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FOCUS

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On Board for the Future

Over the years, I have used this column in a variety of ways—to draw attention to issues of national concern, to discuss notable Joint Center achievements, and to applaud the good works of many "great Americans," both living and deceased. A signal event in the life of the Joint Center now prompts me to reflect on a different but very related subject, namely the strength, resourcefulness, and diversity that our board of governors brings to this enterprise which has just celebrated its 28th anniversary.

I reflect on this now because the board has just elected six new members to serve two successive three-year terms. They will provide critical leadership as we cross the bridge to the 21st century.

Technically, boards provide fiduciary oversight, policy guidance, and fundraising assistance. Our board members do that and a lot more. They bring to the table an exemplary mix of some of the nation's outstanding citizen-professionals. They are black and white, Democrats and Republicans. They come from varied backgrounds and different parts of the country (see masthead). Drawing on their collective strengths—as economists, lawyers, judges, professors, entrepreneurs, leaders in entertainment and marketing fields—the board has helped us to grow and has sustained us through seasons of challenge and change.

It is difficult and unfair to single out the contributions of individuals on a 23-member board that is as high-powered as ours. However, our veteran members and the six new members exemplify the prominence and diversity that our board has traditionally had. First, we have a distinguished chairman in economist Andrew Brimmer, a former governor of the Federal Reserve Board and current chairman of the Financial Control Board of the District of Columbia. He is joined by Washington power-lawyer Vernon Jordan, who formerly headed the National Urban League and, as head of the Voter Education Project in the 1960s and '70s, was one of the founders of the Joint Center. Pittsburgh attorney Wendell Freeland is not only a brilliant lawyer and strategist, he has keys to the doors of many prominent Republicans. Rounding out this quartet of veterans is Norma Asnes, a New York philanthropist, supporter of the arts, and political activist.

Who are the six new members who will help to carry forward the Joint Center's banner until the year 2004? They are: James P. Comer, Maurice Falk professor of child psychiatry at the Yale Child Study Center in New Haven, Connectucut; Robert M. Franklin, president of the Interdenominational Theological Center in Atlanta, Georgia; Hector M. Hyacinthe, president of Packard Frank Business & Corporate Interiors, Inc. in Ardsley, New York; Weldon H. Latham, Esq., senior partner at Shaw Pittman Potts & Trowbridge in Washington, D.C.; Pauline A. Schneider, Esq., partner at Hunton & Williams, Washington, D.C.; and H. LeBaron Taylor, senior vice president for Sony Music Entertainment, Inc. in New York City.

On behalf of the staff and our funders, I pay this tribute to our board of governors and to the countless other board members representing nonprofit organizations and seeking to make a difference in their chosen field of philanthropy. ■



PRESIDENT

FOCUS

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New Initiative Attacks Affirmative Action

New Efforts Are Cropping Up to Eliminate Policies Designed to Include Minorities and Women in the Social and Economic Life of the Nation

by Judy McLaughlin

Following the adoption of Proposition 209 which eliminated affirmative action as a state policy in California, a group in Washington State is pushing a similar measure there. The misleadingly named "Washington State Civil Rights Initiative" (I-200) is closely modeled after California's Proposition 209 in language, strategy for adoption, and desired effects. Promoted by State Representative Scott Smith, local and national conservative leaders, and the state Republican party, the ballot initiative seeks to eliminate state and local government affirmative action programs in employment, education, and contracting. It is scheduled for a public vote in November.

A multiracial coalition called No! Initiative 200 (NO! I-200) has been formed to oppose the state initiative. Composed of about 50 civil rights, political, and professional organizations, the coalition includes the American Civil Liberties Union of Washington, NAACP, American Association of University Women, Asian Pacific Islander Coalition, and the Hispanic Political Action Committee of Pierce County. Influential opponents of the measure include the state's governor, Gary Locke, and Seattle's current mayor, Paul Schell, and former mayor, Norman Rice. Two of the state's major employers, Boeing Corporation and Starbucks Coffee Company, have also announced their opposition.

The National War on Affirmative Action

The Washington initiative is just one battle in a nationwide war against affirmative action being waged by conservatives. In addition to ballot initiatives, legislation and lawsuits are being used as means of dismantling state and local affirmative action programs across the country. According to the Washington, D.C.–based Leadership Conference on Civil Rights, 23 anti-affirmative action bills were introduced in 11 state legislatures in 1997. So far, none has been adopted.

Affirmative action opponents have also taken their attacks to the courtroom. In *Hopwood* v *The State of Texas*, the affirmative action admissions program of the University of Texas was invalidated. Suits are now being raised against other public universities, including the University of Michigan and the University of Washington Law School, following the *Hopwood* case as a model.

The anti-affirmative action forces have lost some battles. Last November in Houston, a strong well-focused local coalition succeeded in getting an anti-affirmative action initiative, known as Proposition A, voted down. Led by former Houston Mayor Bob Lanier and Congresswoman Sheila Jackson Lee, the coalition consisted of leaders from both the business and civil rights communities. Two of the main factors in its success were its mobilization of a strong voter turn-out among the city's minority population and changes to the wording of Proposition A so that it described more accurately the measure's real goal of ending affirmative action.

Since March, measures in Congress to eliminate the affirmative action provisions of the Omnibus Highway Transportation Act were roundly defeated in both the House and the Senate. And an amendment that would have denied federal funds to colleges and universities that use affirmative action in their admissions policies was similarly rejected in the House.

