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FOCUS

The monthly newsletter of the Joint Center for Political Studies

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POLITICAL TRENDLETTER

Perspective

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COMPASS: A Tool to Determine Community Needs

As a member of the Board of Governors of the United Way of America (UWA), I have the privilege of chairing a national task force which is seeking to develop more effective ways to determine the needs of the communities it serves. Given the dramatic cutbacks in the programs that serve the needy, the task of assessing the areas of greatest need has become more and more necessary.

We do not need a fortune teller to predict that blacks and other minorities will continue to be among those most profoundly affected by cuts in federal spending. It is still true that those with the least will suffer the most.

A dismal forecast? Yes, but it is just that: a forecast. We *can* change the outcome. We *can* ensure that black interests are protected. We *can* make our needs known.

An effective means of making our needs known is through the system developed by the United Way and called COMPASS. It is a complete system for analysing community problems and putting together a realistic plan of action. COMPASS goes beyond traditional needs assessments that, typically, have a narrow focus. It is designed to get the *whole* community involved in looking at local issues. It lets us see the big picture on need, not just a slice of the pie. Moreover, COMPASS does not end with a mere assessment of needs; it helps communities develop a comprehensive plan for addressing problems once they have been identified.

COMPASS was developed by the United Way of America with a grant from the Gannett Foundation and with substantial input from the Urban Institute. As chairman of the committee which was responsible for producing the COMPASS package, I can tell you that we looked at literally hundreds of different needs assessments and took the best of each one. I can assure you, COMPASS works.

The program is designed for use by *any community organization, of any size, and no matter what its budget.* The entire package consists of:

- a how-to manual for bringing the community together to look at local needs and to design a realistic plan of action;
- materials for gathering and analyzing current social and economic data;
- three survey approaches; and
- necessary computer software.

We know that the needs in our communities are overwhelming, and we know that government funding cuts are an unavoidable part of the future economic landscape. In my view, one of our great needs is a tool such as COMPASS that will enable us to put the needs of the black community in perspective for our communities and for the nation as a whole. COMPASS can help dispel the myth that what happens in our nation's inner cities concerns only those who live there. More important, COMPASS can give us a blueprint for taking steps to correct inequities in funding and to ensure that we use our limited resources to address our most pressing problems.

To get more information on COMPASS, please contact Jack White, United Way of America, 701 N. Fairfax St., Alexandria, Va. 22314. ■

Eddie N. Williams

PRESIDENT

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Minority Engineers Will Play Key Role in 21st Century Economy

But Technical Illiteracy Limits Current Applicant Pool

by Richard F. Neblett

In its glimpse of the 21st century, the National Alliance for Business's *Employment Policies: Looking to the Year 2000,* predicts that changing demographics, new technology, and stiff international competition will cause "pervasive mismatches between workplace needs and workforce capabilities." At stake is America's ability to compete in the technological arena and the success of American products in world markets. Ironically, our dependence upon technical literacy for economic growth comes just as the white male population—traditional breeding ground for the science establishment—is shrinking and the minority population is experiencing extraordinary growth.

According to Harold L. Hodgkinson in his 1985 study, *All One System: Demographics of Education, Kindergarten through Graduate School,* "by around the year 2000, America will be a nation in which one of every three of us will be non-white." The unavoidable conclusion is that more minorities must be brought into science and math-based fields *now.*

Promoting Minority Participation

This conclusion is not new. Almost 15 years ago, concerned industry leaders created NACME, the National Action Council for Minorities in Engineering, to funnel dollars as well as human resources towards promoting participation in engineering among blacks, Mexican Americans, Puerto Ricans, and American Indians—all seriously underrepresented in the field. Equally important, these leaders designed a model for intervention which fostered a broad coalition of similarly dedicated institutions: school systems, universities, corporations, professional societies, minority groups, and local programs—collectively called the minority engineering effort.

The Effort, as it is known, has made remarkable progress relative to the progress made in other disciplines. In *Report to the Field, A Descriptive Analysis of Programs and Trends in Engineering Education for Minority Students,* Edmund W. Gordon and his colleagues at Yale University's Institution for Social and Policy Studies found that "the field currently attracts about 50 percent of all minority students identified as academically very well prepared for college." How, then, do we remain far short of our long-range goal of parity: minority representation among engineering graduates proportionate to minority representation in the college-age population?

As Gordon points out, 57 percent of all black students scoring over 910 on their Scholastic Aptitude Tests picked engineering as their first choice of major. Although the percentage is high, this amounts to only 2,417 students. Clearly, the problem is not our ability to place able minority students on the engineering career trajectory; the problem is the size of the pool from which we must draw.

If we agree that a generation lost to the labor force means the devastation of our economy, where is the unified outcry from parents, community leaders, educators, and. . . legislators?

Given the figures, it is fair to say that the low percentage of minority students who are considered academically "very well prepared" is an indictment of both inner-city and rural public education establishments. This dismal failure was underscored by the National Science Board Commission on Pre-College Education in Mathematics, Science and Technology. "The nation that dramatically and boldly led the world into the age of technology," it declared, "is failing to provide its own children with the intellectual tools needed for the 21st century."

