Tax Aversion: The Legacy of Slavery

by Robin Einhorn

The evidence is clear, especially around April 15: With a passion, Americans hate everything about taxation. We sometimes tell pollsters we are willing to pay higher taxes to get better public services from our governments (schools, roads, and so on), but, in a “read my lips” political culture, no campaign promise works better than the promise to cut taxes.

Americans are easily persuaded of our desperate need for “tax relief,” but the fact is that our taxes are low relative to other nations. According to the Organization for Economic Co-operation and Development (OECD), American governments (federal, state, local) take less of our incomes in taxes than the governments of other countries with comparable economies. In 2002, American taxes amounted to 26% of GDP. This was only half the burden in the true high-tax countries, Sweden (50%) and Denmark (49%), and well below the average for the 30 OECD member countries (36%).

Most Americans would probably agree that our hatred for taxes has something to do with a more profound aversion to government in general, an aversion with deep roots in our history. A nation founded in a tax revolt, we are told, is true to itself only when it is “starving the beast.” Yet the original revolutionary objection was never to taxes in general, much less to government in general. It was to taxation without representation [shades of DC-ed.] and government by a faraway empire.

Nevertheless, Americans are right to think that our anti-tax and anti-government attitudes have deep historical roots. Our mistake is to dig for them in Boston. We should be digging in Virginia and South Carolina rather than in Massachusetts or Pennsylvania, because the origins of these attitudes have more to do with the history of American slavery than the history of American freedom. They have more to do with protections for entrenched wealth than with promises of opportunity, and more to do with the demands of privileged elites than with the strivings of the common man. Instead of reflecting a heritage that valued liberty over all other concerns, they are part of the poisonous legacy we have inherited from the slaveholders who forged much of our political tradition.

The Role of Slavery

Slavery was a major institution in the American economy, slaveholders major players in American politics, and major political decisions, such as tax decisions, always had to take these facts into account. To tell a story about early American political history that ignores slavery is to miss what often was the very heart of that story.

It might seem strange to trace our anti-tax and anti-government ideas to slavery instead of to liberty and democracy. Isn’t it obvious that a democratic society where “the people” make

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the basic political decisions will choose lower taxes and smaller governments? The short answer is no. In this democratic society, the people might decide to pool their resources to buy good roads, excellent schools, convenient courthouses and an effective military establishment. But slaveholders had different priorities than other people and special reasons to be afraid of taxes. Slaveholders had little need for transportation improvements (since their land was often already on good transportation links such as rivers) and hardly any interest in an educated workforce (it was illegal to teach slaves to read and write because slaveholders thought education would help African Americans seize their freedom). Slaveholders wanted the military, not least to promote the westward expansion of slavery, and they also wanted local police forces (“slave patrols”) to protect them against rebellious slaves. They wanted all manner of government action to protect slavery, while they tended to dismiss everything else as wasteful government spending.

But the crucial thing was the fear. Slaveholders could not allow majorities to decide how to tax them, even when the majorities consisted solely of white men. Slaveholders occasionally supported lavish government spending, but they would never yield the decision-making power to non-slaveholding majorities. Recognizing that the power to tax was “the power to destroy,” they could not risk the possibility that non-slaveholding majorities would try to destroy slavery, even when the non-slaveholders insisted on their loyalty to the “peculiar institution.” As a Virginia planter phrased it in 1829, opposing a reform that would have granted a non-slaveholding majority its fair share of seats in the state legislature, this was a flat-out rejection of anything that “put the power of controlling the wealth of the State into hands different from those which hold the wealth.” It was a flat-out rejection of democracy.

Before the Civil War, slaveholding “masters” often dominated the political terrain. It was no accident that the first Southern representative to issue a secession threat was a signer of the Declaration of Independence. On July 30, 1776, less than a month after adoption of the Declaration, Thomas Lynch of South Carolina issued an ultimatum: “If it is debated, whether their Slaves are their Property,” Lynch warned, “there is an End of the Confederation.” Unless Congress agreed to stop talking about slavery, Lynch was saying, the United States would survive for a total of only three weeks!

Congress was not talking about slavery in July, 1776 because its members were abolitionists who wanted to act on the promise of the Declaration. That was not the problem at all. Congress was talking about slavery because its members were framing a national government for the new nation -- what would become the Articles of Confederation. Trying to figure out how to count the population to distribute tax burdens to the various states, the members inevitably faced the problem of whether to count the population of enslaved African Americans. Since slaves were 4% of the population in the North (New Hampshire to Pennsylvania) and 37% of the population in the South (Delaware to Georgia), this decision would have a huge impact on the tax burdens of the white taxpayers of the Northern and Southern states. Predictably, Northerners wanted to count the total population (including slaves) while Southerners wanted to count only the white population. As the members jostled with each other over this basic conflict of interest, they began to justify their positions by making claims about whether slavery was profitable and therefore made a state able to pay higher taxes (Northerners said yes, Southerners said no). The important point, however, is that once this issue had been opened it was impossible to prevent discussions of the injustice of slavery itself in a Congress that had just declared that “all men are created equal.” When Congress finally held this debate in 1783 (by which time the Confederation was all but bankrupt), it hammered out the infamous fraction that later entered the Constitution as the three-fifths rule for apportioning “representatives and direct taxes.”

