brown* decision, the Civil Rights Act of 1964, and the Voting Rights Act of 1965 are all part of this continuing process of inclusion. Sometimes the process of inclusion is untidy. But it is as necessary as the ongoing task of protecting free speech, a free press, and religious freedom. Those countries that refuse to fully integrate minority groups too often must reap the bitter fruits of intergroup hatred—witness the riots in American cities during the 1960s or Bosnia and Northern Ireland today, lands locked in internal conflicts that appear to have no ending. At our best, we are better than that. ■



PRESIDENT

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Aiding Democracy

The Joint Center Steps Forward to Help the South African People Prepare for Next Year's First-Ever Multiracial Democratic Elections

by David C. Ruffin

The long and painful struggle for human rights and political freedom in South Africa reached a crucial phase recently when the government of that country agreed to hold nonracial elections. The first national balloting in which members of all racial and ethnic groups shall vote is scheduled for April 27, 1994. The much hoped for establishment of a genuine multiracial democracy rests on free and fair elections culminating in a clear and universally accepted outcome.

But much must be done between now and next April to prepare the majority of the South African people for full political participation. Unfortunately, the black majority of the population, up to now excluded from participation in the electoral process, has no direct experience with democratic elections. Moreover, there is vigorous opposition to the elections from some white right-wing groups as well as factional strife within the black population.

It is within this context that the Joint Center, in collaboration with two other organizations, will offer its assistance in familiarizing South African political organizations with the democratic electoral process. Drawing on its long experience in political participation, the Joint Center will provide South African political organizations with technical assistance in analyzing and writing opinion survey data, mobilizing voters, monitoring elections, and other aspects of the election process.

The Fruits of Struggle

Over the last few years, South Africa's white leaders relented to mounting internal pressure from black South Africans as well as international pressure, gradually dismantling some of the most dehumanizing elements of apartheid, lifting the bans on black political organizations, and in February 1990, freeing African National Congress leader Nelson Mandela. Since that time, Mandela and State President F.W. DeKlerk have been leading the country down the road to majority rule.

The struggle to end apartheid and establish a non-racial democratic society has been shared by black Americans from all quarters. South African human rights leaders and freedom fighters have had strong allies among African Americans, who led boycotts, disinvestment drives, and demonstrations at the South African embassy, and who successfully lobbied Congress and most state legislatures to enact economic sanctions against South Africa.

Celebrating the current progress should be tempered with caution, however, because the effort to eliminate apartheid and establish democracy is at a critical juncture. Divisions and rivalries among a variety of white and black political groups and factions in South Africa threaten the success of the transition process. These divisions pose major challenges to Mandela and DeKlerk as they work to hold together their respective fractured constituencies and maintain the momentum for reform. Furthermore, they must quickly reach agreement on a wide range of critical procedural matters, and they must effectively mobilize the population to support the change process and participate confidently in it. In some of these latter tasks, institutions from outside the country can be helpful.

Stepping Forward to Help

The Joint Center, in conjunction with the National Democratic Institute (NDI) and the International Republican Institute (IRI), has stepped forward to help. In a project funded by the U.S. Agency for International Development, the Joint Center, in association with a prominent South African organization, the Institute for Multi-Party Democracy (MPD), will conduct a program to enhance the capabilities of democratic political organizations in educating voters, competing in the electoral process, and encouraging confidence in the new political institutions and processes. (MPD is a non-partisan organization engaged in promoting non-violent conflict management and education for effective political participation.)

The Joint Center will host a series of all-party workshops and conferences on major issues of campaign planning and organization. The distinctive feature of the Center's program is its emphasis on an interactive information-sharing process among all of the political organizations. Panels of experts will be convened to talk about political campaigns and election processes, especially in Third World environments. Experts from the United States, Europe, Africa, and the Caribbean who have had extensive experience in political party organization, campaign planning and strategy, and voter mobilization will be called upon to participate. By placing special emphasis on the use of Third World and African American

(Continued on page 4)

David C. Ruffin is editor of *FOCUS* at the Joint Center.

(Continued from page 3)

experts in the training workshops and conferences, the Joint Center hopes to reassure and inspire black South Africans by providing experts whose experiences are somewhat like their own.

As a nonpartisan institution with a long history of fostering political participation by minority groups, the Joint Center brings its unique experience to the task. The primary mission of the Joint Center, when it was organized in 1970, was to provide technical assistance to black public officials in this country who were elected after the passage of the Voting Rights Act of 1965. Many of them had had no prior experience in public office.