If we agree that a generation lost to the labor force means the devastation of our economy, where is the unified outcry from parents, community leaders, educators, and—guardians of the public good—legislators? After a flurry of reports about the mediocrity of our educational system; the response has been long on talk and shamefully short on action.

Special Programs

Yet, the achievements of students in minority engineering programs (MEPs) around the country suggest a clear means to improve the delivery of public education. "These programs, although originated as affirmative actions aimed at equal opportunity, have proven that they address the fundamental national issue of

(Cont. on page 4)

Richard F. Neblett is president of the National Action Council for Minorities in Engineering.

Minority Engineers

(Cont. from page 3)

international competitiveness in the new global marketplace of information technology," stated Thomas L. Martin, Jr., president of the Illinois Institute of Technology. "They are models of what can be done to, and with, our educational establishment to move America into its familiar role of industrial and technological leadership."

Exactly how have MEPs achieved such impressive results? Perhaps most importantly, MEPs tell students they can achieve in science and math-based fields, and then they give them the opportunity to do so. High expectations, combined with the student's confidence in his/her ability to perform, have tremendous influence in communities where few young people have family and friends in technological careers. Teachers who deliver such a message can combat the self-fulfilling prophecies of negativism and incompetence that are the product of racial stereotyping.

The efficacy of this technique was noted recently by researchers who studied schooling in Japan. One of the major factors identified as predisposing children toward high achievement was the attitude commonly held by educators, parents, and students that all children can excel if they are willing to work hard.

Higher Level Courses

While it may be stating the obvious, one of the ways MEPs get results is by offering higher level courses in science and mathematics to minority students. Studies consistently conclude that low-income minority youths perform poorly on SAT tests because they simply have not been exposed to the course work. This is a problem that must be addressed long before high school. The public elementary school system must expect all students to be able to pursue advanced math and science and must offer the basic education that is a prerequisite to study in these areas.

After a flurry of reports about the mediocrity of our educational system, the response has been long on talk and shamefully short on action.

MEPs bring practicing engineers and university faculty into the high school classroom to supplement the standard curriculum. In addition to acting as role models, these professionals can bring much needed expertise to advanced instruction.

MEPs place a special emphasis on exposing students to role models. This includes having visiting lecturers on school faculties and actively recruiting minority teachers for school systems. Such a commitment, of course, means offering competitive salaries, a career ladder, and early career guidance. It also means that we must ensure a supply of able teachers by substantially improving the nation's teacher-training efforts. And, as the lure of industry shrinks the number of qualified people who choose to become teachers of science and mathematics, public education must also look beyond traditional sources to draw competent teachers. Alternative licensing programs now being piloted by foresighted school boards may, in fact, be the wave of the future.

The achievements of students in minority engineering programs (MEPs) around the country suggest a clear means to improve the delivery of public education.

Finally, MEPs involve parents in their children's education. If the lessons of the MEPs are extended to the entire educational system, we will be obliged to address both sides of the coin. Schools will have to be exhorted to draw parents into the educational process. At the same time, parents will have to exhibit genuine concern for their children's schooling and will have to be willing to spend time and effort demanding quality education.

We Must Invest Now

The future will not wait while we play a game of educational catch-up. In the words of Tom Martin, president of the Illinois Institute of Technology, "The quality and effectiveness of our educational system is crucial to national survival, and just as that system failed minorities in the past, it is failing the nation today."

While NACME's proprietary interest is minorities in engineering, we recognize that we are part of a much greater educational imperative. The time is right for coalition building, for joining with all others who share similar goals. There are meaningful roles to be played by minority service organizations and churches, by enlightened commerce and industry, and by legislators at all levels. The means exist *now* to inspire and empower America's children. And today's children are the adults who will guide us into the 21st century.

As Morris Tanenbaum, NACME chairman and AT&T vice chairman, noted, "The time when the talents of any fraction of our population could be left undiscovered and underutilized is long past. . . . We must help assure that the tools and technologies of the Information Age are accessible to every segment of society; that they open doors, not close them; that they expand horizons, not limit them; that they truly create new opportunities, not new classes of haves and have-nots. Failure to achieve that accessibility would not only be contrary to our goals but in the longer term it would destroy them." ■

May 1987

POLITICAL TRENDLETTER

Inside This Issue

- **Richard Hatcher, who was elected in 1967 as one of the nation's first big-city black mayors, was defeated in a close race after serving five four-year terms in Gary, Indiana.**
- **Mississippi Congressman Mike Espy is getting rave reviews from whites, who may have provided the crucial votes he needed to win.**
- **Democratic party leaders are targeting conservative, white southerners as part of a "Super-Tuesday" strategy which may be aimed at diluting the black vote.**
- **While his presidential campaign is still in the exploratory stage, Jesse Jackson is making a special effort to solidify his base among black elected officials.**
- **At their 18th annual conference in Atlanta, black political scientists assess the gains in black political power.**
- **Across the nation: Following his reelection, Mayor Harold Washington quickly tightens control over the Chicago city council; Fulton County Commissioner Michael Lomax announces plans to enter the Atlanta mayoral race in 1989; and Philadelphia's May 19 primary features black candidates for mayor, sheriff, and municipal court judge.**