Variations on this problem would recur over and over again. Every time Northerners and Southerners had to make a national decision together, they found themselves forced to talk about the practical implications of a sectionalized institution of slavery. These were debates about the implications of slavery for whites rather than about the liberation of African Americans. The problem was institutional rather than ideological, built into the very structure of the nation itself because the United States was half slave and half free. Every time a discussion of this kind began, slaveholders worried that non-slaveholders would try to abolish the institution of slavery by imposing prohibitive taxes on slaves. Thus, at the Virginia convention that debated the ratification of the U.S. Constitution in 1788, Patrick Henry worried about a federal slave tax hefty enough to “compel the Southern States to liberate their negroes.”

Whether they were worrying about the federal government or about the

**With a passion, Americans hate everything about taxation.**
Promoting School Diversity Commentaries

The lead article in the Jan./Feb. 2008 P&R, by Julius Chambers, John Charles Boger and William Tobin, put forward a fascinating, imaginative and highly do-able proposal for creating incentives to make K-12 schools more diverse by convincing elite colleges to announce that applicants’ prior education at a diverse school would count as an admissions plus. We asked a group of education experts to offer their comments on the proposal.

It Might Actually Work

by Pedro Noguera

Since the Supreme Court’s ruling in Parents v. Seattle Schools, I have heard little more than anguish and frustration about this decision and its long-term implications. In fact, most of the legal analysis I have read describes it as the death knell for serious efforts to promote racial integration in our nation’s schools. In an attempt at positive spin, one colleague at NYU Law School suggested that the conservative majority on the Supreme Court view matters pertaining to race in a manner that is not dissimilar to their stance on gays in the military: As long as districts don’t say they are using race as a factor in school enrollment, the courts will not intervene. Such a strategy is hardly encouraging, given that the forces in opposition to affirmative action and school desegregation (i.e., Ward Connerly and the Pacific Legal Foundation, to cite just two of the better known opponents) appear to be closely monitoring the actions and policies of schools and universities on matters pertaining to racial inclusion.

It is against the backdrop of growing pessimism that I read and became genuinely excited about the strategy described by Chambers, Boger and Tobin. The article offers one of the few creative ideas on how to bring about racial diversity in higher education that I have encountered in recent years. What sets their proposal apart from the others is that it might actually work. As the authors point out, several leaders in higher education (and in many elite prep schools) filed amici curiae briefs in Grutter v. Bollinger, and, unlike many public universities, most have not allowed the number of minority students they enroll to drop. Pushing them to go a step further by sending a clear signal to secondary schools (and to parents of high school seniors) that they not only value diversity but will give extra credit in the admissions process to students who attended diverse high schools may actually result in greater willingness to support racial inclusion in secondary schools. We know from past trends that the admissions policies of colleges and universities have had a trickle-down effect on high schools in other areas (e.g., AP enrollment, service learning, advanced math enrollment, etc.) Now the question is, can a similar approach be taken to further efforts to promote diversity in secondary schools? I think there is reason to believe it can. Even before affirmative action policies and practices were challenged by the courts, and in some cases state propositions, colleges and universities across the country were faced with declining minority enrollments due to a “pipeline crisis.” For several years, the number of high-achieving minority students eligible for admission to top universities has been decreasing. Many factors have contributed to this decline, but perhaps the most important is the fact that African-American and Latino students are disproportionately concentrated in the lowest-performing schools. In many cases, such schools serve the poorest students with the greatest needs, and typically lack the resources (i.e., books, technology, certified teachers, advanced placement courses, etc.) to prepare these students adequately for college. In the absence of a plan to address gross inequity and de facto segregation in many of our nation’s secondary schools, there is little hope that the trend toward declining minority enrollments will be reversed.

This is why the ideas put forward by Chambers, Boger and Tobin are so appealing. In the absence of legal mandates that protect the rights of school districts to promote racial inclusion, it may be that the only recourse available is to rely upon the leadership of elite universities to assert that greater diversity is a public good that should be valued and recognized in the admissions process. Of course, the main weakness with this idea is that it relies almost exclusively upon the goodwill and commitment of university and college presidents to remain supportive of efforts to retain some degree of diversity among their student populations. That may not comfort those who want more—legal mandates, bussing orders, consent decrees, etc. However, it doesn’t seem likely that these strategies will return any time soon. In the meantime the kind of creativity captured in the Chambers et al. proposal may be our best bet.