More recently, the Joint Center has administered several projects in Africa under the auspices of the National Endowment for Democracy, focusing primarily on democratization, governance, and human rights. The Center has participated in such projects in Botswana, Cote d'Ivoire, Ghana, Sierra Leone, South Africa, Uganda, and Zambia. All of these experiences will be helpful to the Joint Center as it undertakes the South Africa project, under the supervision of Dr. Milton Morris, Joint Center vice president for research. Morris sees the project as a "door-opener" to an even larger, ongoing effort aimed at strengthening progressive governing institutions and supporting democratization across the African continent—a process that will continue well after South Africa's elections next year.

These are some of the topics that may be covered at workshops and conferences in South Africa: civic education and voter training; election-day monitoring; security strategies that could minimize the threat of violence and intimidation through inter-party collaboration; developing a Code of Conduct for Political Parties covering campaign rules and procedures, methods for resolving inter-party disputes, restrictions on inflammatory language, and ways to address charges of irregularities; establishing laws governing campaign advertising and access to the media to ensure fair and nonpartisan coverage; conducting and analyzing public opinion surveys and using them as tools to develop policy; and reviewing the legal status and public role of—and political party contact with—international election observers.

Leveling the Political Playing Field

The primary goal of the Joint Center's involvement in the South African Election Support Project is to assist the leadership of political organizations, especially those representing South Africa's formerly disenfranchised population, in planning and conducting effective campaigns. Most black South Africans lack any experience in a democratic electoral process. In addition, there are racial, ethnic, and ideological differences that further complicate the political scene. South Africans are black, "coloured" (or mixed race), Indian, or white. The black majority population is further divided along tribal lines. Interracial and interethnic animosities have already escalated into violence—last April, black communist leader Chris Hani was assassinated by white right-wing extremists, and deadly battles between rival black groups continue.

The project will be directed from the Joint Center's offices in Washington, D.C., by Dr. Pearl-Alice Marsh. Dr. Marsh was formerly the program director of the Center for African Studies at the University of California at Berkeley. She will travel to South Africa as needed for the conferences. John Wesley Days, Jr., who most recently served on the staff of the United Nations in Somalia, will be the on-site project officer. Days, who will work in South Africa for the duration of the project, will maintain contact with the political organizations on the Center's behalf, report on planning developments related to the elections, and assist with conference planning and organization. Deborah Kobak, project associate, will assist with project administration.

The Joint Center will be working closely with the National Democratic Institute (NDI) and the International Republican Institute (IRI) on the project. The NDI is responsible for bringing in experts to provide one-on-one consultations with individuals from major organizations in South Africa on such topics as political parties and organizations, polling, and media access. The IRI will conduct an extensive and in-depth nationwide survey of the electorate on socioeconomic status, education, political attitudes, and other vital indices. These benchmark data will be made available equally to all of the political organizations.

After the elections, the Joint Center will make an assessment of the electoral process—not a political appraisal in terms of who won and by how much, but an attempt to look at how well the electoral process worked—and examine its strengths and weaknesses.

High Stakes

Managers of the project concede that achieving success will not be easy. "The biggest challenge before us is dealing with the tight time boundaries involved with this project," says Morris. "We have a narrow and fixed window between now and next March 15 to carry out our task. We need a month clear to be out of the way, so that we are not involved in those last frantic weeks of partisan electioneering," Morris adds.

Through this program and many others, it is hoped there will be a strong turnout of previously disenfranchised people, and a process that yields an unambiguous, generally accepted election outcome.

According to Morris, "The importance of this whole episode in African history cannot be overstated. The stakes are very high. It is not a foregone conclusion that the transition will be peaceful or successful. Establishment of a stable, viable democracy in South Africa has implications well beyond that country's borders. Indeed, what happens in South Africa next April has regional as well as continent-wide implications." ■

POLITICAL TRENDLETTER

HBO Movie, "Strapped," Exposes Deadly Street Gun Trade

Me and my friends, we want jobs. How are we supposed to get money if we don't have a job? My friends sell drugs to make money because they want everything everybody else has. They have no jobs, nobody wants to employ them. How else are they supposed to get it? By selling drugs.

Young males are shooting each other for respect, because when they are growing up in the projects, and they shoot somebody, everybody is like, 'Oh, he is bad. He gets a lot of respect, and there is no way else to get respect.'—Nikisha Hawkins, 16, tenth grade student at East Boston High School.

On June 16, the Joint Center co-sponsored a preview screening of the new HBO movie, "Strapped," a gritty, raw drama about the life of a young black man who resorts to illegal gun dealing in order to raise bail money for his pregnant girlfriend, incarcerated for selling crack. An audience of nearly 200 public policy experts, journalists, and educators turned out to view the film at the National Press Club in Washington, marking the directorial debut of critically acclaimed actor Forest Whitaker.