Affirmative action is still needed. Statistics and other evidence confirm that despite impressive gains for minorities and women in the past 30 years, discrimination continues to be both serious and pervasive in America. As recently as 1995, the Federal Glass Ceiling Commission found that "many judgments on hiring and promotion are made on the basis of a look, the shape of a body, or the color of skin." Employment discrimination lawsuits against Texaco, Circuit City, and several other major corporations have resulted in large settlements. According to 1996 data from the Equal Employment Opportunity Commission, while blacks are about 13 percent of the population, they make up only 6 percent of professionals and managers. By contrast, blacks are overrepresented in low-paying, low-skill blue-collar jobs: they constitute about one in five of all laborers and nearly a quarter of all service workers.

Establishing Conservative Credentials

Since the 1980s, many politicians have used affirmative action as a wedge issue to establish their conservative credentials. Proposition 209, which banned state-sponsored affirmative action in California, was endorsed in February 1995 by Republican governor Pete Wilson, who was then considering a run for the White House. Also that month, then Senate Majority Leader and GOP 1996 presidential candidate Robert Dole (R–Kan.) announced on "Meet the Press" that he had asked the Congressional Research Service to supply him with copies of all federal legislation that promotes affirmative action or the use of racially oriented hiring practices to help minorities. Previously, Dole had been a moderate on the issue. Not to be outdone, Sen. Phil Gramm (R–Tex.) declared on the campaign

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Ms. McLaughlin is a 1998 graduate of the Columbus School of Law at The Catholic University of America and a research assistant at the Joint Center.

Affirmative Action

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trail for the GOP presidential nomination that if he were elected, "The first thing I'll do
is eliminate all those affirmative action programs."

This year, once and future presidential candidate Steve Forbes has bought radio ads to promote a signature drive for I-200, a move that should make the heretofore single-issue "flat tax" advocate more appealing to the far right in the Republican party.

Language and Tactics

According to civil rights advocates, those at the forefront of anti-affirmative action campaigns employ a variety of techniques to create the perception that affirmative action is unfair and unpopular. One of the standard devices used is the anecdote—the personal story of someone who allegedly lost an opportunity in education, employment, or contracting to a person of color or a woman strictly on the basis of affirmative action policies. Added to this message is the charge that affirmative action beneficiaries themselves are stigmatized by the programs.

The campaign for I-200 went one step further. Accounts reported in *The Seattle Times* and *Emerge* magazine reveal that the campaign recruited unemployed blacks from out of state, some of whom were homeless or in debt, to gather petition signatures. The recruits were told that they would be paid to gather signatures to put a pro-civil rights measure on the ballot when the opposite was true. When the recruits were unsuccessful in gathering the necessary number of signatures, they were denied bus tickets home, accommodations, and food that had been promised.

NO! I-200, whose main strategy is to educate the voters on the impact of I-200 if it is adopted, helped to thwart the signature drive by instituting a "Decline to Sign" campaign that concentrated on the locations used by the most I-200 signature gatherers, such as ferries and malls in the Puget Sound area. According to Kathleen Russell, former chair of the NO! I-200 campaign, this effort forced I-200 to give up using the recruited signature gatherers and resort to spending huge amounts of money on direct mailings.

Language is a key part of the strategy used by anti-affirmative action campaigns. First, they use the name "Civil Rights Initiative," a tactic that falsely implies that these referenda are concerned with preserving or restoring civil rights to a beleaguered group. Further, the language of the initiatives themselves is carefully crafted to avoid the positive term "affirmative action," substituting the negative term "preferences." Modeled after California's Proposition 209, the Washington State initiative I-200 reads as follows:

> The state shall not discriminate against, or grant preferential treatment to, any individuals or groups on the basis of race, sex, color, ethnicity or national origin in public employment, public education, or public contracting.

While I-200 would abolish state-administered affirmative action programs for minorities and women, it would retain the policy for other groups such as people with disabilities, veterans, and people over 40 years old. *The Seattle Times* reported that three-quarters of Vietnam-era veterans and disabled veterans and about half of all people with disabilities working for the state are white men. John Carlson, chair of the I-200 campaign, claims that veterans were exempted because their service to their country took them out of the labor force. He further claimed that I-200 was not constructed to cover age because there is "not the same systemic pattern of preferences used on the basis of age." He dismissed questions about the disabled with the comment, "Most people don't want to equate race with disabilities."

Rep. Smith, however, explained the exemptions as tactical—they are trying to link their initiative in as many ways as possible to the 1964 Civil Rights Act, which does not mention the exempted categories.

That these groups understand the importance of the precise words used is underscored by the measures taken in Washington State to prevent the initiative from going before a court. After the required number of signatures was obtained to have the initiative placed before the legislature as a bill, initiative supporters in the legislature chose not to vote on it but instead to let it go on the November ballot for a public vote. If the bill had been approved by the legislature, opponents would have the legal opportunity to bring it before a court, which could then choose to rewrite the bill's title. Smith, the bill's sponsor, admitted, "It's not worth the chance to have a judge say, no, we're going to change the ballot title to say [the initiative] will eliminate all affirmative action in Washington State."