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Some Possible Changes, Critics and Cautions

by john powell

The effort of Julius Chambers, Dean Jack Boger and William Tobin should be applauded. They are looking for a creative way to change the trajectory that has pointed toward both restricting diversity in higher education and increased racial isolation in K-12. Their effort should be engaged and experimented with on several fronts. I would like to use this response to suggest some possible changes, critics and cautions. There is some conflating of ideas in the article that is not useful. The article talks about diversity, integration and inclusion interchangeably. These concepts have related but important differences at a conceptual level and a pedagogical level. The article too quickly acquiesces to the most narrow view of where the country is and where it is going on issues of racial inclusion and integration. For example, their concept of diversity capital attempts to be race-neutral both in word and content in order to shield it from attacks by the Court and other detractors. As far as the Court is concerned, their effort is to adopt a plan that will not be subject to strict scrutiny. There are a number of problems with this approach, as the Court made clear in Bakke and reaffirmed with greater clarity and strength in Grutter: Using race can pass constitutional muster under strict scrutiny, acceptable under Grutter.

It is not clear than why there should be an effort to avoid race. In Parents Involved..., Justice Kennedy in his controlling opinion was clear that there is a compelling government interest in addressing racial isolation. In supporting these race-conscious approaches, Kennedy noted that in many efforts where racial goals are the aim, that does not automatically trigger strict scrutiny. He went on to say that, when not using the individual race of the student, “Executive and legislative branches...should be permitted to employ them with candor and with confidence that a constitutional violation does not occur whenever a decisionmaker considers the impact a given approach might have on students of different races.”

In their effort to come up with a safe alternative, the authors concede too much too quickly. Of course, they could be right as to where the Court and the country are headed, but it is not clear. Remember that democratically-elected school boards in Seattle and Louisville opted for integration.

Diversity is important, but it does not do the same work as integration. The authors at times refer to the importance of diversity, as Justice O’Connor did in Grutter and Chief Justice Warren did in Brown. I would like to see some version of what they are suggesting more closely tied to democracy and the role of colleges. This does not detract from the importance of diversity, but, again, it is a related but different valence. Finally, the role of the university in its relationship to the general public is not just individualistic. When the authors speak of doing something from the bottom up, tied to the mission of universities, I expected something about the public good and the community to show up in their work.

The country is both very conflicted and at times confused about the role of race and the importance of concepts like diversity, inclusion and integration. I believe it would help to clarify the use of these concepts, tying them to both our vision of our democracy and the mission of the university. Their admissions policies should be informed by their respective missions. The country may continue to retreat on the commitment to racial integration and inclusion. Four members of the Supreme Court clearly would restrict not only the use of race but also its consideration. However, there also are four members of the Court who would not only embrace the use of race but also tie it strongly to the value of inclusion and our democratic ideals. Justice Kennedy embraces aspects of both the more narrow plurality and the more expansive dissent, and there is reason to believe he is transition. There is also reason to believe that as a society we are in transition. How these important alternatives that the authors suggest are put forth, debated and hopefully adopted will have implications not just for the schools and the students but also which way the Court and the country are likely to break. The idea of creating incentives to support diversity, and, by suggestion, democracy, should be explored. I welcome the conversation started by the authors.

An Important Step

by William L. Taylor

Out of the promising ferment about national policy emerging from the current presidential campaign, there may come a couple of ideas that will be useful in advancing the goal of a diverse and racially inclusive society. One such is the Chambers/Boger/Tobin proposal to make attendance at diverse high schools a plus factor in college admissions.

Paradoxically, the most recent Supreme Court decisions in the Seattle and Louisville cases leave less room for voluntary race-conscious admissions policies at the K-12 level than the earlier University of Michigan decisions did at the university level—a difference largely due to the Court's
As far as we may believe we have come since the Brown v Board of Education decision regarding racial justice in public education, the sad truth is that too many of our schools remain racially segregated. (In the Northeast, for example, 51% of African-American students attend schools that are composed of 90–100% minority students.) And the recent U.S. Supreme Court decision to reject voluntary public school assignment plans based on race in Seattle and Jefferson County, Kentucky marked another sad point in our democracy’s history.

Still, in the more than 50 years that have passed since Brown, we have seen countless benefits accrue to generations of children as a result of conscious racial diversity policies. Racially diverse educational settings provide sound environments for children of all races to achieve academically, develop socially, and live and work on a diverse planet. Most Americans believe in racial diversity in their public schools, K-12 as well as colleges and universities.

The ideas put forth by Chambers, Boger and Tobin in their “modest proposal” for colleges and universities to promote K-12 diversity are more than modest. They are brilliant. “Diversity capital” should rank in the same legions as human or financial capital. Institutions of higher education prepare people for the world, a world that becomes more diverse every day. As such, we must promote further diversity in these institutions.

An Excellent Idea
by Richard D. Kahlenberg

Chambers, Boger and Tobin have offered an important and constructive proposal, exploiting the competition for selective colleges to promote more equitable K-12 schooling. The authors are right to emphasize high school diversity by both race and class. Racial integration is important for building social cohesion and tolerance, while economic integration is important for promoting academic achievement. And the authors are right to seek “bridge builders.” Higher education needs integration (seeking common ground) as much as diversity (emphasizing difference).

In further defining the proposal, the authors should encourage colleges to set clear parameters of what constitutes a diverse high school (percentage free or reduced lunch, and racial and ethnic makeup). If left ambiguous, upper-middle-class parents may not take the perceived “risk” of sending their child to an economically and racially diverse school. Likewise, more research should explore the extent to which the Texas 10% plan—providing automatic admissions to the Univ. of Texas-Austin for those in the top 10% of every high school class—encouraged more affluent families to relocate. The Texas plan is an important precedent worth studying.