Immediately following the screening, a panel—moderated by the national correspondent for PBS' "MacNeil Lehrer NewsHour," Charlayne Hunter-Gault—discussed some of the pertinent issues brought up in the film. Panelists were newly elected NAACP Executive Director Benjamin F. Chavis, Jr.; Kansas City Mayor Emanuel Cleaver; Eleanor Holmes Norton, the congressional delegate from the District of Columbia; Joe Klein, senior editor of *Newsweek* ; Dr. Samuel Halperin, director of the American Youth Policy Forum, based in Washington, D.C.; Atlanta Police Chief Eldrin Bell; and June Cross, a producer of the public television program, "Frontline." Accompanying Ms. Cross were two black teenagers who live in a Boston neighborhood similar to the community in which the movie was based—Nikisha Hawkins, who wants to become a biologist, and Randy Carter, a 16-year-old eleventh grader who aspires to be an engineer.

"Strapped" centers on the life of Diquan Mitchell, an 18-year-old bicycle messenger who is struggling to build a better life for himself amidst the temptations of dangerous alternatives for making quick money by taking life-threatening risks. When his pregnant girlfriend, Latisha, is arrested for selling crack to an undercover police officer, Diquan cuts a deal with a detective to become an informant on a local gun trade in order to set her free. Eventually he backs out on the arrangement when he senses that the police have reneged on their part of the bargain. In desperation, he turns to his friend, Bamboo, and together they begin to buy and sell guns illegally with the help of a white suburban supplier. After Bamboo is arrested for the accidental fatal shooting of a five-year-old girl, he overhears Diquan admit he had been an informant for the police. Released on a technicality, Bamboo hunts down Diquan. The movie ends as Diquan, with limited chances and choices, makes a decision that dooms him to a dead-end future.

"I think the title of the film, 'Strapped', is very appropriate because it can be used to mean 'carrying guns'—strapped. The term can be used again if you know you have nothing, like having your hands tied," asserted the actor/director **FOREST WHITAKER**. Whitaker, who most recently starred in Neil Jordan's hit film, "The Crying Game," told listeners that he hoped his film would influence lawmakers and policy experts to reexamine the growing problem of gun violence in the urban community. "There is a gun problem in this country," he said. "I don't think that problem is going to disappear without addressing the real emotional problems that have become manifest in the community, problems of self-worth, self-respect, and self-love."

Among the themes that the panel discussed were the high unemployment rate for black men, the breakdown of the black family unit, the problems of self-esteem, and the prevailing topic, the overwhelming prevalence of violence and illegal handgun use in the black community. The federal government also was taken to task for its failure to meet its responsibility for helping solve some of these problems.

Both NAACP Executive Director **BENJAMIN CHAVIS** and Atlanta Police Chief **ELDRIN BELL** criticized the U.S. Senate's decision to pressure President **BILL CLINTON** into cutting the summer jobs program from his economic package (See June *TrendLetter*). The package allocated $1 billion for summer youth employment through 1997, and would have created 150,000 summer jobs over the next two years. "In my city, almost 50,000 kids are going to take to the streets [for the summer], and half of what happened in this movie will be played out over the country, while the Senate brags about how they were able to stop the president," Bell predicted.

The statistics for young black men who are looking for employment are alarming. In early 1993, over 28 percent of black males between 16 and 34 years of age (more than one million) were unemployed. The unemployment rate of black males actively looking for work was 41 percent for 16-19 year olds; 25 percent for those ages 20 to 24; and 14 percent for those 25 to 34. In addition, black males are on average out of work for longer periods of time than their white counterparts. The median period of unemployment for a white American worker is two months; for black males, it is three months. Among unemployed African Americans, almost half (46 percent) are unemployed for more than 14 weeks and almost a third (31 percent) are unemployed for six months—long enough to exhaust any unemployment insurance benefits for which they would qualify. "The constant refrain in most neighborhoods," according to Chavis, "is 'We need jobs, jobs, jobs.' I think what the Senate did in filibustering the jobs bill *is* violence. Senator **BOB DOLE** has contributed just as much to violence in the urban centers as any other factor."

Despite much rhetoric about the need to "make our citizens competitive" in the new world economy, the United States government spends less on public employment and training programs than any other industrialized country: Less than 0.25 percent of the Gross Domestic Product in the United States is spent on training, compared to 0.56 percent in the United Kingdom, 0.62 percent in Canada, and 1.53 percent in Germany (six times the U.S. rate). The federal government spent over twice as much on job training for the disadvantaged in the mid-1970s than it has in recent years. The average annual federal outlay for training for the disadvantaged in 1975-78 was $3.78 billion; in 1988-91, the average federal outlay was only $1.88 billion, even though unemployment and joblessness were significantly higher in the latter period.

But no matter how many external factors—like government assistance programs—have attributed to the growing violence and economic despair in the urban black community, the role of certain internal problems within the black community cannot be ignored. As Chavis pointed out, "We have to work on the internal contradictions within the African American community as we work on the external forces of racism on our community, and not just point fingers at anybody, but say, 'If we are going to solve this problem, all of us are going to have to own a greater amount of responsibility for what is happening'."