Gary Seeks "New Direction" After Hatcher

Following in the footsteps of SHARPE JAMES, who ousted four-term Mayor KENNETH GIBSON in Newark in 1985, **Calumet Township Assessor THOMAS V. BARNES (who is also black) defeated five-term incumbent Mayor RICHARD HATCHER in the May 5 primary in Gary, Indiana.** According to early unofficial returns, Barnes, a former Hatcher ally, received 25,000 votes to Hatcher's 19,000, in an election in which only 50 percent of registered voters cast ballots. In the November 3rd general election, Barnes will face Republican THADDEUS ROMANOWSKI, an insurance company regional manager, who is an underdog in this heavily Democratic, 70 percent black city.... **What accounts for Barnes's victory over the nation's longest reigning black mayor, who had been endorsed by JESSE JACKSON, Mayor HAROLD WASHINGTON, and Congressmen JOHN CONYERS and WILLIAM CLAY, among others? After 20 years of Hatcher rule, the voters were ready for a change.** As Ohio State political scientist WILLIAM NELSON said recently, "The feeling is that he had too many political debts to be effective." **Barnes, who pledged to move Gary in "new directions," may also have benefited from charges of corruption lodged against several Hatcher aides. Underlying these issues, however, was the massive loss of steel industry jobs, which had a devastating impact on the city.** Barnes exploited this issue, charging that "we've got a city that has just gone to the pits, physically." While Hatcher did not succeed in finding new jobs and new industry to replace the ailing steel mills, Barnes also may find this is no easy task. In the aftermath of the election, though, Barnes appeared optimistic: "People are ready to roll up their sleeves and get to the business of lifting up a city instead of one man. We're going to show people that things in Gary, Indiana, can go right."... **Hatcher's defeat does not mean that he will disappear from the public scene. He has always been as much a national leader as mayor of Gary.** Whether he chooses to play a prominent role in Jesse Jackson's potential presidential bid, as he did in 1984, or to increase his visibility in anti-apartheid activities as TransAfrica's chairman of the board, Hatcher is expected to continue his national leadership in black and urban affairs....Meanwhile, Barnes must grapple with the difficult problems that plague Gary in the aftermath of its once mighty steel industry. New directions and new ideas, the Barnes campaign slogan, will certainly be needed....Another victor in Gary was former Congresswoman KATIE HALL, who ran for city clerk.

Espy Gets Rave Reviews from White Mississippians

A post-election study of voter turnout in Mississippi's 2d Congressional District concludes that **MIKE ESPY, the first black elected to Congress from Mississippi since Reconstruction, won because he drew about 5 percent more white votes in the 1986 election than did State Representative ROBERT CLARK, also black, in his narrow losses in 1982 and 1984.** The study by the Atlanta-based Voter Education Project (VEP) found that **Espy got 12 percent of the white vote and 95 percent of the black vote, compared to 7 percent of the white vote and 94 percent of the black vote for Clark in 1984.** VEP also found very high support for Espy in several predominantly white precincts in his home county of Yazoo: **47 percent in Precinct One and 49.6 percent in Precinct Two.**

Since his election last November, **Espy has been getting rave reviews from some of his white constituents and from the press.** One visitor to Espy's Washington office is quoted in *The Conservative,* of Carrolltown, Mississippi, as saying, "I'm glad to know we've got somebody who really listens to us." **Mayor EMDERY GRUBBS of Vicksburg has also credited Espy with caring about his city and showing a "willingness to fight the system, which is a big plus for us."** Espy, who sought and got a seat on the House Committee on Agriculture, also co-hosted, with Mississippi Democratic Senator JOHN STENNIS, a catfish luncheon to persuade the Department of Defense to put catfish on military menus throughout the world. According to *The Conservative,* "Espy has apparently done even more winning-over of his white constituency by his sincerity and devotion to his job of helping his district with its myriad economic problems....**Espy seems to be doing what he does best, working hard, but quietly, and it appears to be paying off."**

Some of Espy's key black supporters feel a bit differently, however. One elected official says he has had a hard time getting Espy to answer his mail; the freshmen congressman, he says, is increasingly confused about the nature of his real support. **Yet, most black and white leaders in the district believe that no black will emerge to challenge Espy in 1988 and that he is very likely to be reelected.**

Say, Breaux, Whose Crusade Are You Leading?