Jerry Sheehan, the legislative director of the American Civil Liberties Union of Washington, charges that the language of I-200 was crafted to deceive. He notes that the strategy of I-200, as with Proposition 209 and other similar initiatives, has been to mask the attack on affirmative action by never using the term "affirmative action" but instead only referring to "preferences." Opponents of the initiative attempted to have the language changed to reflect more clearly its intent, but they were unsuccessful

The importance of changing the language is illustrated by Houston's experience with Proposition A, another anti-affirmative action initiative modeled on California's 209. Affirmative action advocates were able to defeat Proposition A by having its vague language about racial preferences changed to the following:

> 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 City of Houston employment and contracting, including ending the current program and any similar programs in the future?

With such clear and explicit language, the Houston initiative was strongly rejected by 55 to 45 percent.

After Proposition 209 was adopted in California, exit polls revealed that 20 percent of those who voted for the initiative were unaware that it would do away with affirmative action and would have voted against it had they known. Still, Smith defends the use of the term "prefer-

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Establishing an African American Museum

Congress Failed to Pass Legislation to Create a National Repository of Black Culture, But Efforts Are Underway to Make Such a Project a Reality

by Raoul Dennis

The movement to build a National African American Museum on the National Mall in Washington, D.C., began in the 1970s. After a bill to establish such a museum failed to be enacted in Congress in 1992, the momentum for the project appeared lost. The nation's preoccupation with balancing the federal budget and the election of a Republican majority in Congress two years later seemed to signal its death knell. But with the recent surge in economic growth and the projection of unexpected federal budget surpluses, many now believe the museum project is making a comeback.

Although the idea for a national black museum is more than 20 years old, the effort only moved into high gear after an impassioned Tom Mack brought his vision to the project in 1984. Mack, an entrepreneur who owns Tourmobile, a Washington D.C.–based sightseeing company, held fundraisers and by the late 1980s had spent thousands of dollars of his own money to build a movement for the museum. Mack joined forces with the late Rep. Mickey Leland (D–Tex.), who sponsored a congressional resolution to research the feasibility of creating a black museum.

Although the resolution was adopted by Congress in 1986, it wasn't until 1989 that the federally-supported Smithsonian Institution in Washington created a committee to explore the project. The 22-member committee, which included outstanding black cultural leaders, was headed by Claudine Brown, a respected museum director specializing in African American history and culture. After two years, the committee recommended the establishment of a National African American Museum (NAAM) to be housed at the Smithsonian's historic Arts and Industries building, the second-oldest Smithsonian museum building. The location would place the museum near the center of the Mall amid the other prestigious national museums run by the Smithsonian—The National Air and Space Museum, the National Museum of Natural History, and the National Museum of American History.

In 1992, Rep. John Lewis (D–Ga.) and Sen. Paul Simon (D–Ill.) sponsored legislation in Congress to authorize the establishment of NAAM, as recommended by the Brown committee. Although the proposal passed in the Senate, it failed in the House, in part due to differences among members of the Congressional Black Caucus (CBC) and other black groups about the museum's location, function, and management.

A number of key issues divided CBC members. Some believed the Arts and Industries building to be an outdated, second-rate facility. The roughly 125 black local and regional museums around the country worried that the new museum would siphon off support from their own donors. Others opposed the Smithsonian's management of a black institution. The Caucus was also torn over the museum's overall mission and content. Some wanted to restrict the focus to slavery and the struggle for equality in America, while others pushed for inclusion of exhibitions on African Americans in the arts, culture, the sciences, and entertainment. Since 1992, Lewis has introduced a version of his bill each year, but it has never come as close to passage as it did six years ago.

A Testament to the Human Spirit

The museum's proponents say that it would pull together in one place the triumphs of African Americans that are interwoven throughout the fabric of the American experience. Lewis contends that such a black museum would be a testament to the human spirit. He and Mack have shared a view of the museum as a place to educate visitors not only about the rise from slavery, but also about the black contribution to the nation. "We can't forget that part of our history," Lewis says.

Within the 400,000-square-foot space in the existing Arts and Industries building, NAAM's advocates envision a state-of-the-art museum, documenting the black experience in collected oral histories, images, artifacts, photographs, and exhibits. It would cover the first African travellers to the Americas before Columbus, the arrival of the first slave ships, the Emancipation Proclamation, the civil rights movement, and other historical events. The rich cultural contributions of African Americans spanning music, art, dance, literature, and theater would also be included. Exhibits and collections focusing on the black American soldier and on blacks in the labor movement, politics, science, medicine, and technology are also contemplated.

"The story is there and waiting," says Mack, who worries that time is running short. "Every day we wait, some near-100-year-old person will die, and with them a bit of our history. It becomes foggy, obscure, and more difficult to unravel."

Restructured Strategies

Supporters of the museum believe that the project is still within reach. Among these voices is Steve Newsome, director of the Smithsonian's Center for African American

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Raoul Dennis is a Washington, D.C.–based journalist and writer.

Museum

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History and Culture, established in 1995. He believes NAAM is not yesterday's dream but a work in progress whose time is coming. Housed at the Arts and Industries building, the Center is viewed by insiders as a temporary solution until the more comprehensive NAAM museum is approved. In 1996, the black-oriented Smithsonian Anacostia Museum, which is located in one of Washington's black neighborhoods, and the Center merged to become the Smithsonian Anacostia Museum and Center for African American History and Culture.