The growing number of single-parent families in the black community is a major contributor to the low-economic status that many blacks find themselves in. According to **JOE KLEIN**, "If you don't have an intact family, you don't have any chance, and we all know how difficult it is for young African Americans. With an intact family, at least then they would have a fighting chance." At the same time, some panelists suggested, being poor is not a trait that is exclusive to blacks. Economic desperation cuts across all racial lines. "It is not a problem that you can't raise a healthy child in a single-parent family," **SAMUEL HALPERIN** explained. "Of course you can. It is just a hell of a lot harder. More than half of the poor people in the United States today live in the suburbs and in rural America. All of the pathologies that we saw in the film are happening to white America as well."

But no matter how many problems were addressed by the panel, no one could escape discussing the devastating impact that gun violence has had on the black community. Many wondered what kind of mentality could account for the reckless taking of another person's life. And how did such a mentality manifest itself? Himself a product of the housing projects, Mayor **EMANUEL CLEAVER** attributed the large number of black men engaged in crime to an extremely poor sense of self. "The American society, whether wrong or right, measures a man's value on his earning power," he observed. "How much he earns, in a very real sense, determines his 'somebodyness.' And when your earning power is cut off, you must express your somebodyness in another fashion."

JUNE CROSS, who produced a 1992 award-winning documentary on a shooting incident in Boston, argued that American culture itself is responsible for breeding a proclivity toward violence. "This country has a fascination with violence, period," she said. "Since the pilgrims landed at Plymouth Rock, this country has been obsessed with the idea of gaining something by violent means. Everything is aimed at 'You don't let somebody hit you; you go back and hit that other person.' We don't let Grenada or Iraq kick us around, we kick them around."

No one can dispute the disturbing epidemic of handgun violence that has saturated the country. For five years, from 1985 to 1990, almost 26,000 black males under 35 years old were murdered with guns. The greatest number were between the ages of 25 and 34. In 1990, almost 494,000 violent crimes were committed in the United States by people carrying guns. Over 248,000 Americans own firearm licenses that allow them to ship and receive firearms across state lines (A license to sell firearms costs under $30); between 1981 and 1991, more than 43 million guns were produced for civilian sale in the United States. As Joe Klein said, "You can't have a civilized society and have the number of guns in the streets that we have. You just can't have it." As these statistics indicate, young black men—as well as black male and female teenagers—are often the victims of such crimes.

The randomness and unpredictability of violence in many communities was brought home by a point made by Cross. "On any given day, making a right turn instead of a left turn could find a young person on one side or the other of a bullet," she said. "All of us need to live by the motto, 'Each one, reach one.' We owe it to the young people and to ourselves to try to make sure that there is another path—a high path or a low path, or someway around it."

Facts About Guns in America

- Every day, 14 children age 19 or under are killed with guns. Many more are injured.—National Center for Health Statistics

- Every year, more than 24,000 Americans are killed with handguns in homicides, suicides, and accidents.—FBI Uniform Crime Reports, National Center for Health Statistics

- Firearm homicide is the leading cause of death for black males ages 10-34.—National Center for Health Statistics

- In 1990, handguns were used to murder 10 people in Australia, 13 in Sweden, 22 in Great Britain, 68 in Canada, 87 in Japan, 91 in Switzerland, and 10,567 in the United States.—Embassies and foreign crime reporting agencies, FBI Uniform Crime Reports

- Every day, an estimated 100,000 American students bring guns to school.—National Education Association

- There are more than one million illegal guns in New York City, and half of them belong to children.—Bureau of Alcohol, Tobacco and Firearms

- In 1990, nearly three of four juvenile murder offenders used guns to perpetrate their crimes.—FBI Uniform Crime Reports

- More Americans were murdered with firearms from 1988 to 1991 than were killed in battle in the 8.5 years of the Vietnam War.—Department of Defense, Defense Almanac/FBI Uniform Crime Reports

- From 1960 to 1980, the population of the United States increased 26 percent; the homicide rate due to guns increased 160 percent.—Journal of the American Medical Association

- There are more than 200 million firearms in the possession of private citizens in the U.S. Sixty-seven million of the firearms in circulation are handguns.—Bureau of Alcohol, Tobacco and Firearms

- There are an estimated one million semi-automatic assault weapons in private hands in the U.S.—Bureau of Alcohol, Tobacco and Firearms

- At least $1 billion is spent annually on hospital costs associated with the treatment of individual firearm injuries. —Journal of the American Medical Association

- In 1991, 68 law enforcement officers were killed in the line of duty, 50 with handguns.—FBI, Law Enforcement Officers Killed & Assaulted

- Handgun homicides increased 43 percent from 1987 to 1991.—FBI Uniform Crime Reports

ACROSS THE NATION

GEORGIA: At a June 9 press conference, Atlanta Mayor **MAYNARD JACKSON**, citing "necessary, unavoidable, and compelling personal reasons and duties," bowed out of bidding for a fourth term in office. When Jackson, 55, was first elected mayor in 1973, he was the first black person to become mayor of Atlanta. He served two terms, the legal limit, and in 1980 joined the Chicago-based law firm of Chapman and Cutler, which specializes in public finance. He began his current, third term as mayor after winning in 1989.