As Democratic presidential aspirants ponder strategies for capturing the South—and the 1,307 delegates at stake on "Super-Tuesday," March 8, 1988—**one recent election they should study is the 1986 U.S. Senate race in Louisiana which was won by JOHN BREAUX. In that contest, Breaux got only 39 percent of the white vote but won because 85 percent of blacks supported him. This pattern of winning with the black vote was repeated in senatorial contests in Alabama, Georgia, and North Carolina—to name three key southern states (see *Focus,* November-December 1986). Yet, Breaux appears to be biting the ballots that elected him. He has endorsed the strategy chosen by the moderate Democratic Leadership Council to woo conservative whites to prevent them from voting Republican in 1988.** Though Breaux should know from experience that a winning strategy is to increase black registration and turnout, he has taken a different path by agreeing to lead a DLC team (part of the DLC's Super-Tuesday Education Project—STEP) committed to wooing conservative whites. DLC officials deny it, **but one theory is that if enough white conservatives return to the Democratic fold they can dilute the impact of the southern black vote—a prospect that Senator Breaux should have warned the DLC is like biting the hand that feeds you.**

While "Testing the Waters," Jackson Touches the Bases

Senator Breaux and the DLC may not be the only Democrats who seem unenthusiastic about overtly courting southern blacks. **Another potential suitor is JESSE JACKSON, whose "Southern Crusade" in 1984 was a key factor in raising black voter registration from 59 percent in 1980 to 66 percent.** This year, however, some Jackson supporters say they are having a hard time impressing upon "the Reverend" that he needs to repeat the Southern Crusade. They point out that in many places, **blacks who voted in 1984 may not be on registration lists in 1988. They are concerned that Jackson may expect southern blacks to support him without a Jackson-led Southern Crusade, and that he might be in for a big surprise**....Jackson's campaign staff insists, however, that he has not neglected southern blacks. On the contrary, **as Jackson's press secretary, FRANK WATKINS, told *TL,* "He has met with every black caucus in every southern state and has spoken to joint sessions of the**

state legislature in Texas and Arkansas." Jackson also met last month with supporters in Memphis and plans a "working session" on May 15-16, in Baton Rouge, Louisiana, with "key leadership types" from each of the southern states to discuss "putting together state structures for a potential presidential campaign." **Describing Jackson's efforts as "testing the waters," Watkins noted that "one test is whether black politicians will be in the forefront of a potential Jackson candidacy."**...An early boost came from California Assembly Speaker WILLIE BROWN (D), who provided an endorsement of sorts. Saying that the 1988 presidential nomination battle is likely to result in a brokered convention, **Brown told *Washington Post* reporters in late April that he wants to be one of the brokers and Jesse Jackson looks like his best agent for getting in the room.** Brown's endorsement was somewhat of a surprise to press secretary Watkins, who said, "the word was that he was looking at [former Senator GARY] HART real strongly." **Watkins added that Brown's endorsement was symbolic of Jackson's increasing support from "more hard-nosed, professional politicians who are coming to the realization that Jackson is the candidate who best represents their interests."**

Meanwhile, Jackson opened his second exploratory office, in Chicago, on May 1. **Jackson already has an exploratory office in Iowa and plans to open at least two more—in Washington, D.C., and in South Carolina.** A key supporter reports that Jackson's principal base of operation in the 1988 campaign will be Chicago, not Washington, D.C., as it was in 1984. This supporter also reports that Chicago Mayor Harold Washington—who is very close to another potential presidential candidate, U.S. Senator Paul Simon (D-Ill.), who endorsed Washington in his mayoral bid—will not run as a favorite son but is likely to endorse Jackson late in the campaign.

Political Scientists Meet, Assess Black Power Gains

Though the official theme for the 18th annual meeting of the National Conference of Black Political Scientists (NCOBPS) was "Black Americans in an Era of Conservatism," **one issue that surfaced repeatedly was whether the black community had benefited from the election of blacks to office.** Panel discussions included **case studies of Cleveland, Detroit, and Chicago in the North and analyses of reapportionment politics and legislative behavior in the South.** As they have for the past 17 years, the scholars sought to fulfill the stated goal of NCOBPS to "clarify the problems of black people, suggest useful remedies, and mobilize needed resources." One of the issues they addressed was: **Did COLEMAN YOUNG "sell-out" the interests of poor blacks by becoming an unquestioning proponent of "trickle-down, pro-growth" development?** Young's 14 years as Detroit's mayor produced benefits to the black middle class and the business community, but perhaps that is the best he could do given the city's declining economic base and the lack of a good federal, urban policy, reported ADOLPH REED, political science professor at Yale University, and LINDA WILLIAMS, senior research associate at JCPS. **Are the political machines built by black elected officials promoting "personality cults?"** Ohio State University professor WILLIAM NELSON said that Cleveland City Council President GEORGE FORBES has built "the classic white machine" that has made him the "undisputed kingpin" of Cleveland politics. Yet, there are no organizations to help the political mobilization of blacks; there is less potential today than in 1965 to elect a black mayor of Cleveland, according to Nelson. **Have "post-reapportionment" legislators in the South been responsive to the black community?** In Mississippi, a new generation of black and white legislators has taken power and recently "caused a slight tremor in the power structure" by deposing C. B. "BUDDY" NEWMAN, the powerful speaker of the state legislature and leader of "the Delta dynasty which had ruled since the 1930s." This "realignment in state politics...is directly attributable to changes in the legislature through reapportionment," said FRANK PARKER of the Lawyers' Committee for Civil Rights Under Law. In Alabama, though the 19 blacks in the state House of Representatives and the 5 in the state Senate are among the largest black delegations in the nation, the Alabama Black Caucus was ineffective in protecting the interests of blacks in the 1980 reapportionment process, according to political scientist ROBERT HOLMES, a member of the Georgia House of Representatives. The caucus's subcommittee on reapportionment "never met and had no plan; as incumbents, they favored no change," said Holmes, who works for the United Negro College Fund. **Are 65 percent black-majority districts "a wastage of the black vote?"** A rule of thumb followed by the courts in reapportionment cases is that a congressional district must be 65 percent black to ensure that the black community is able to elect the candidate of its choice. In creating a 65 percent black majority in Georgia's fifth district, however, the black population in the neighboring fourth district had to be reduced from 28 percent to 13 percent. The result in the fourth district was the defeat of a moderate Democrat by an extreme right wing Republican. As Howard University political