Under Newsome's direction, the newly expanded Museum and Center has hosted several successful exhibits and built a base of support from among domestic and international visitors. Visibility, along with institutional and public support for the center, is key to Newsome's grand scheme to build the full NAAM museum as recommended by the Brown committee nearly a decade ago. Toward that end, the Museum and Center has planned exhibits and events through the first five years of the new millennium. A fundraising gala in February featured a performance by Broadway star Jennifer Holliday. An exhibit of the work of African American women sculptors premiered in April. "Speak to My Heart: Communities of Faith and Contemporary African American Life," an exhibit on the black church, opened in May. And a display on the participation of black men in the art of quilting is planned.

At the heart of Newsome's strategies is the existing Anacostia museum. Although the NAAM project has not been authorized any federal funding to assemble a collection, the established Anacostia museum has the institutional capabilities and resources to support a base of operations and help attract benefactors interested in supporting the Arts and Industries site. Its consolidation with the Center under Newsome's direction allows him a wider range of actions than previous efforts to promote the establishment of a national museum. "For many who have a real interest in this, things haven't happened as quickly or overtly as they would like," Newsome says. "But there is movement. It's quiet now, but it's about to get louder."

One of the most dramatic and innovative aspects of Newsome's plans involves making NAAM a multisite facility with multiple capacities. "We are considering a larger effort to move parts of the Anacostia [Museum] to other areas of the city that may be in the southeast as well as additional space within the Arts and Industries building," he explains.

The Center and Museum is mobilizing support through other means as well. It is currently expanding its exhibits to cover 50 percent of the exhibit space at the Arts and Industries building. A $5 million endowment from the Lilly Foundation has allowed the Center and Museum to promote its spring events, develop programs to raise visibility with the media, educate the public about the importance of the museum, and cultivate support groups. The endowment will also help the Center to secure the cooperation of a portion of the nation's 125-plus local and regional black museums.

Through these efforts, NAAM advocates hope to build a broad base of popular support for the museum. "One of the big reasons the original project failed was because there was never a groundswell of support for it," says John E. Fleming, director of the National Afro-American Museum and Cultural Center in Wilberforce, Ohio, and former chief of the African American Museum Association. "There was never a major grassroots effort for a NAAM in Washington, DC. They thought they didn't need one."

With the active organizing work that Newsome and others have taken, grassroots support may begin to build. The project's chances may be further aided by recent economic and political trends. The burgeoning economy and projected federal budget surpluses could make museum projects such as the NAAM more palatable to Congress. Furthermore, NAAM proponents say the project may be buoyed by proposals for other ethnicity- and gender-based museums, including a women's history museum and a Hispanic American museum, that have been submitted to the Smithsonian.

Remaining Obstacles

Roadblocks remain, however. Despite the de facto emergence of a black cultural exhibit hall at the Arts and Industries building, according to Smithsonian director of communications David Umansky, the secretary of the Smithsonian, Michael Heyman, isn't convinced of the need for an African American museum on the mall. "We are widening our presentation of minorities of all kinds throughout the existing institutions," explains Umansky. "The secretary isn't certain that we should have additional ethnically specific museums." Still, Umansky expresses confidence in Newsome. "Steve is very energetic and has ambitious plans. He directs the programs at the Center and we support him."

Persuading the Smithsonian's leadership of the National African American Museum's merit as a new institution therefore remains on the agenda. Another challenge is the lack of funding. Usually, proposals for a new museum project arrive at the Smithsonian with a collection, financial endowment, or both. The NAAM project has neither. Although the Smithsonian earmarked the Arts and Industries building as the site for NAAM and has designated funds to cover the cost of some necessary renovations and remodeling, it has not identified a source of funds to create and sustain the museum.

In spite of the obstacles that lay ahead for the development of NAAM, Brown, Newsome, Fleming, and other supporters of the museum project are not discouraged. "I likened our initiative to create this museum to the civil rights movement," explains Brown. "The movement took almost 30 years in order for us to see the benefits from the hard work and struggle. The National Air And Space Museum took almost as long from concept to opening day. If we are going to see this happen we are going to have to be committed to a long-term struggle."

"I'm not giving up," says Congressman Lewis. "I will continue to fight to make this museum a reality. We have to change the social climate and political environment. Now more than ever, we need to organize and mobilize people around the country." ■

Proportional Representation Proposal

A Bill in Congress Proposes an Innovative Alternative to the Present Single-Member Redistricting System

by Mary K. Garber

Since 1993, there has been a stream of disruptive challenges to congressional districts represented by black members of Congress throughout the South. The latest culminated on April 14, when the U.S. Supreme Court refused to allow North Carolina to delay redrawing its 12th congressional district until after the primary elections originally scheduled for May 5, leaving the state with no choice but to postpone the primary. The 12th, like the other districts in contention, was originally drawn with a black majority after the 1990 census to meet the provisions of the Voting Rights Act as it applied to states with large African American populations. Some of these states had not sent a black representative to Congress for nearly a century before the first post-1990 redistricting elections. Advocates of equitable congressional representation for minorities have been at war for the better part of this decade with forces who have challenged majority-black districts with the argument that it is improper for race to be a major consideration in their construction. With these challenges and recent court rulings, the prospects for secure congressional district boundaries for black Southern representatives appear dim.