Positions at PRRAC

PRRAC is seeking to fill 2 one-year fellowship positions: a Law & Policy Fellow (requiring a J.D. degree) and a Health Policy Fellow (MPH or law degree or BA with relevant experience may also be considered). For more details, go to www.prrac.org
Rewarding Students by Nudging Adults

by Jenice L. View

Professors Chambers, Boger and Tobin propose the fascinating idea that colleges and universities can promote K-12 racial/ethnic diversity by privileging those college applicants who demonstrate significant amounts of “diversity capital”—life experiences, behaviors and perspectives gained from attending a high-performing, inclusive, diverse secondary school. This is a noble goal, given the recent legal and political reversals that create a greater number of segregated public schools. We have come to understand that enforced racial isolation does not serve our children well in a world where global consciousness is a highly valued commodity.

The authors concede that the concept of diversity capital requires refinement. Indeed, the core idea assumes that schools with a high degree of racial/ethnic diversity will offer experiences and conditions that generate diversity capital among students. However, racial/ethnic integration in a school (let’s say one with at least 30-40% students of color) is only as good as the educational opportunities offered to all students within the high-performing, inclusive school. But we need to ask: Is there academic tracking? What is the proportional representation of students of color and poor students in Advanced Placement, International Baccalaureate, and honors courses? What is the rate of suspension/expulsion of students of color? Are student athletes expected to perform at a high academic level? If the secondary schools can claim that there is diversity in their body count but the social pyramid replicates the inequities of the larger society, then it is questionable whether students will accrue diversity capital simply by breathing the air.

The authors indicate that “at present few white students who apply to our selective colleges and universities attend diverse high schools.” So, too, for students of color. As stated at the outset of their article, increasing numbers of students of color attend schools that are 90-100% minority. So, those students would not be credited with diversity capital. A more likely scenario is that students of color at “diverse schools” are in the numeric minority at predominantly white schools. Yet, this does not equate to having experienced an “inclusive school.” The experiences of these students may be sufficiently negative that they would bring to college anxieties (or “liabilities”) that are contrary to the concept of diversity capital. Viewed from another angle, the diversity capital that a successful and eager student of color brings to college—having been a numeric minority in a predominantly white school—may be very similar to the characteristics and perspectives that currently make such students attractive to selective colleges and universities. In other words, there might not be a net gain in the number of students of color with diversity capital.

The white student with genuine diversity capital (as opposed to the student whose family vacation to Latin America is presented as cultural exchange/community service/diversity awareness) might demonstrate school-based experiences as an anti-racist ally with people of color. This is very different from saying, “Some of my best friends from high school are.” Let’s assume that such exemplary secondary schools exist where students can gain this experience and perspective. Are they more likely to be in urban areas on the east and west coasts? If so, there may be implications for geographic diversity in current college admissions.

Again, the authors propose a very interesting idea that may well shape the composition and tenor of college classrooms in 2028. For colleges and universities to take the leadership in rewarding talented students from schools and school districts that invest in racial equity—this can only be regarded as a social good.

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Thank$

We continue to receive a strong outpouring of support from our late fall fundraising letter, and are very grateful! Here are our latest contributors:

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Report from Geneva: 
U.N. Committee Reviews U.S. Record on Race

by Philip Tegeler

On February 21-22, a 24-member U.S. delegation came to the U.N. headquarters in Geneva to participate in a long overdue review of our country’s compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (CERD). The U.S. government had submitted a report to the U.N. CERD Committee in April 2007, for only the second time since ratifying CERD in 1994 (see Poverty & Race, March/April 2007).

The U.S. delegation was met by an unprecedented “shadow” delegation of 126 representatives from U.S. Non-Governmental Organizations (NGOs) who had come to Geneva to challenge the U.S. report. These groups ranged from traditional civil rights organizations like the ACLU and the Lawyers Committee to community-based organizations like the Southwest Workers Union, the Peoples’ Hurricane Relief Fund, a group of children of incarcerated parents, and representatives of the Western Shoshone and Cherokee tribes. The NGO delegation was organized and coordinated by the U.S. Human Rights Network, as part of a broader effort to raise awareness of international human rights law in the U.S. and promote domestic human rights advocacy.

The U.S. delegation also came face-to-face with a U.N. CERD Committee expressing open skepticism about the Administration’s limited approach to civil rights—which stands in contrast to the CERD treaty’s emphasis on disparities in racial outcomes and a robust analysis of discriminatory effects of government policy.