scientist ROBERT SMITH noted: "It is difficult to see how this outcome served the interests of the predominantly liberal Democratic black community of Georgia." Smith further argued against the "overconcentration" of blacks that results from any percentage over 55 percent: "[I]t is the responsibility of the black political leadership to register its constituency and mobilize them to turn out. The courts should not do this work for them because to do so may retard the long-term political development of the black political community." Frank Parker, an attorney who has argued many reapportionment cases, disagreed on the grounds that as a practical matter a 65 percent majority-black district was necessary to elect a black candidate.

Have black elected officials been reformers? In a succinct summary of pragmatic accommodations by black officials, JOY CAREW, an administrator at the City Colleges of Chicago, said, "Rather than being reformists, they're supporting the economic interests that were in place....As far as they go is to provide greater opportunities, not to change the system."

Across the Nation

CALIFORNIA. In a special election in the Fifth Congressional District, **DORIS WARD, a black candidate, came in fourth with only 6 percent of the vote in this 9 percent black district.** Former California Democratic State Chairman NANCY PELOSI, whose campaign chest exceeded $600,000 (more money than raised by the other 13 candidates combined), won with 36 percent of the vote.

DELAWARE. Sussex County black leaders, angered by reports of poor conditions at the Greentop housing development near Lincoln, **are joining forces to flex their political muscle on issues affecting the black community.** Greentop is a 21-unit complex in which tenants—all black—pay $65-$75 a month for one- and two-room apartments which lack running water, cooking facilities, toilets, and heat. **As one of the leaders, Fred Cephas of Slaughter Neck's Community Action Agency, sees it, "The power of getting things done is through organization and through politics. We're going to be a political force that can put an official in office or take him out."** One-fifth of the county's 100,000 residents are black, but there are still no blacks representing Sussex in the legislature.

GEORGIA. Although Atlanta's next mayoral election is two and a half years away, **Fulton County Commissioner MICHAEL LOMAX has announced his plans to run for the seat now held by Mayor ANDREW YOUNG** (who is not eligible to seek another term). Lomax told reporters, "I intend to be a candidate. I have a broad base of support. That's what polling tells us."

ILLINOIS. In Chicago, Mayor HAROLD WASHINGTON finally has the dream city council. **By lopsided votes of 40 to 9 (1 absent), Washington's forces reorganized the council and named his longtime allies to chair every important committee on the 50-member council.** These votes assure the mayor almost complete control of the legislative agenda of the nation's third largest city for the next four years. **Veteran City Hall observers said that such political clout has not been seen in Chicago since the heyday of the late Mayor RICHARD DALEY,** whose death in 1976 ushered in a period of political upheaval that saw three different mayors in three successive elections. **Washington is the first mayor since Daley's death to be reelected for a second term.**

OHIO. Instead of taking up a GOP offer to give each political party a "safe" judgeship, Governor RICHARD F. CELESTE (D) has opted to name two black Democrats to judgeships that are anything but safe. In late March, Celeste elevated Judge JACK SHERMAN, Jr., to a seat on the Hamilton County Common Pleas Court and named former Judge NADINE ALLEN to take Sherman's place on the Hamilton County (Cincinnati) municipal court bench. **The GOP chairman in the state has promised to go after both seats with a vengeance.**

PENNSYLVANIA. Incumbent Philadelphia Mayor Wilson Goode held a substantial lead over his Democratic primary opponent, Edward Rendell, in the polls, but **most observers predict a close race by the primary date, May 19.** The *Philadelphia Daily News* has endorsed Rendell, but **Goode's chances are being bolstered by the fact that the number of registered blacks has increased considerably, while the number of whites has decreased.** The size of the black vote is expected to be critical to the outcome of the race.

Black Republicans—who number more than 20,000, about 10 percent of the party membership—**could also decide the outcome of the primary contest between former Mayor Frank L. Rizzo and stockbroker John J. Egan, Jr.** Both candidates are actively courting the black Republican vote and predicting success. Both have black campaign coordinators for minority affairs. Black Republicans seem split behind each.

In the four-way race for sheriff, the *Philadelphia Inquirer* has endorsed JOHN GREEN, a former sergeant in the Philadelphia Police Department and past president of the black police officers' organization, the Guardian Civic League. Green has promised to restore order and morale to the office's badly tarnished reputation. If Green wins in the May primary and goes on to win in the November general election, he will become the first black sheriff in Philadelphia history.