As a way of addressing both concerns, Congresswoman Cynthia McKinney (D–Ga.) has sponsored the Voters' Choice Act (H.R. 3068), an unconventional measure which proposes proportional representation in multimember districts as an alternative to the present system. Since 1967, the House of Representatives has required that members be elected from single-member districts, and there is little support for change.

Some political experts have concluded that the quandary of having to meet conflicting requirements from the U.S. Justice Department, which is responsible for enforcing the Voting Rights Act, and the Supreme Court cannot be resolved in the context of single-member districts.

For example, in its redistricting plan after the 1990 census, the North Carolina state legislature drew two majority-black districts to meet the Voting Rights Act's mandate that it avoid any dilution of minority voting strength. As a result, Mel Watt and Eva Clayton became the first black members elected to Congress from that state in 90 years. Subsequently, the U.S. Supreme Court invalidated both districts, charging that race had unconstitutionally superseded all traditional criteria in the drawing of district lines. In its 1993 opinion in the *Shaw* v *Reno* case, the Court characterized the narrow, twisting and turning 12th district, now represented by Mel Watt, as unjustifiably "bizarrely" shaped in order to achieve its racial make-up.

The North Carolina legislature then redrew the district, making it wider and more compact, trying to meet seemingly contradictory mandates from the U.S. Justice Department (to make sure that black voting strength was not diluted) and from the Supreme Court (not unduly taking race into account). The newly redrawn district was much less black—dropping to 47 percent black from 57 percent. A federal three-judge panel unanimously approved it, and all seemed well until the district was challenged by Duke University law professor Robinson O. Everett, who had challenged the original district boundaries in the *Shaw* case. Another three-judge federal panel contradicted the previous panel of judges and threw out the legislature's newly drawn boundaries. The Supreme Court's refusal to intervene in the case has left states no further along than when they started.

McKinney's legislation proposes to eliminate the problems fueling this extended legal conflict. Her bill would permit North Carolina to draw "superdistricts," each of which would elect several members, with the total not exceeding the state's allotment of 12 representatives. The Washington, D.C.–based Center for Voting and Democracy, a major supporter of the legislation, has drawn up an example of how the proposal might work. The state's current 12 districts would be replaced by four—a northern, southern, eastern, and western. Each would elect three representatives. Voters would be allowed three votes, which they could allocate as they pleased among the candidates. The advantages of this system are many. It would severely weaken "the tyranny of the majority" that the winner-take-all system allows, since any minority that constituted one-fourth of the electorate would have a good chance at electing a candidate of their choice. The bill has drawn support from all sides in the redistricting wars, including both Congressman Watt and Professor Everett.

Proportional voting systems are not new or rare. Most European countries use some form of proportional voting, as have several locales in this country. Voting rights expert Robert Brischetto notes that cumulative voting is already used in at least 60 city, county, and school board jurisdictions in five states. Each procedure was instituted in response to vote-dilution lawsuits filed by minorities.

Clearly, the numerous court challenges to congressional districts have been expensive, time-consuming and unnecessarily disruptive to the political representation for hundreds of thousands of voters. McKinney's proposal seems to offer an alternative, but whether it can pass political muster is an open question. ■

Ms. Garber is a contributing editor to *FOCUS*. She assisted with the forthcoming book, *Redistricting and Minority Representation: Learning from the Past, Preparing for the Future* (see ad in *Trendletter*), edited by David A. Bositis.

Affirmative Action

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ences" and denies that the language is confusing. He dismisses the exit poll results as "fabricated."

It does not appear as though voters in Washington are clear about what effect I-200 would have on that state's affirmative action policies either. In February 1998, The Elway Poll, an independent nonpartisan polling service, found that while 69 percent of survey respondents initially stated they would vote for the Washington Civil Rights Initiative, only 43 percent would do so if they "thought that this measure would do away with affirmative action."

Out-of-State Money

The I-200 campaign has been aided considerably by the support of national organizations, personalities, and politicians, along with the Republican party at the state and local levels. Chief among the supporters are the so-called American Civil Rights Coalition, which helped fund Proposition 209, based in California; *Forbes* magazine publisher and Presidential candidate Steve Forbes; Reagan administration drug czar William Bennett; and I-200 chair John Carlson, a talk radio host who campaigned successfully for other conservative issues. The local Republican party endorsed the initiative early. The King County Republican Party and the Washington State Republican Party both gave ringing endorsements to the initiative. Says Reed Davis, chairman of the King County Republican Party, "…we will do everything in our power to help make Initiative 200 the law of the land in 1998."

Smith says that most of the funding for the campaign has come from out of state. According to the Washington Public Disclosure Commission, as of January 1998 the American Civil Rights Coalition had contributed $213,004 to the campaign, the bulk of which was spent on the signature-gathering campaign to qualify I-200 for legislative action, not the current initiative campaign. In fact, more than half of the funds raised by the I-200 campaign have come from the coalition.

Ward Connerly, an African American, is chair of the American Civil Rights Coalition. Civil rights advocates charge that the coalition hoped to disarm or at least confuse the public by placing a black face at the head of an organization committed to eliminating affirmative action. The coalition is working with conservatives on legislation and ballot initiatives in several states, including Colorado, Florida, Ohio, Michigan, Missouri, New Jersey, and Texas to dismantle their affirmative action programs.

