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by john a. powell

I. Introduction

There is an emerging new interest in the problems of the minority poor, especially those living in the urban ghettos. Serious questions are being raised as to whether traditional approaches to poverty or race, and indeed poverty and race, effectively address the needs of this population. I will posit in this paper that the needs of this population are different from those explained just by race or poverty, or the simple combining of the traditional understanding of race and poverty. I will also assert that because the uniqueness of this population's problems has not been understood, the group is not being served adequately by poverty or civil rights advocates. To address this substantial oversight, the legal services and civil rights communities must specifically explore—and develop specific strategies sensitive to—the needs of this population.

For nearly thirty years, legal services has been the major legal organization addressing civil legal problems of the poor. There have also been a small number of organizations dedicated to the amelioration of racial injustice and hierarchy. Groups such as the NAACP, the “Inc Fund,” MALDEF, and AALDF all have long and important histories in the struggle for racial equality. Despite impressive efforts by the legal services community and other advocates, the country has failed to come to terms fully with the issue of poverty. This failure has made the struggle for racial equality full of frustration, with fits and starts that leave this work far from being done. Similarly, despite sacrifice and struggle by the civil rights advocates, the country has refused to give real meaning to the idea of racial equality. This refusal has limited and undermined the effort to fight poverty effectively. It is telling that while there are groups that historically have been specifically dedicated to fighting poverty, and other groups that have been specially dedicated to fighting racial hierarchy, there have not been groups that historically have focused on the problems defined by the intersection of race and poverty.1 In part, this is because we assumed that if we addressed the problem of racial injustice, the issue of poverty, at least in the minority communities, would be largely ameliorated. Similarly, we assumed that if we addressed the problems of poverty, the problem of racial inequalities would also largely be addressed. While these claims do have some intuitive appeal, they are simply wrong.

These false assumptions have caused the legal services and civil rights communities, while doing outstanding work against difficult odds, to define and address inadequately the problems of the minority poor, especially those living in concentrated areas in cities.2 Notwithstanding the lack of focus on the particular problems of the minority poor, a disproportionate number of legal services clients are racial minorities. This is

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1 There have been individuals and some grass roots groups that have worked at this intersection. But this has been largely the result of a few individuals, and the work has not been substantiated. One of the best examples of such a group was the National Welfare Rights Organization under the leadership of George Wiley.

2 This issue of the CLEARINGHOUSE REVIEW is a clear indication that the legal services community is beginning to address this problem.
especially true in urban areas, where minorities are often concentrated in the ghettos of the "inner cities." The large number of minority clients is due to the disproportionate number of minorities living in poverty, and not to any focus on the particular needs of the minority poor community. In providing assistance to the various groups, there is no formal—and often no informal—at-
tention given to the distinct problems that minority groups may face. In this article, I will try to show how this has resulted in inadequate servicing of the needs of the inner-city minority poor. I will also try to demonstrate why the problems of poor minorities living in the city are qualitatively different from the problems of either minorities in general, or the general (that is, white) poor population, and that such problems cannot be understood by just adding racial issues to poverty or poverty issues to race. The goal of these claims is to help persuade the legal services community that it must become sensitive to the specific needs of the urban minority poor if they are to respond properly to their needs.

II. The Intersection of Race and Poverty

I

t is well understood that the significant gap between the opportunities available to white Americans and black Americans, which has historically separated these two groups, is still with us today. What is not well understood is that the gap is not purely economic. There are significant differences in the lives and conditions of even whites and blacks who live in relative economic parity. Although more African Americans than ever before have entered the middle class, they have not reached parity with their white counterparts in a number of ways. For the people left behind, especially those in the impoverished inner cities, statistics and conditions indicate that their chances of "success" in life are much worse than they have been in the past, with no indication of any likely change without assistance from the society at large. The statistics are well known but bear repeating. Black families earn a median of $580 for every $1,000 earned by white families (in comparing year-round full-time workers). For employed men, the figure is only $725 earned by blacks for every $1,000 earned by whites. (For black women, the figure improves to $807.) Even when educational levels are factored in, the discrepancy still exists. When considering only those who have four years of college—by most standards, an indication of middle-class status—black and white women are at the same income levels, but black men earn only $798 for every $1,000 earned by white men. Similarly, because of lower incomes, black couples are more likely than white couples to have both partners working. Furthermore, there is not much evidence that this trend is improving. There had been a steady increase in the relative earnings of blacks and whites from 1939 to 1979; however, the gap has remained unchanged since 1979. For women, these numbers actually decreased—from $925 to $919.