The field of would-be successors vying to compete in the November 2 nonpartisan election has already begun to get crowded as city council members **BILL CAMPBELL**, 40, and **MYRTLE DAVIS**, 61, and state representative **JAMES E. "BILLY" McKINNEY**, 66, have already announced their candidacies. Other potential candidates include: **MICHAEL LOMAX**, 45, who chairs the Fulton County Commission; city police chief **ELDRIN BELL**, 56; and Fulton County Commissioner **MARTIN LUTHER KING III**, 35.

Campbell is considered to be a protege of Jackson, having served as the mayor's floor leader on the city council. An attorney, Campbell has been a council member for 12 years, representing a racially and economically diverse district which includes the Summerhill neighborhood, a depressed inner-city community expected to be hurt by the construction of the stadium for Atlanta's 1996 Summer Olympic Games. Construction of the stadium and other Olympic venues will force residents to move.

Davis is also a 12-year veteran of the council where she serves as chair of the powerful finance committee. A former president of the city's League of Women Voters, her candidacy has already attracted the attention and support of women's groups (women comprise 57 percent of the city's electorate). Davis's election to an at-large seat and her long list of civic affiliations might boost her citywide name recognition.

McKinney, the father of Georgia Congresswoman **CYNTHIA McKINNEY**, has been in the state legislature for 21 years and says he is bored with the daily grind of the state house. He is not viewed as a serious contender and is expected to back out before the September 15 filing deadline since he would have to give up his house seat to run.

Neither Police Chief Bell nor Commissioner King have publicly stated their intentions. Their names have been tossed in the ring primarily, according to local observers, because of their strong name recognition. Police chief since August 1990, Bell has more than 30 years in law enforcement, and King, a commissioner for seven years, is from a prominent Atlanta family and is the son and namesake of the late civil rights leader.

According to **BOB HOLMES** of the Southern Center for Studies in Public Policy in Atlanta and **WILLIAM H. BOONE**, professor of Political Science at Clark-Atlanta University, the defining issues in the mayoral campaign include: financing and rebuilding the city's infrastructure; the redevelopment of southeast Atlanta neighborhoods that will serve as sites for the Olympics; and drug and crime issues, jobs creation, affordable housing, and enhancement of the school system.

MICHIGAN: A charter member of the fraternity of big-city black mayors, **COLEMAN A. YOUNG** announced in June that he would not seek a sixth term as mayor of the Motor City. Young cited age (75) and health (he has emphysema) as reasons for not seeking reelection to run the nation's eighth largest city, which has a black population of 70 percent. Young, a prominent labor organizer, state senator, and Tuskegee Airman, was elected mayor five years after the 1968 Detroit riots. His decision to retire has touched off a mad scramble to replace him. More than two dozen persons met the June 22 filing deadline for the September 14 primary.

Among the leading contenders, according to early polls and local political observers, are: **DENNIS ARCHER**, 51, a former state supreme court justice who is currently a partner with one of the state's top law firms, Dickinson, Wright; **ARTHUR B. BLACKWELL II**, 40, the chair of the Wayne County Commission; Congressman **JOHN CONYERS**, 64, who has represented the city's first Congressional district for 27 years; **PAUL HUBBARD**, 50, former president of New Detroit Inc., a 25-year-old nonprofit civic organization; and **SHARON McPHAIL**, 44, assistant Wayne County prosecutor. The top two vote-getters in the September nonpartisan primary must face-off in the November general election. Early polls indicate that Archer is the front runner.

According to **DR. WILBUR RICH**, former Wayne State University political science professor and author of the book, *Coleman Young and Detroit Politics*, this race is more likely to be a contest of personalities than a debate on the issues. Rich believes victory will go to the candidate who can mobilize a real "shoe leather campaign" featuring door-to-door solicitation and phone banks. He adds that the support of labor organizations like the Union Leadership Council and the United Auto Workers will be critical.

VIRGINIA: Statewide campaigns for November 1993 elections in the Old Dominion have been overshadowed by the 1994 U.S. Senate race, currently the hottest political topic in the Commonwealth. In June, the state's first black governor, **L. DOUGLASS WILDER**, who cannot succeed himself, announced that he would challenge his political nemesis, the state's junior senator **CHARLES S. ROBB**. The anticipated battle could fracture the state Democratic party and give the Republicans a hope of gaining the Senate seat.