In other news, **JAMES DELEON,** the only black candidate for municipal court judge in the primary, **says Philadelphia Democratic Chairman ROBERT BRADY asked him to withdraw from the race because the party had "struck a deal" with the Republicans.** DeLeon, a lawyer, refused and has been airing complaints of Democrats knocking blacks off judicial slates. According to DeLeon, the Democratic party's refusal to back blacks for judicial posts in the past at least partially explains why, in 35 years, there has never been more than three blacks out of 12 judges on the municipal court bench.

SOUTH CAROLINA. Human Affairs Commissioner JAMES CLYBURNE, who is black, wants to remove the Confederate flag from the state capitol and folks are choosing up sides. **A survey by *The State* newspaper says 60 percent believe the flag should stay (69 percent of whites, 32 percent of blacks) and 28 percent favor furling it.** In addition, 65 percent oppose a ban on playing or singing "Dixie" at public events (76 percent of whites, 32 percent of blacks) and 21 percent favor it.

VIRGINIA. Lieutenant Governor L. DOUGLAS WILDER has been elected chairman of the 40-member Democratic Lieutenant Governors Association. **In accepting the position, Wilder pointed out that the lieutenant governors are set to play a key role in working with other members of their party to elect a Democratic president in 1988.** He said there was a real opportunity to elect a Democrat in 1988 because no incumbent president will be a contender for the White House and because "the nation knows from the start of this presidential contest that it must choose a new leader." In his view, this gives the Democrats and their lieutenant governors a real chance to make a difference.

Contracting Regulations to Be Expedited

Let DOD Know Public Is "Paying Attention," Supporters Say

by Felix Peterson and Edwin Dorn

In an unusual move designed to hasten implementation of the congressionally mandated 5 percent ($30 billion over three years) minority contracting goal (see *Focus,* February 1987, for details), the Department of Defense (DOD) has decided to issue "interim, final" regulations instead of first publishing a draft regulation and soliciting public comment before the program goes into effect.

Speaking at a JCPS round table discussion on April 22, 1987, Norma Leftwich, who directs DOD's Office of Small and Disadvantaged Business Utilization (SADBU), said the program will take effect when the rules are published in the *Federal Register* in late May or early June. Indeed, some portions of the program are already "on the street." On April 18, 1987, DOD issued a Request for Proposals (RFP) for the technical assistance portion of the new law.

The regulations that will be published in the next few weeks are called "interim" because they still can be changed in response to public comment. Major Clark, who served for many years as chief of staff to the House Committee on Small Business and now is a vice president at Maxima Corporation, a minority-owned company which has been awarded DOD contracts in the past, emphasized that public comment is essential.

"Unless a lot of black entrepreneurs and college presidents respond to those regulations with *constructive* suggestions," Clark said, "DOD is going to assume that nobody is paying attention and that the heat is off." To aid those who may wish to comment on the new regulations, Anthony Robinson, president of the Minority Business Enterprise Legal Defense and Education Fund, will produce a detailed analysis of the regulations. (To obtain a copy, please contact MBELDEF, 300 Eye Street, N.E., Washington D.C. 20002.)

Concerns Expressed

The Joint Center round table discussions brought together a diverse group of DOD contracting officials, minority entrepreneurs, business consultants, and others who had expressed an interest in DOD's contracting program after seeing the article in the February issue of *Focus.* One of the issues addressed by the discussants was whether the goals of the program—to raise DOD's minority contracting from $4.1 billion in 1986 to $10.1 billion in 1987[1]—were attainable. John Cole, president of Financial Research Associates, for instance, noted that many small, minority-owned businesses face capital shortages. "You have to have money to make money," Cole asserted. "Further, small businesses often cannot take advantage of the economies of scale that large firms can use to lower their costs."

Nick Alston of Awltech, a Denver-based black business specializing in high-tech sensing devices, mentioned the possibility of joint ventures with large corporations that do have access to capital.

DOD's Leftwich expressed optimism that minority contracting will increase as a result of this program. "As we get to know more and more about minority contractors, our ability to meet the goal will increase," she said. She also supported the concept of "teaming" and joint ventures with white contractors. Leftwich rejected concerns that the joint ventures may become "minority fronts": "We're seeing much more self-policing," she said. "If a minority front tries to get into this program, we'll hear about it."

Another problem that minority-owned businesses have confronted in the past is the difficulty of securing 8(a) certification. Dr. James Green, a city councilmember and businessman from Henderson, North Carolina, claimed that some minority firms in his state have waited for as long as two years for approval to participate in the 8(a) program. According to Herbert Fisher, director of DOD's Office of Contract Policy and Administration, formal 8(a) certification is not a prerequisite for participating in DOD's program. A firm must meet the legal definition for a small, disadvantaged business, but does not have to go through a long certification process.