While these statistics show that education alone will not ensure that blacks have the same opportunities as whites, it is undeniable in our modern technological and competitive world that educational achievements are a key component for maintaining, let alone advancing, one's socioeconomic status. In many of our biggest cities and states, racially segregated education remains a fact of life for most schoolchildren. Schools are as segregated today as they were 20 years ago. Despite acknowledging, since Brown v. Board of Education in 1954, that segregated schools are inherently unequal, we have been unwilling as a society to remedy this inequity. In Illinois and New York, as well as Mississippi (where 55 percent of enrolled schoolchildren are black), over 80 percent of black children attend segregated schools. It remains a reality in our society that schools that are all or predominantly white will be better funded and have more resources than schools that are predominantly minority. The suburbia-dominated local power structures have fought for local funding of schools and have successfully opposed meaningful integration. This ensures that children who grow up in the poverty-stricken and isolated

3 Although I use the term "inner city" in this paper, I do so advisedly. The popular parlance of the term has come to mean not the inner city but the city itself, where there is a large minority population. It is often in tacit opposition to the surrounding white suburbs.

4 Suggesting that groups have problems is part of the issue. Many legal services programs have assumed that one can understand and address an individual's needs without situating them in a group. This is a flawed assumption.


6 Id.

7 HACKER, supra note 5, at 101.

8 That is, schools in which a majority of the enrolled students are black or Latino.

inner cities must also attend the poorest schools with the lowest test scores and the knowledge that society allows this to happen to them because they have darker skin. It is a political reality that inner-city black schools will end up with less resources and greater needs than white schools in the outer city, or in the suburbs. In New York City, for example, the per-pupil spending in 1990 was less than half the amount spent in the suburb of Manhatta, Long Island.10

A principal reason for the continued segregation of our schools is that school segregation follows the existing patterns of segregation in housing. Over 30 percent of all blacks in the United States live in poverty, thus making it very hard for them to move out of inner-city ghettos, where they are often located. But the major obstacles to blacks seeking to move out of the ghetto are often not just economic problems, but discrimination. A recent HUD survey found that blacks experience discrimination 53 percent of the time when they seek to rent housing and 59 percent of the time when they seek to buy housing. The survey also found that Latinos experience discrimination 46 percent of the time as renters and 56 percent as buyers.11 Middle-class blacks clearly have more mobility than poor blacks, but their level of segregation from whites does not decrease as their educational and income levels increase.12 One should remember that this is not just an issue of minorities being physically close to whites. The isolation that this discrimination causes has very important consequences, such as separation from sources of jobs, decent education, and services. This discrimination also has other consequences, including what has been labeled as a psychic tax on minorities.13

The few minorities who are able to move into previously all-white neighborhoods most often find that, as soon as the black population reaches a certain critical level, “white flight” begins, and that this is usually accompanied by capital and service flight. Thus, due to prejudices of the general population, as well as discrimi-

10 Id. at 237.
11 MARGERY TURNER ET AL., URBAN INST. & SYRACUSE UNIV., HOUSING DISCRIMINATION STUDY SYNTHESIS (1991) (prepared for the U.S. Dep’t of HUD). This number probably underestimates the problem because many minorities have already been discouraged from looking in white areas because of discrimination and harassment.
13 See HACKER, supra note 5.
15 Id. Farley notes that the degree of segregation of middle-class blacks and whites is higher than that between whites who are middle-class and poor.
mobility because of their low income, they are also faced with a number of obstacles that do not exist for poor whites in other areas. The "inner city" is actually an area isolated from many of the goods and services needed to improve the lives of those trapped in the American-style apartheid. Citing the negative conditions under which urban poor minorities live paints a bleak and dreary picture. And yet it still underestimates the problem by failing to have us understand how these factors interact with one another and with racial discrimination.

The inner-city minority poor not only must face more severe and concentrated poverty than their white counterparts (indeed, there may not be white counterparts), they must also face a more virulent strain of racial discrimination than nonpoor minorities. The most pernicious versions of discrimination, neglect, and intolerance come from potential neighbors, employers, coworkers, and society at large. For example, discrimination has created and maintained segregated housing, which has a particularly negative effect on the inner-city poor. Similarly, the minority poor are not just discriminated against in the job market. A large number are totally outside the job market, with very little chance of obtaining employment. Those poor minorities who do work are often segregated into a lower market than white and nonpoor minorities. Jobs such as maid, nanny, and day-care worker often pay at, or below, the poverty level, with no benefits or training that would allow these employees to move into the primary job market. Prejudice on the part of employers or coworkers in the primary market makes competition for these jobs even more difficult. If these jobs (most of which are located outside of the inner city) are obtained, poor minorities are forced to deal with the biases of other employees, which may mean that they do not get proper training from their more experienced coworkers and thus may be less likely to advance or even to keep the job.