The CERD Committee’s approach was signaled in its initial “list of issues” submitted to the U.S. Delegation earlier this year, covering many of the crucial mechanisms of structural racism, including implicit bias vs. intent; racial profiling; police brutality; residential segregation; resegregation of U.S. schools; racial disparities in incarceration and the death penalty; inadequacy of many state indigent defense systems; violence against women; minority health disparities; post-9/11 discrimination against Arab-Americans; abuse and detention of undocumented immigrants; and abrogation of Native American treaties. For example, the Committee’s question number 10 takes on the issue of housing segregation directly, in sharp contrast to the U.S. CERD report, which barely mentions the issue:

10. According to information received, persons belonging to racial, ethnic and national minorities, especially Latino and African American persons, are disproportionately concentrated in poor residential areas characterised by substandard housing conditions, limited employment opportunities, inadequate access to health care facilities, under-resourced schools and high exposure to crime and violence. Please provide detailed information on the measures adopted by the State party to reduce residential segregation based on racial and national origin, as well as its negative consequences for the persons concerned.

PRRAC participated actively with other NGOs in informal briefings to the CERD Committee during the week leading up to the CERD review, and we also helped produce two important multi-organization coalition shadow reports that were reviewed (and relied on) by the CERD Committee (see accompanying Box).

At the official hearing, the U.S. responded to intensive questioning from the CERD Committee’s designated “country rapporteur” and 15 individual committee members. The U.S. response was led by representatives of the State Department and the Justice Department, including the Acting Director of the DOJ Civil Rights Division, Grace Chung Becker. The U.S. was also assisted by Ralph Boyd, former director of the Civil Rights Division at the Department of Justice.

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Available on PRRAC’s Website (www.prrac.org):
Concluding Observations of the CERD Committee (March 7, 2008)
“List of Issues” submitted by the CERD Committee to the U.S. Delegation
Residential Segregation and Housing Discrimination in the United States (submitted by PRRAC and other organizations)
Unequal Health Outcomes in the United States (submitted by PRRAC and other organizations)
Structural Racism in the U.S (submitted by the Kirwan Institute for the Study of Race and Ethnicity and other organizations)
A complete set of NGO “shadow reports” is available on the U.S. Human Rights Network website, www.ushrnnetwork.org

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Human Rights and the Demolition of Public Housing in New Orleans

At the same time that the U.N. Committee on the Elimination of Racial Discrimination was reviewing the U.S. record in Geneva (see article on page 7), two advisors to the U.N. High Commissioner for Human Rights—Miloon Kothari, the United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, and Gay McDougall, the UN Independent Expert on minority issues—on Feb. 28, 2008 issued the following statement on the housing crisis in New Orleans. – Ed.

We are deeply concerned about information we continue to receive about the housing situation of people in New Orleans, Louisiana and the Gulf Coast region. African-American communities were badly affected by Hurricane Katrina and its aftermath. The spiraling costs of private housing and rental units, and in particular the demolition of public housing, puts these communities in further distress, increasing poverty and homelessness. There are reports that more than 12,000 people are homeless in the Greater New Orleans metropolitan area alone.

A number of reports suggest that federal (led by the U.S. Department of Housing and Urban Development) and local government decisions concerning public housing in New Orleans would lead to the demolition of thousands of public housing units affecting approximately 5,000 families who were displaced by Hurricane Katrina. The demolition of the St. Bernard public housing development apparently commenced the week of 18 February 2008, and others are planned for the Lafitte, B.W. Cooper, and C.J. Peete public housing developments.

Meaningful consultation and participation in decision-making of communities and families affected by these demolitions and related redevelopment proposals appears not to have taken place. While we understand the intention to replace the demolished housing, we understand that only a portion of the new housing units will be for residents in need of subsidized housing and the remainder will be offered at the market rate. Further, we understand that the new housing will not be available for a significant period of time nor will there be one-for-one replacement for housing units destroyed. These demolitions, therefore, could effectively deny thousands of African-American residents their right to return to housing from which they were displaced by the hurricane.

The authorities claim that the demolition of public housing is not intentionally discriminatory. Notwithstanding the validity of these claims, the lack of consultation with those affected and the disproportionate impact on poorer and predominantly African-American residents and former residents would result in the denial of internationally recognized human rights.

The right to an adequate standard of living enshrined in the Universal Declaration of Human Rights includes the right to adequate housing. The international community has made it clear that those displaced from their place of residence, whether by conflict or natural disaster, should have their rights particularly protected in reconstruction efforts. The inability of former residents of public housing to return to the homes they occupied prior to Hurricane Katrina would in practice amount to an eviction for those who returned or wish to return. International human rights law prohibits evictions from taking place without due process, including the right of those evicted to be given due notice and opportunity to appeal eviction decisions. It also requires the authorities to ensure that large-scale evictions do not result in massive homelessness and to consult those affected on relocation or alternative housing solutions.

International human rights law, including relevant provisions of the International Convention on the Elimination of Racial Discrimination, also clearly prohibits actions that result in a discriminatory impact denying individuals or groups equal enjoyment of human rights because of their race, ethnicity, social or other status.

We therefore call on the Federal Government and State and local authorities to immediately halt the demolitions of public housing in New Orleans. This measure should be accompanied by all measures ensuring genuine consultation and participation of current residents—or former residents wishing to return—in all relevant decisions. We also call on the authorities to ensure that redevelopment plans do not discriminate against former residents and that every effort is made to consider alternatives to demolition or redevelopment proposals, so as to protect the rights of the poorer and predominantly African-American communities displaced by Hurricane Katrina.