State Republicans are reportedly grooming former Lt. Colonel **OLIVER NORTH** of Iran-Contra fame.

Wilder, who is prohibited by law from seeking a second term as governor, won the governor's seat in 1989 with a razor-thin victory, 50.1 percent to 49.9 percent, over his Republican opponent, white former attorney general **J. MARSHALL COLEMAN**.

Is Managed Care the Answer for Blacks?

Black Health Advocates Fear That Managed Care, A Proposal Being Considered by the Clinton Administration, Could Have Serious Downsides

by Joan Whitlow

A woman, pregnant with her second child, explains she is happy the baby is on the way but she has one major problem. Neither her part-time job nor her husband's on-and-off construction work comes with health benefits. She has been getting some prenatal care from her internist who is trying to help her find an obstetrician/gynecologist willing to take on the care of an uninsured, cash-short mother-to-be. Their income is too high to qualify for federal assistance like Medicaid, but too low to pay for their health care needs. Her family is among the 37 million people in this country who have no health insurance—and are part of our health care crisis.

The Clinton administration came into office pledging to extend health care to all Americans without inflating the nation's $800 billion-plus annual health care bill. The health care proposal that is getting a lot of attention as the means for doing that is managed care, which provides health insurance while also attempting to control how care is delivered and how much it costs. Managed care is expected to be a cornerstone of the Clinton health care reform program when it is unveiled, but many employers and state Medicaid programs are also looking to managed care as the solution for their high health care costs.

Access for All

Among those sounding a cautionary warning about managed care is Anne D. Hill, director of employment, training, and advocacy for the National Urban League. She has been involved with a coalition of African American groups, including the NAACP and the National Medical Association, that has been working with the Clinton administration to help ensure that health care reforms are responsive to the special needs of the black community.

"We are concerned that the health reform will provide not only basic insurance coverage, but will also provide access [to health care] for those folk who are now on the fringes, who are sicker than middle-class Americans," explains Hill. "It will take time to improve the health status for a large segment of the population who have not had access, which may mean that population will have greater costs for a period of time."

Joan Whitlow is the medical editor of *The Star-Ledger* newspaper in Newark, New Jersey.

Restrictions and Benefits

One hallmark of managed care is the offering of more generous coverage for doctor visits, for both primary and preventive care, than most traditional insurance plans now offer. But instead of merely paying the bills, managed care insurance programs get directly involved in where and how care is delivered. They do this by creating provider networks. In some cases, managed care companies own their own hospitals and health clinics and put doctors and other professionals on salaries. In other cases, managed care programs negotiate discounted fees from independent hospitals, doctors, and other health providers. The providers receive enough patients to make the contract profitable.

The care providers are guaranteed the patients because the insurance policyholder is locked into the network. Depending on the type of managed care plan, going outside the network may mean no coverage at all or substantially less coverage and more out-of-pocket expenses for the policyholder. Managed care usually puts a "gatekeeper" in charge of the patient's care. Usually it is a primary care physician who provides the bulk of services, referring the patient to specialists only when absolutely necessary. The gatekeeper is supposed to be accessible on a 24-hour basis so there is no need for the policyholder to go to emergency rooms for non-emergency needs.

Pumping up Services

Some states are turning to managed care as a way to cut their Medicaid costs. Medicaid clients give up the right to a card which allows them to go to any hospital or doctor whenever they choose. Instead, they are tied to a specific set of providers pledged to take care of their needs. But the traditional Medicaid card has often meant unlimited access to mediocre care, particularly in areas with private doctor shortages and in states where the Medicaid rates are set so low that few doctors are willing to take on more than a few Medicaid patients. As a result, all too often the Medicaid patient's "family doctor" is an emergency room, where the cost of providing basic care may be 10 times a private physician's regular office fee.

Maryland has awarded several contracts to major insurers to create managed care programs for Medicaid patients. One such project, operating from Johns Hopkins Hospital in Baltimore, not only offers prenatal care to pregnant

(Continued on page 6)

(Continued from page 5)

women but maintains a transportation service to make certain the women keep their appointments. One premise of managed care is that appropriate preventive care early on avoids complications that may lead to hospitalization later. Therefore, comprehensive services are provided at a cost that is no more than traditional Medicaid.

One observer of the Maryland Medicaid experiment is Renee Frazier, president of the National Association of Health Services Executives' Baltimore Chapter, a black health administrators' group. She says Medicaid-managed care, which offers basic care to keep people out of emergency rooms and prenatal care to keep babies out of intensive-care nurseries, will result in major savings. She also points out that the Johns Hopkins Medicaid-managed care program, run by PruCare, a division of the Prudential Insurance Company, operates an extensive program to inform clients of the programs' restrictions and benefits.