Programs for HBCUs

Michelle Stent, director of government relations of the United Negro College Fund, mentioned that many historically black colleges and universities (HBCUs), especially very small private colleges, lack the capacity to do the kind of high-tech research and development that the Defense Department needs. DOD officials made three suggestions. One is for small colleges to develop collaborative ventures, either with

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Army Lieutenant Colonel Felix "Pete" Peterson is spending a year at JCPS as a senior military fellow and Edwin Dorn is deputy director of special programs at JCPS.

[1]Within a week after the round table, DOD officials lowered their target for 1987 to $7-8 billion.

Affirmative Action Approved Again

Even Without Admitting Prior Wrongs, Employers Can Seek to Integrate Work Place

by Jerome M. Culp

For the fourth time in the last two terms, the U.S. Supreme Court has reaffirmed the constitutional validity of affirmative action. Taken together, these four decisions signal a significant rejection of the Reagan administration's onslaught on the underpinnings of affirmative action and its support for the claims of whites who charged "reverse discrimination."

Though race-conscious relief has been sanctioned in prior Supreme Court decisions (e.g., the *Weber* case in 1979), these cases go further and may signal that the Supreme Court, unlike the Reagan administration, is impatient with the present state of black and female progress in the work place. In *Paradise v. United States,* for example, the Court for the first time approved a race-conscious remedy which allows blacks to be promoted at a rate higher than the percentage of blacks eligible to be promoted. In essence, the Court has indicated that it believes that "race" matters on the job, and that private and public employers may take race into account either to remedy past wrongs or to achieve the goal of an integrated work place.

The Recent Decisions

In the most recent of the four decisions, *Johnson V. Transportation Agency,* a case in which a white male challenged a white female's promotion, the Court upheld the use of sex- (and, implicitly, race-) conscious remedies pursuant to a voluntarily adopted affirmative action plan. The Court's ruling in *Johnson* indicates that employers need not admit prior discrimination in order to adopt and implement affirmative action plans.

In *Paradise v. United States,* the Supreme Court affirmed a district court's remedy that required the promotion of blacks and whites on a one-for-one basis until the state developed a nondiscriminatory method of promoting state police officers.

In the two major decisions last term, *Firefighters v. Cleveland* and *Sheetmetal Workers v. EEOC,* the Court approved a consent decree (which included numerical hiring requirements) to provide relief to black individuals who themselves had not suffered discrimination in hiring.

These decisions indicate that, at present, a majority on the Court supports the notion of affirmative action as long as it does not encroach too directly on the settled expectations of white incumbent workers—as in layoffs. In layoff cases involving affirmative action, the Court has made clear that the burden on white workers is not diffuse enough, and the claims of the black and female beneficiaries not worthy enough, for the Court to permit relief. Last term, in *Wygant v. Jackson Board of Education,* the Court held that it is improper to place the burden of remedying past discrimination on white incumbent workers. In *Wygant* the Court concluded that a layoff plan which provided protection for black incumbent workers with less seniority than white incumbent workers violated the constitutional rights of the incumbent white workers. The one exception is when an injured party can show that but for past discrimination he or she would have had more seniority.

Shifting Majorities

The decision issued last month by Justice Brennan in the *Johnson* case could have been issued eight years ago when the Court decided *United Steelworkers of America v. Weber.* In *Weber,* Justice Brennan was very careful to justify the need for affirmative action on the basis of a long history of discrimination in craft unions. He also noted that the employer's plan to remedy it was reasonable and not too burdensome on white workers. But in *Johnson,* Justice Brennan wrote a much more expansive decision, which held that employers have a great deal of freedom to remedy discrimination based on sex (and implicitly race) than had heretofore been permitted. Justice Brennan wrote that "an employer may adopt a plan even where the disparity [between male and female workers] is not so striking, without being required to introduce the non-statistical evidence of past discrimination that would be demanded. . . [by other proof-based] standards."

> ***These cases. . . may signal that the Supreme Court, unlike the Reagan administration, is impatient with the present state of black and female progress in the work place.***

The Court was willing to go further in 1987 than in 1979 for three reasons. First, the makeup of the majority changed. Two justices who did not participate in the *Weber* case voted with the Brennan majority in

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Johnson. With these two additional votes, Justice Brennan had no need to temper his views as he had to do to get Justice Byron White's vote in *Weber*. (Justice White dissented in *Johnson* and declared he would now vote to overrule *Weber*.)

Second, the Court was unsure in 1979 how far the country was willing to go to eliminate racial discrimination. By 1987, however, the Court appears willing to infer that both Congress and the public support the notion of affirmative action—in part because Congress failed to take any action to overrule *Weber*. Justice Stevens, for instance, notes in his concurrence in *Johnson* that he believes that the Court's interpretation of Title VII in the *Weber* case has become part of the settled law of the land, and that is one reason he is unwilling to change it.

To open up the work place to blacks and women, employers must be persuaded to voluntarily adopt affirmative action plans.

Third, the Reagan Justice Department presented arguments in *Johnson* (e.g., only provable victims of past discrimination can benefit from affirmative action) that would have made the removal of discrimination very difficult in the near future. Since discrimination is difficult to prove even for the direct victims of it, Title VII—as interpreted by the Reagan administration—would provide little relief for blacks. A majority of the Court, including Reagan's own appointee, Justice Sandra Day O'Connor, rejected this prospect.