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The above-mentioned UN independent experts sent a letter to the U.S. Government on 17 December 2007 in regard to this situation, noting their concern about allegations received and asking for further information. They encourage the authorities to give urgent attention to this issue and consider alternative proposals, such as those reflected in the provisions of draft Senate Bill 1668, which would be more protective of the rights of the more vulnerable groups affected by the Hurricane.

For further information on the mandate and work of the Special Rapporteur on adequate housing and the Independent Expert on minority issues, please consult, respectively, the following websites: http://www2.ohchr.org/english/issues/housing/index.htm and http://www2.ohchr.org/english/issues/minorities/expert/index.htm
Structured activities have become an increasingly important part of children’s lives and educational experiences. In this report we investigate children’s level of participation in structured activities, along with parents’ stated reasons for their participation. Specifically, we investigate class differences in: (1) structured activity enrollment; (2) the types of activities in which children participate; (3) the reasons why parents choose to enroll their children in structured activities. To do this, with PRRAC financial support we conducted in-depth interviews with 49 parents of diverse racial/ethnic and socioeconomic backgrounds at two middle schools in a large Northeastern city.

Structured Activities

We asked working- and middle-class parents to name and describe the structured activities in which their children participated. We then grouped those activities into seven categories:

(1) sports, (2) cultural, (3) academic, (4) school-service, (5) hobby club, (6) youth development, (7) religious. Activities that qualify as sports and hobby club are well-known, but what we classify as cultural, academic, school-service and youth development activities may not be. Cultural activities include those that involve the arts (music, theater and dance). Academic activities include those that focus on academic pursuits (tutoring, science club and book club). School-service activities are those that assist the school with its functioning (student government, yearbook, library assistance, student diplomat). Finally, youth development activities are those that are designed to help children with life skills, while religious activities include church/temple/mosque-going and other activities at or connected to places of worship.

Participation in activities ranged from as few as none to as many as nine per child. We find that the children of working- and middle-class families have different levels of participation in structured activities. Working-class families reported, on average, 2.5 activities per child, while middle-class families reported 4.8 activities per child. Only 27.3% of middle-class families report three or fewer structured activities, but this low level of activity participation is reported by 80% of working-class families.

Despite social class differences in participation in structured activities, participation among working-class children is not trivial. Like their middle-class counterparts, working-class children participated in a myriad of activities. Among the seven categories of activities that we identify, sports, cultural and academic activities were the most prevalent types, accounting for 26.7%, 20.0% and 17.3% of all structured activities, respectively. These types of activities were also popular among middle-class families, but to a somewhat different degree. Specifically, sports and cultural activities account for an even larger percentage of activities among the middle class than they do among the working class—33.0% and 31.1%, respectively—but academic activities account for a smaller percentage of the activities (10.4%) in which middle-class children participate compared to those of working-class children.

There are, however, differences in the kinds of activities working- and middle-class families invested their time, money and energies. Three are worth noting. First, religious activities—often church attendance—account for a sizeable percentage of the activities of working-class children, but only a small proportion of those of middle-class children (17.3% compared to 7.6%). Second, hobby club activities, such as chess, were relatively popular among middle-class children, but account for a much smaller percentage of the activities of their working-class peers (13.2% versus 5.3%). Third, participation in youth development

(Please turn to page 10)
programs is notably absent among middle-class children, though it accounts for 6.7% of the activities of working-class children.

These findings on the level of participation and the distribution of activities across activity type reveal differences and similarities in structured activity participation among working- and middle-class families. Middle-class children have substantially higher structured activity participation compared to their working-class counterparts. Yet, participation in activities is widespread among working-class families; 25 of 28 families reported activities in which their child(ren) participated. Moreover, both working- and middle-class children participated heavily in sports and cultural activities. In their 2004 article in Poetics, Jason Kaufman and Jay Gabler note that these are precisely the kinds of activities that are expected to increase one’s chances of attending college. That working- and middle-class children heavily participate in such activities may suggest that both groups of parents seek to position their children in activities that pay educational dividends.

Differences also characterize the activity participation of working- and middle-class children. Middle-class families have greater participation in hobby clubs, activities that Kaufman and Gabler have found to be associated with enrollment in elite colleges. In contrast, working-class children make greater investments in religious activities. Given such differences, combined with those in the level of activity participation, it appears that middle-class children are in a better position than are working-class children to benefit from the time, energy and financial investments they and their parents make in structured activities.

**Parents’ Reasons for Children’s Activity Participation**

Despite lower levels of participation in structured activities compared to middle-class youth, we find a great deal of support for children’s involvement in structured activities among our working-class sample. Some of the reasons parents cited for their children’s participation in structured activities were similar across social class boundaries. For example, both middle-class and working-class parents often cited their child’s interest in the activity as a primary reason for their child’s participation. Similarly, keeping active was a reason often given by both middle- and working-class parents for children’s participation in structured activities. Likewise, personal growth and the gaining of academic knowledge were reasons commonly given by both groups of parents. Other reasons for participation among working-class families were different from those of middle-class families, with safety mentioned as a primary reason for keeping youth involved in after-school activities.