The Fight Ahead: Protracted and Grueling

Of the several initiatives and legislative proposals to eliminate affirmative action, I-200 appears to have the strongest chance of passing. The campaign for this initiative is at a critical stage. It is essential, now, to educate voters in Washington, as well as the rest of the nation about what affirmative action really is and why it is still needed. It is important to rebut the myths that affirmative action gives "unqualified" people advantages and that it stigmatizes minorities and women.

The success of the Houston coalition and a bipartisan effort in Congress revealed that the snowballing effect of attacks on affirmative action throughout this country can be stopped. The battle in Washington State may prove to be grueling, however, and the fight to defend affirmative action nationwide is likely to be a protracted one. ■

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TRENDLETTER

POLITICAL REPORT

House Refuses to End Affirmative Action Programs

On May 6, the U.S. House of Representatives dealt another blow to conservative Republican plans to abolish affirmative action programs. By a margin of 249 to 171, the House defeated an amendment that would have denied federal money to colleges and universities who use affirmative action in their admissions policies. The amendment to the Higher Education Reauthorization bill was offered by Rep. Frank Riggs (R–Calif.) and backed by the Republican leadership (Newt Gingrich cast a *yes* vote for the amendment, one of the rare occasions when the House Speaker votes on the floor).

That 55 Republicans broke ranks and voted with 193 Democrats to defeat the measure was a surprise. Among these Republicans was J.C. Watts of Oklahoma, the only black Republican in the House, who sent a letter to his GOP colleagues urging them to vote against the amendment with him. The letter was cosigned by Democrat John Lewis of Georgia, who first achieved national notice as the 21-year-old leader of the Student Non-Violent Coordinating Committee during the civil rights movement of the 1960s. Watts and Lewis said in their letter, "For numerous reasons equal opportunity is not within the reach of many minority youth in America… . This is not the time to eliminate the one tool we have—imperfect though it may be—to help level the playing field for many minority youth."

Not surprisingly, most of the Republicans who voted against the amendment came from northern and midwestern states, although the diversity of these defectors is notable. Latino Republicans Henry Bonilla of Texas and Ileana Ros-Lehtinen and Lincoln Diaz-Balart of Florida voted *no* on the amendment. Watts also convinced two fellow Oklahomans to join him in opposing the amendment: Steve Largent, one of the more strident conservatives in the class of '94, and Democrat-turned-Republican Wes Watkins.

For anti-affirmative action forces, it was the second defeat in the House in just over a month. On April 1, the House rejected by a vote of 225 to 194 an amendment offered by Rep. Marge Roukema (R–N.J.) to the Omnibus Highway Transportation Act. Roukema's amendment sought to abolish Department of Transportation programs that set aside 10 percent of contracts for businesses owned by minorities or women.

In March, the Senate easily rejected a similar amendment introduced by Sen. Mitch McConnell (R–Ky.) by a vote of 58 to 37 (see "Senate Affirms Minority Set-Aside Program," April 1998 FOCUS). Roukema's amendment had the support of Newt Gingrich but not of the bill's sponsor, Bud Shuster (R–Penn.), chair of the Transportation and Infrastructure Committee. Republican lawmakers who joined with Democrats to defeat the Roukema amendment seemed more swayed by the arguments of D.C. Delegate Eleanor Holmes Norton, a supporter of the transportation set-aside programs. Norton warned Republicans that attempts to abolish the programs would lead to retaliation at the polls from women voters. With elections only six months away, Republicans are already fearful of exacerbating the well-known "gender gap," that is, their party's failure to appeal equally to women and men.

Congresman Bonilla, who supports affirmative action, suggested during the floor debate that his fellow Republican lawmakers were beginning to question the political wisdom of backing anti-affirmative action legislation. But the Republican leadership shows no signs of giving up the fight. The chairman of the National Republican Congressional Committee, Rep. John Linder (R–Ga.), said GOP lawmakers may try another amendment aimed at ending federal affirmative action programs later. However, he acknowledged that there is little hope for passing such legislation this year.

Stephanie Tubbs Jones Wins Nomination for Stokes Seat

Cuyahoga County prosecutor and former judge Stephanie Tubbs Jones swept to an easy victory in the May 5 Democratic primary to become the party's congressional nominee to succeed Rep. Louis Stokes in Ohio's 11th congressional district. The district encompasses Cleveland's east side and a portion of it's suburbs. Stokes, 73, is retiring after holding the seat for 30 years.

The 48-year-old Jones claimed 51 percent of the vote to overwhelm her two closest opponents, Rev. Marvin McMickle, pastor of Antioch Baptist Church and president of the Shaker Heights school board, and State Senator Jeffrey Johnson. All three are African Americans. Two other candidates received very small percentages of the vote. The campaign was remarkably civil, with all candidates focusing on their own qualifications rather than on personal attacks. Johnson's candidacy, however, was hurt by his indictment in March on charges of taking bribes from local grocery stores to give them favored treatment in obtaining state licenses to deal in lottery tickets, liquor, and food stamps. Jones campaigned on her close connection to the voters and her record of service as county prosecutor and judge.