However, it is important to note that four members of the pro-affirmative-action majority—Justices Brennan, Blackmun, Marshall, and Powell—are over the age of 75. The other two members of the majority are Justices Stevens and O'Connor. Justice O'Connor supports affirmative action in a narrower range of circumstances than the others in the majority do. Thus, the death or retirement of one of the four older justices could swing the court toward other, less supportive interpretations of the validity of affirmative action.

To Open Up the Work Place

The Supreme Court has given employers the go-ahead to use their own efforts to eliminate discrimination. However, nothing in these decisions requires any employer to adopt a plan unless they have a long provable history of discrimination. To open up the work place to blacks and women, employers must be persuaded to voluntarily adopt affirmative action plans.

The most effective plans will be those which attempt to help blacks and women in areas where, historically, discrimination has denied them an opportunity to participate. The plans should have a specific goal in sight and should not permanently foreclose whites and males from access to job opportunities. Within that framework it is quite possible for employers to change the current face of the job market. Whether this will happen will depend on the number of employers who decide to adopt and implement effective affirmative action plans; on legislative action by Congress, state legislatures, and city councils to mandate affirmative action in public contracts and employment; and on the willingness of employed blacks and women to put pressure on their employers to voluntarily attempt to eliminate employment discrimination. ■

What Actions Are Effective

Even if a formal affirmative action plan is not adopted, other steps can be taken to eliminate discrimination. One of the most effective is to see that people who are sensitive to that issue are in charge of personnel screening and hiring. A partner in a large Washington, D.C., law firm attributes the very noticeable change in the makeup of the support staff at his firm over the past 10 years to hiring a personnel manager who is sensitive to hiring blacks. The new personnel manager made no changes in company standards or in the quality of work expected but was able to hire a number of black secretaries, receptionists, and computer assistants.

However, when it comes to hiring upper-level management, a sensitive personnel manager may be powerless. The history of black participation in the corporate sector shows that there must be a firm commitment at the very top in order to improve the hiring and promotion of blacks. The companies and public employers who have done best in moving blacks onto and up the corporate and managerial ladder are those, like IBM and some federal departments, that have a long-standing commitment to affirmative action. Such a commitment is essential for effective affirmative action at the very top of the corporate, academic, or public employment worlds.

Finally, the government, through its contract compliance program, can increase black and female representation in firms that are government contractors. This means that presidential leadership can have an impact both by spurring employers to voluntarily engage in activities to end discrimination and by enforcing the provisions of the executive orders that require affirmative action among government contractors. Which of the presidential candidates are willing to pledge to enforce the law effectively in the next administration and to appoint individuals to the courts, the EEOC, and the Justice Department who are sympathetic to effective affirmative action? The answer to that question may determine the presidential nominees, the shape of future affirmative action, and the pace of change in the labor market for blacks for the rest of the century.

Contracting Regulations

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other schools or with private businesses that are involved in research and development. Another approach is to use fellowships, internships, and the IPA (Intergovernmental Personnel Assignment) program, through which DOD would "lend" scientific and technical personnel temporarily to selected HBCUs to strengthen those institutions' capacity for research and development activities. A third is for faculty at HBCUs to spend a year on fellowship at DOD-sponsored laboratories and other facilities.

Need to Diversify

Though one of the program's goals is to develop minority business institutions, Leftwich cautioned that minority entrepreneurs should not rely too heavily on this program, or any other federal program, to ensure long-term business success. "Any business that depends primarily on government funds to stay afloat is in a very tenuous position," she concluded. "The key to long-term growth is in the private market." ■

A Conference Saluting Black Elected and Appointed Officials

Grand Hyatt Hotel, Wash., D.C., January 20-23, 1988

The Fifth National Policy Institute, a conference for black elected and appointed officials sponsored by the Joint Center and black political organizations, will be held January 20-23, 1988—the year of the presidential election. The conference will bring together over 1,000 black officials for the purpose of sharing information and developing appropriate strategies to address public policy issues of critical concern to the black community.

The objectives of the conference are:

- to provide a forum for the discussion of public policies that respond to the vital interests of blacks;
- to convey information on political issues and processes;
- to extend communication among black officials and between those officials and public and private sector organizations; and
- to develop future programs and coalition strategies.

The conference will be co-sponsored by the National Conference of Black Mayors, the National Black Caucus of State Legislators, the National Association of Black County Officials, the Congressional Black Caucus, the Judicial Council of the National Bar Association, the National Black Caucus of Local Elected Officials, and the National Caucus of Black School Board Members.

During the conference, the Joint Center for Political Studies will hold its 11th annual dinner, and the Congressional Black Caucus will sponsor a special salute to Dr. Martin Luther King, Jr.

The conference will include a panoply of forums, panel discussions, and major public policy addresses by noted elected and appointed officials, scholars, researchers, civil rights groups, public interest organizations, corporate and labor leaders, and many others.

For more information, please contact Russell Owens, director of the National Policy Institute at JCPS.

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