Frazier notes, however, that it takes an educated policyholder to really take advantage of any managed care program and that, in the black community, simply distributing pamphlets will not work. There is a need to carefully educate people toward a new way of thinking about how they respond to illness, she says.

"It's like pumping our own gas," says Frazier. "There was a time when everybody drove up and let the gas station attendant do it for them. Then came the self-service stations where people were required to pump for themselves and had to learn how." Health care is going to be like that under managed care, she predicts. Frazier says she is in many ways an advocate of managed care but notes that it will bring with it changes that raise special issues for African Americans.

Hospitals in Critical Condition

One of the concerns voiced by Hill, Frazier, and others is that the hospitals and providers which have traditionally served the poor could be locked out of the competition for those same patients once health reform suddenly makes it profitable to take care of the poor. A managed care health contract is profitable, even when it serves a Medicaid population, once the patient volume rises above 25,000, Frazier says. Above that volume, she explains, big insurance groups, which previously showed no interest in the poor, will compete to care for them. Ironically, institutions which in the past put themselves on the brink of financial insolvency to care for the poor are often unable to compete for managed care contracts.

Frazier points out that the city of Washington, D.C., is preparing to contract out managed care for some 75,000 Medicaid clients. The contract award process may end up excluding Howard University Hospital and the District of Columbia General Hospital, institutions with a large clientele of uninsured patients. Many urban hospitals may find themselves out of the running for managed care deals because if they provide the discounted care the managed care operators demand, the hospitals cannot generate what they need to subsidize losses on patients who cannot fully pay their way.

New Jersey provides an example of how that scenario plays out in the private sector. For a dozen years, New Jersey tightly controlled the hospital industry, setting the rates patients and their insurance programs paid. This year, health reform legislation replaced state control with free market competition. That made the climate in New Jersey favorable for managed care insurance companies interested in negotiating discounts and deals with the hospitals.

One thing became quickly apparent—the urban hospitals which provide the bulk of care to black and poor patients were not making the managed care networks' lists. It is at these institutions that the majority of black physicians practice. These hospitals also employ significant numbers of black people in a wide range of other professional and service jobs.

Some Special Concerns

Managed care and new technologies are creating other changes in health care delivery. For example, new procedures allow patients who receive gall bladder and other surgical procedures to go home after one night, or in some cases a few hours. Managed care programs with an eye on cost cutting are directing their policyholders to the lower-cost, shorter-stay procedures whenever possible. Many managed care programs already have made 24 hours the standard stay after childbirth, two days for a cesarean section.

How will the generally sicker status of many African Americans fit within the trend to move people out of the hospitals quicker, a trend that presumes a basically healthy patient with an ideal home situation in which to recover? The trend toward shorter hospital stays will also mean fewer hospital beds, and therefore fewer jobs for those who clean the floors, cook the food, and wash the sheets at medical facilities. Those are jobs which are held by a disproportionately high percentage of African Americans. And many of those jobs may soon be lost forever.

The Urban League's Anne Hill says the challenge for the African American community will be to see where the jobs and money are going and make certain that health care reform not only provides access to better care but also enables blacks to share in some of the economic benefits of an $800 billion-a-year industry, not only as employees, but also as owners and controllers of the institutions and agencies that will play a role in the country's remodeled health care system.

Managed care and other health care proposals under consideration by the Clinton administration have serious ramifications for African Americans both from the standpoint of health care delivery as well as in their potential for jobs and economic opportunities. The challenge will be to create the conditions for a healthy prognosis for both. ■

The Court's Blind Eye on Voting Rights

The Supreme Court's Recent Decision on Redistricting for Majority-Minority Districts Threatens Voting Rights Progress

by Frank R. Parker

The last African American to serve as a member of Congress from North Carolina after Reconstruction was George W. White, who served from 1897 to 1901. For 92 years, because of black disfranchisement and racial gerrymandering of district lines, black citizens of North Carolina, who now comprise 22 percent of the state's population, were denied any black representation in Congress. As White left the House for the last time, he told his fellow members, "This is perhaps the Negro's temporary farewell to the American Congress. But let me say: Phoenix-like, he will rise up some day and come again. These parting words are on behalf of an outraged, heart-broken, bruised, and bleeding, but God-fearing people—faithful, industrious, loyal people, rising people, full of potential force."

In 1991, in order to comply with the Voting Rights Act and U.S. Justice Department requirements, the North Carolina state legislature carved out two majority-black districts in its new 12-district congressional redistricting plan. The 1992 election of two black members of Congress, Eva M. Clayton and Melvin L. Watt, from the two majority-black districts was widely hailed as both a victory for the Voting Rights Act and a milestone for black political progress.