Jones became county prosecutor in January 1991, the first woman and the first African American to hold this position. Before that, she served for a decade as a judge on the Court of Common Pleas and the Municipal Court. Jones was the first black woman to sit on the Court of Common Pleas in the state of Ohio. She also served on the 11th District Court of Appeals for Portage and Geauga counties, the Court of Claims of the state of Ohio, and the Court of Common Pleas for Franklin County. In 1990, she ran unsuccessfully for justice of the Ohio Supreme Court after the nominated Democratic candidate withdrew from the race; even though she only had four months to campaign, she lost by less than 3 percentage points behind the Republican winner. In 1994, Jones was named the Ohio Democrat of the Year.

In the general election this fall, Jones will face GOP candidate James D. Hereford, a Cleveland businessman and host of a radio talk show, as well as eighty-five-year-old independent candidate Jean Murrell Capers, a former Cleveland judge and city council member. Jones is practically guaranteed victory in the 60 percent black, heavily Democratic district. If she wins, the number of black women in Congress will rise to a record 15.

Stokes Retires After 30 Years

Stokes' departure after 15 consecutive terms not only will deprive his district and the state of Ohio of a great statesman but will also deprive them of the considerable benefits of his seniority. The brother of Carl Stokes, Cleveland's first black mayor, he won the seat in 1968 in his first bid for public office, becoming the first black member of Congress from Ohio. Stokes remains the only black member of the Ohio delegation. By virtue of his seniority, he is the dean of that delegation, the ninth ranking Democrat in the House, and the eleventh ranking member of the House overall. A founding member of the Congressional Black Caucus, Stokes heads the group's health brain trust and has been their chief advocate on health. He is the third ranking Democratic member of the powerful House Appropriations Committee and the ranking minority member of the Subcommittee on Housing and Urban Development-Veterans Affairs–Independent Agencies. Known for his integrity, Stokes has chaired the House Select Committee on Assassinations and the Committee on Standards of Official Conduct. ■

FORTHCOMING FROM THE JOINT CENTER

Redistricting and Minority Representation:

Learning From the Past, Preparing for the Future

EDITED BY DAVID BOSITIS



The Joint Center announces the latest book in its series of expert publications on voting rights. Subjects covered include recent Supreme Court and lower court rulings on redistricting, the future of majority-minority districts, the political behavior of black and Latino voters, what legislatures and others should know to avoid the legal pitfalls in new redistricting efforts, and what the future holds for black and Hispanic legislative representation.

The contributing authors of this volume, distinguished not only for their scholarly expertise but for their active involvement in major voting rights cases, are: David Bositis, Robert Brischetto, J. Gerald Hebert, Donald Verrilli, Jr., Paul Smith, Sam Hirsch, Heather Gerken, Keith Reeves, Selwyn Carter, Carol Swain, and Brenda Wright. (212 pages, notes.)

Available August 1998. To place an advance order, call our distributor, University Press of America, at 1-800-462-6420.

ECONOMIC REPORT

by Cecilia Conrad and Malinda Lindquist

Does the Minimum Wage Work?

Two years after Congress's last federal minimum wage hike, the Clinton administration proposed boosting the wage by another dollar. Increasing the minimum wage is one of two strategies the administration has proposed to insure that work pays for low-income Americans. The other strategy involves expanding the Earned Income Tax Credit (EITC), which is essentially a government tax subsidy paid to eligible low-wage workers. Currently, the minimum wage is $5.15 per hour. Under the President's proposal, it would increase in two $0.50 increments scheduled for January 1999 and January 2000.

While opponents of the wage increase warn that it could result in higher rates of joblessness and even provoke a recession, those in favor contend that it will have a relatively small effect on employment levels. Proponents further argue that any job losses would be more than offset by the wage growth that would enhance the lives of most low-wage workers, especially those living in low-income households.

First enacted by Congress in 1938 under the Fair Labor Standards Act (FLSA), the minimum wage was created to provide low-wage and entry-level workers with a protective wage floor. Although it has risen since its inception from $0.25 per hour in October 1938 to $5.15 in September 1997, its purchasing power in constant dollars is considerably lower than it has been in past decades. After adjusting for inflation, the current minimum wage is actually 87.6 percent of its 1956 value, 70.0 percent of its 1968 value, and 87.3 percent of its 1981 value. If Congress were to authorize Clinton's proposed two-year increase to $6.15 today, it would be equivalent to 104.6 percent of its 1956 value, 83.6 percent of its 1968 value, and 104.2 percent of its 1981 value.

According to the Bureau of Labor Statistics, in the first quarter of this year 7.5 percent of all workers earned hourly wages at or below the current minimum wage. Among these low-wage workers, 72.1 percent were 20 years of age or older and 60.4 percent were women. Blacks (15.1 percent) and Hispanics (19.3 percent) comprised a disproportionate share of minimum-wage earners. Of the 794,000 blacks earning minimum wage or less, more than half were between 25 and 54 years of age.

Although the minimum wage was adopted 60 years ago, the debate over its impact on workers and the labor market continues. Economists opposed to the minimum wage base their argument on the law of supply and demand, according to which increases in the price of labor cause decreases in the quantity of labor demanded. Thus, a minimum wage that raises the price of labor would in theory reduce the number of workers employers are willing to hire. Standard economic theory also contends that an increase in wages will increase the supply of labor since more individuals will be willing to enter the labor force when higher wages are offered. A minimum wage hike could thus lead to a gap between the number of workers employers are willing to hire and the number seeking work. Some economists object to the minimum wage because they believe it prices certain individuals—specifically those with the least education and the fewest skills—out of the labor market.