Keeping children safe and away from trouble is one important reason cited by working-class parents for their children’s participation in structured activities. Working-class parents in our study felt that their neighborhoods are dangerous places and prefer to see their children stay in the environment of school or other locations where structured activities take place. Among those who cited safety as a primary reason for their children’s participation in structured activities, 80% also cited concerns about the level of danger in their neighborhood environment.

Patricia is a working-class African-American single mother with two sons, 14 and 17 years old. Her youngest son participates in an academic program that is unaffiliated with the school, the after-care program at school, and the school drama club. When asked about the extracurricular academic program her son participates in she says, “...it’s really nice. It keeps the kids off the street...gives them somethin’ to do.” Keeping her son off the street is something important to Patricia. She feels the neighborhood has gotten more dangerous in recent years. She mentions the death of a boy in the neighborhood: “Recently, a boy was killed for not selling drugs, for refusing to sell drugs. He got.....they killed him.” This is something she worries could happen to her own son while walking through the neighborhood, so she prefers to have him in extracurricular activities:

You know, they would kill you. Like I was saying—I’m concerned about [my son’s] traveling because I dress him nice and I’m afraid my son could go out there and get hurt for the garment he got on. I mean, this kid is actually—the guy gave the guy his suede jacket and he shot him in the back anyway ‘cause he wanted to see how it felt. This is what I fear, you know.

Thus, for Patricia, her son’s participation in extracurricular activities is a way of keeping him out of the neighborhood and safe.

Gabriela is a single working-class mother of three from Central America. She works to support her family by cleaning houses. She is very concerned about the dangerous elements she sees in her neighborhood and wants to move. Gabriela does not want her children to spend time outside for their own safety. She says, “It worries me. I...the thing is, I wanna know what it is that they’re doing, you see? I don’t know, I don’t trust the surroundings” (translated from Spanish).

Gabriela’s eighth-grade son participates in the after-care program at school. As part of the program, her son tutors younger children after school. Gabriela is happy about her son’s participation in the program because she feels it keeps her son away from the drug element in the neighborhood. When asked about how sat-

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satisfied she is with her son’s participation in the after-school program, she said:

Yes, I’m satisfied. Ah, yes, because it’s helped those kids a lot...a lot, that they not be on the street. Definitely, I don’t know who invented that, but...the nicest thing that could...I can see in...I can say that yes, kids that could be on the street with drugs, they’re entertained there (translated from Spanish).

Gabriela likes her son’s participation in the after-care program because it keeps him indoors and reduces his exposure to the neighborhood. She says, “I try for them to stay occupied. You understand?” She feels that keeping her children occupied protects them from the dangers of the neighborhood.

In sum, working-class parents show a great deal of support for their children’s participation in structured activities. Primary among their reasons for doing so was their desire to keep their children safe by enrolling them in activities that keep children busy and out of the neighborhood.

Advocacy

We plan to present the results of our research to the two schools that participated in our study. We hope school administrators will find the research useful in planning school-based extracurricular activities. We also plan to invite the schools to participate in the National Network of Partnership Schools based at the Johns Hopkins University. The Network uses research to facilitate and sustain family and community involvement for its member schools.

(TAX AVERSION: Continued from page 2)

governments of their own states, slaveholders developed three solutions to this general problem. First, they tried to guarantee that they dominated the legislative process by manipulating the representation rules. Second, they demanded weak governments that would make few of the decisions that provoked discussions of slavery. Third, they insisted on constraining the tax power through constitutional limitations on its use. Regardless of which of these strategies they were pursuing at a particular moment, slaveholders were always trying to prevent non-slaveholding whites from talking about how the institution of slavery harmed them. The goal was always to prevent situations in which the non-slaveholders would think about taxing the institution of slavery out of existence.

The Slaveholders’ Real Victory

Yet the real slaveholder victory lay in a fourth strategy: persuading the non-slaveholding majorities that the weak government and constitutionally restrained tax power actually were in the interests of the non-slaveholders themselves. Pro-slavery representation rules—the three-fifths clause of the U.S. Constitution and similar devices within Southern states—became necessary compromises with slavery, but the other two solutions to the slaveholders’ political problem became protections for the “common man.” Majorities voluntarily renounced the right to regulate their society by majority rule. Giving up the essence of democratic self-government, they celebrated the outcome as democracy. The consequences would outline the slaveholders who played such a large role in establishing this attitude toward government and taxation. Long after slavery was gone, a regime forged around preferential treatment for the slaveholding elite came to favor very different elites: commercial and industrial elites who shared little with their slaveholding predecessors except a demand that majorities renounce their right to govern what ostensibly was a democratic society.