That progress is threatened by the U.S. Supreme Court's June 28 decision, in *Shaw* v. *Reno*, on North Carolina's redistricting plan. The case not only imperils the two majority-black districts in that state, but a wide range of newly created majority-minority districts at the congressional, state legislative, and local levels nationwide. A sharply divided Supreme Court, by a 5-to-4 vote, upheld a lawsuit by white voters who claimed that creating majority-black districts—where the result is unusual district shapes—violates the equal protection clause of the Fourteenth Amendment. (Justice Clarence Thomas joined in the majority decision.)

The Court declared that "redistricting legislation that is so extremely irregular on its face that it rationally can be viewed only as an effort to segregate the races for purposes of voting" may be struck down. The burden of proof is on the state, the Court held, to prove that such districts are "narrowly tailored to further a compelling government interest," a difficult burden of proof that is almost never met. The Supreme Court did not rule that North Carolina's two majority-black districts were unconstitutional. Rather, the Court sent the case back to the federal district court in North Carolina for a trial under this new constitutional standard.

In its ruling, the Court seemed to turn a blind eye to the Voting Rights Act by elevating its concern for regularly-shaped districts over principles of fair representation. Consequently, the Court diminished the chances of black, Hispanic, and other minority voters—protected by both the Constitution and the Voting Rights Act—to vote in districts where they have an opportunity to elect candidates of their choice.

Whites, who make up 76 percent of the state's population, control 10 of the 12 districts (83 percent). The Supreme Court has never ruled that voters have a constitutional right to live in a district in which their race is in the majority. White voters who are placed in new majority-black districts are in no different position from black voters in majority-white districts, and there is no constitutional violation so long as whites as a group have fair representation overall in the new plan.

Rather than finding any injury to any voter's personal rights, Justice Sandra Day O'Connor wrote in her majority opinion that the unusual shape of the districts suggested that they "rationally cannot be understood as anything other than an effort to separate voters into different districts on the basis of race." The Court labeled such race-conscious redistricting a "racial gerrymander" and "political apartheid," and declared that such racial classifications "are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality."

But these districts did not constitute racial segregation in any traditional sense of the term. Both of the majority-black districts were only 53 percent black in voting-age population, and blacks made up between 14 and 21 percent of the voting-age population in six of the ten majority-white districts. No one was denied the right to vote, and white candidates as well as black candidates were free to campaign and to appeal to white and black voters in all of the districts.

The Supreme Court's primary concern, as expressed in its opinion, is that a state's use of race in redistricting "reinforces the perception that members of the same racial group—regardless of their age, education, economic status, or the community in which they live—think alike, share the same political interests, and will prefer the same candidates at the polls." While the Court's concern with

(Continued on back page)

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Voting Rights

(Continued from page 7)

rejecting false racial stereotypes is commendable, this reasoning, which constitutes the heart of the Court's decision, is directly contrary to what the Supreme Court required seven years ago to prove a Voting Rights Act violation in a case also from North Carolina.

In *Thornburg* v. *Gingles* (1986), the Supreme Court ruled that to establish a violation of Section 2 of the Voting Rights Act, minority voters had to prove, among other things, that their minority group is "politically cohesive," defined as minority-bloc voting for particular candidates, and that "the white majority votes sufficiently as a bloc to enable it...usually to defeat the minority's preferred candidate." Even more important, the Court ruled that this had been proven in six of the seven North Carolina legislative districts involved in that case.

Thus, the Court's reasoning turns political reality on its head. The reason that majority-minority districts must be created is that in majority-white districts in many parts of the country, bloc voting by whites denies minority voters an equal opportunity to elect their preferred candidates to public office. Creating majority-minority districts does not stigmatize or stereotype the minority racial group; instead, it gives them equal access to the political process.

The Supreme Court's focus on the shape of the North Carolina black districts also is difficult to justify. Granted, the two districts, one of which has been compared to a "bug splattered on a windshield" and the other which winds "in snake-like fashion" along Interstate 85 for 160 miles, have unusual shapes. But historically this has been a matter of state policy. There is nothing in the U.S. Constitution that requires that congressional districts be "regular" in shape, and the Supreme Court in this recent decision specifically reaffirms that principle.

Further, the shapes of the districts were determined, not only by the legislature's goal of creating two majority-black districts, but also to preserve the reelection chances of the white incumbents and to maintain a Democratic Party majority in the state's congressional delegation. Thus, the Supreme Court's conclusion that the shapes of the districts show that they are "unexplainable on grounds other than race" directly contradicts the state legislature's own explanation of the factors that shaped the district lines.

The Court's decision in *Shaw* v. *Reno* is not only harmful to minority voting rights, it is also unprincipled. As Justice John Paul Stevens states in his dissenting opinion, while it is still permissible to draw district boundaries for rural voters, union members, Polish Americans, or Republicans, the Court's decision now creates barriers to doing the same thing for members of the very minority group whose history gave birth to the Fourteenth Amendment. ■

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