Small Business Concerns

According to the U.S. Small Business Administration, small firms (fewer than 500 employees) employ 49 percent of black private-sector employees. Small business owners have been among the strongest opponents of a minimum wage hike, believing that it would be an additional impediment to entrepreneurship and economic growth. One owner summed up the views of the small business community in testimony before the Joint Economic Committee prior to the last minimum wage increase: "Employees should be paid based on their productivity and worth, not on some theoretic number… ." Business owners contend that the labor market should set its own wages naturally, without government influence, since the burden of paying workers higher wages falls upon them. In its analysis of the minimum wage, the Employment Policy Institute (a research group funded in part by the fast food industry) calculated that an increase in the minimum wage to $6.15 an hour would increase the labor cost to an employer with 10 full-time, minimum-wage employees by an average of $20,800 a year. Many businesses in the highly competitive retail market cannot raise prices to pay these higher wages and will either be forced to lay off workers or close their businesses.

This assertion seems to be confirmed by a study on the effects of the 1990–91 minimum wage hike. Economists Donald Deere and Finis Welch of the University of Texas and Kevin Murphy of the University of Chicago found that large job losses were associated with the increased wage. The biggest losers were teenagers, women, and blacks. After

the hike, 11.4 percent fewer teenage women and 10.0 percent fewer black teenagers were employed, compared to 7.3 percent fewer males. Among adult high school dropouts, 5.2 percent fewer women and 6.7 percent fewer blacks were employed versus 3.1 percent fewer men. However, some of these job losses may have been exacerbated by the economic recession of the early nineties. In a study of fast food franchises in New Jersey and Pennsylvania, economists David Neumark of Michigan State University and William Wascher of the Federal Reserve Board system report that the April 1992 increase in the minimum wage in New Jersey led to a 4.6 percent decrease in that state's employment.

The Neumark and Wascher findings contrast sharply with those of David Card of the University of California at Berkeley and Alan B. Krueger of Princeton University. In a study recently released by the National Bureau of Economic Research (NBER), Card and Krueger conclude that the April 1992 wage hike in New Jersey had little or no systematic effect on total fast food employment in the state. Several studies of the fast food industry in Texas and in California have reached similar conclusions. Card and Krueger attribute the discrepancies between their results and those from Neumark and Wascher to anomalies in the latter's data.

Impact of the 1996–97 Minimum Wage Hike

Advocates of increasing the minimum wage cite the results of Card and Krueger as evidence that, despite the theory, the employment effects of a wage hike tend to be small. They argue as well that any job losses are more than compensated by the wage growth that assists low-income families. Jared Bernstein and John Schmitt of the Economic Policy Institute (EPI) found that the most recent two-stage hike in the minimum wage (from $4.25 to $4.75 on October 1996 and to $5.15 on September 1, 1997) increased the wages of nearly 10 million workers—over 71 percent of whom were adults. Forty-six percent of the affected workers worked full-time, and another 33 percent worked between 20 and 34 hours per week. Bernstein and Schmitt reported that the wage increase disproportionately benefitted low-income working households. Households at the bottom 20 percent of the income distribution received 35.3 percent of the benefits, and those in the bottom 40 percent received 58.1 percent of the benefits.

Bernstein and Schmitt also concluded that the 1996-97 minimum wage increase did not result in job losses. EPI conducted four separate tests to measure the increase's impact on the employment rates of teenagers and adults with less than a high school education. The results resoundingly illustrated that the impact was just as likely to be negative as it was to be positive. Some of the tests showed employment opportunities increasing while others showed them decreasing. In nearly all of the cases, the impact was not statistically significant. However, some of the effects of raising the minimum wage may have been ameliorated by the economic expansion of the mid-nineties.

Policy Alternatives

Increasing the minimum wage is one approach to making work pay, but it is not the only one offered in the President's economic plan. The *1998 Economic Report of the President* identifies expanding the EITC as another component of its strategy to promote work and reduce poverty. Under the EITC, low-wage workers receive a credit against their income and payroll tax liability. The credit is rebated in cash if the worker's income tax liability is zero. The EITC offers no benefits to nonworkers or to low-wage teenagers living in high-income families. While the minimum wage increases the labor costs of business owners, the EITC may achieve the same effect as the minimum wage with little or no increase in business costs.

The administration describes the minimum wage as a complement to the EITC. An expansion of the EITC to guarantee subsistence income to all working families would require payment of a large subsidy and, hence, would make it difficult to maintain a balanced federal budget. Instead, the administration proposes using the EITC and the minimum wage together. By combining the two policies, it hopes to limit subsidies paid under the EITC and minimize the negative effects of the minimum wage on employment.

As of April 1998, the average hourly wage rate was $12.67, more than double the proposed $6.15 minimum wage. The unemployment rate for whites was 3.6 percent and for blacks 8.9 percent. In the context of this robust economy, a modest increase in the minimum wage is unlikely to result in dramatic decreases in employment. EPI estimates that another 10 million workers— 8.4 percent of the workforce—would be positively affected by Clinton's proposed increase in the minimum wage. Workers in the southern region, an area heavily populated by blacks, would reap the largest rewards from this increase. At a time when the gap between the richest and the poorest families is growing, raising the minimum wage in conjunction with expanding the EITC may help. ■