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The irony is that the slaveholding elites of early American history have come down to us as the champions of liberty and democracy. In a political campaign whose audacity we can only admire, charismatic slaveholders persuaded many of their contemporaries, and then generations of historians looking back, that the elites who threatened American liberty in their era were the non-slaveholders! Today, this brand of politics looks eerily familiar. We have experience with political parties that attack “elites” in order to rally voters behind policies that benefit elites. This is what the slaveholders did in early American history, and they did it very well. Expansions of slavery became expansions of “liberty”;

constitutional limitations on democratic self-government became defenses of “equal rights”; and the power of slaveholding elites became the power of the “common man.” In the topsy-turvy political world we have inherited from the age of slavery, the power of the majority to decide how to tax became the power of an alien “government” to oppress the people.

(TAX AVENSION: Continued from page 11)

**Criminal Justice**

- “Effects on Violence of Laws and Policies Facilitating the Transfers of Youth from the Juvenile Justice to the Adult Justice System” (11 pp., Nov. 2007) is a Report on Recommendations of the Task Force on Community Preventive Services of HHS’ Centers for Disease Control & Prevention. It is the Nov. 30, 2007 edition of MMWR (Morbidity and Mortality Weekly Report) —showing that the adult system worsens juvenile recidivism. Available at www.cdc.gov/mmwr [10770]


**Economic/Community Development**


**Education**

- “Choices, Changes, and Challenges: Curriculum and Instruction in the NCLB Era” (16 pp., Dec. 2007) is available (no price listed) from the Center on Education Policy, 1001 Conn. Ave. NW, #522, Wash., DC 20036, 202/822-8065, cepdc@ced.dc.org, http://www.cepdc.org/ [10763]


- “Who Counts & Who’s Counting? New York City’s Struggle to Graduate” is the theme of the 31-page, Winter 2008 issue of City Limits Investigates. The quarterly publication is available (no price given) from them at 120 Wall St., flr. 20, NYC, NY 10005, 212/479-3344, investigates@citylimits.org [10783]

- “NCLB and Latinos: No Latino Child Left Behind Matters” is a Feb. 2008 op-ed from the Center for American Progress, available (likely free) from them at 1333 H St. NW, 10th flr., Wash., DC 20005, 202/682-1611, progress@americanprogress.org [10784]


**Employment/Jobs Policy**

- “Economic Mobility of Black and White Families” (13 pp., 2007?) is available (possibly free) from the PEW Charitable Trusts, http://www.pewtrusts.org/ [10766]


- A Philip Randolph: For Jobs and Freedom, a (great) 86-min., 1996 documentary on the long life and varied accomplishments of the head of the Brotherhood of Sleeping Car Porters, is available ($49) from the Labor Heritage Foundation, 815 16th St. NW, Wash., DC 20006, 202/637-3963, info@laborheritage.org [10812]

**Jobs with Justice**


**Families/Women/Children**

- “A Child’s Day: Home, School, and Play (Selected Indicators of Child Well-Being)” is a 27-page, 1994 Census
Food/Nutrition/Hunger


Health


- “Closing the Health Disparity Gap,” the WQED-TV series, is available at www.wqed.org/ondemand/onq.php?cat=23&id=240 [10811]

Homelessness


Housing

- “Housing in the Nation’s Capital 2007” (88 pp.), an Urban Inst./Fannie Mae Fdn. report, is available (possibly free) from The Urban Inst., 2100 5th St. NW, Wash., DC 20007, www.urban.org/center/met/hnc [10761]

- “State Housing Laws and Legislation to Ensure Housing Rights for Survivors of Violence Against Women,” an updated 2008 Fact Sheet, is available (possibly free) from the National Law Center on Homelessness & Poverty, 1411 K St. NW, #400, Wash., DC 20005, 202/638-2535. [10805]

Immigration

- “Language Portal” is a 2008 digital library of nearly 600 resources relating to the use of language access services in social services and public safety agencies — produced by the Migration Policy Institute, 1400 16th St. NW, #300, Wash., DC 20036, 202/266-1940, data@migrationpolicy.org [10808]

Rural

- “Building Rural Communities” is the 2007 Annual Report of the Housing Assistance Council, available (likely free) from them, 1025 Vermont Ave. NW, #606, Wash., DC 20005, 202/842-8600, hac@ruralhome.org, http://www.ruralhome.org/ [10780]

Job Opportunities/Fellowships/Grants

- Justice Matters is hiring a Policy Research Analyst ($55-60,000) and an Office Manager (the latter a temporary position). Ltr./resume to Susan Sandler, Pres., Justice Matters, 605 Market St., #1350, SF, CA 94105, 415/442-0994 (fax), policyanalyst@justicematters.org [10787]

- The Lawyers Committee for Civil Rights Under Law is seeking a Public Policy Counsel, a Director, Community Development Project ($97,000), and a Gift Planning Officer-Annual Fund Drive. Ltr./resume/3 refs. to Kathy Coates (for Public Policy Counsel), to Michael Nunez (for Director, CD Proj.) at the Lawyers Comm., 1401 NY Ave. NW, #400, Wash., DC 20005-2124. [10798]

- The Homeless Persons Representation Project in Baltimore is hiring a Staff Attorney. Resume/ltr/writing sample/names & contact info. of 3 refs. (specifying “Staff Attorney” in subject line) to jobs@hprp.org [10803]
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