The lives of the poor in our society are often extremely regulated by government bureaucracy, which is, at times, indifferent and hostile. In addition, the minority poor frequently face indignities and discrimination. For example, minorities with an accent or a non-Anglo name are often scrutinized and harassed, resulting in deprivation of benefits or services to which they are entitled.

Problems such as these would not be faced nearly to the same degree by people of the same socioeconomic level who are white and live outside the inner city "ghetto." First of all, there are few, if any, large white inner-city ghettos. Having greater access to the white middle class, poor whites are more likely to live closer to a health care clinic, to attend a school with much greater physical and human resources, and to have much greater mobility when the city becomes intolerable. Some blacks who have attained middle-class status have also moved out of the urban area, depleting the fragile resources available to the poor black and Latino populations.

I would like to make this discussion more concrete. I recently visited my parents in Detroit. When I was growing up in Detroit, it was known as the city; now it is known as the "inner city." We were poor growing up. But we could still shop in the neighborhood, and the ghetto was small in relation to the rest of the city. My parents still live in this inner city. They are in their seventies and retired. Today, they are not in great health, but they can still get around. They find themselves in a situation that is common for blacks in Detroit but is rare for whites. In order to go grocery shopping, they have to drive five miles from their home. In order to go to the cleaners, they have to drive almost seven miles. Given their age and their neighborhood, they are constantly prey to crime. Their problem can be understood only by looking at what is happening to all of Detroit, as the city becomes increasingly isolated from basic goods and services and unable to deal with the weight of the growing poor. Depressed areas without services are now large compared to the more affluent parts of the city.

My parents' situation is not unique. Statistics show that Americans at the intersection of race and poverty experience a disproportionate share of these negative traits that have become associated with our big cities. People are more likely to be victims of crime and to become involved in criminal activity. There are more blacks than poor whites are with middle-class whites. It is not the middle-class flight that has been so devastating, but the combination of the large concentration of poverty, the relatively small size of the black middle class, the black middle class' lack of resources, and segregated housing. The white middle class both is much larger than the black middle class relative to the respective poor populations, and has much more wealth. See, e.g., Massey, supra note 12.

16 See Francis Fox Piven & Richard Cloward, Regulating the Poor (1971).

17 See Fragante v. Honolulu, 888 F.2d 591 (9th Cir. 1989), and Mari Matsuda, Voices of America: Accent, Antidiscrimination Law and a Jurisprudence for the Last Reconstruction, 100 Yale L. J. 1329 (1991).

18 Although some middle-class blacks leave the ghetto, poor blacks tend to be more integrated with middle-class
people trapped in welfare and drug dependencies—with a deep sense of hopelessness. The percentage of households headed by women is much higher in the black, than in the white, community. Because women earn significantly less than men (median income of black women is $8,328, compared to black men at $12,868), female-headed households have a much greater chance of being in poverty than other families. But a white woman who is the head of a household is likely to be older and better educated, and more likely to marry in the future. Furthermore, in 1990, 51 percent of all black children lived only with their mother, and 35 percent of them have mothers who have never married. Many government policies have contributed and continue to contribute to the breakup of minority families by supporting the family only if one parent (usually the father) is absent. Part of the assumption is that if the father is present, he can help support the family. This idea may have validity for the poor white family but is often false for minorities since the men are often unable to provide financial support.

Blacks and whites in our society are also separated by the conditions of their health and well-being. Although life expectancy has been rising for both groups, it is still six years longer for whites. A man living in Harlem is less likely to reach age 65 than a resident of Bangladesh. The death rate from AIDS in the black community is three times higher than in the white community; for homicides, seven times higher. Similarly, the black infant mortality rate, at 16.5 (deaths per 1,000 births), is over twice as high as the rate for white infants, and higher than those in many third-world countries.

The only governmental agency that targets African American males seems to be the criminal “justice” system. The black male population is being decimated by having such a high percentage of them involved in this system. At this time, one million black men, out of a total population of about 15 million black males, are either in jail or on parole. This has secondary effects on these men. It means that a significant number of African Americans have criminal records. Added to the problem of inadequate education and racial discrimination, this makes it virtually impossible for many of these men to obtain adequate work. The ability of these men to participate in marriage, or in society in general, is also greatly limited.

Having such a large portion of the population effectively excluded from employment has a tremendous effect on the community. These men will more than likely return to the “inner city” from jail. Their reduced chances of earning a legitimate income, plus their undereducation, make them even more marginal in an already marginal community. It is not surprising that single black mothers are usually not likely to marry. Even if they did marry the fathers of their children, the marriage frequently would not necessarily improve their economic standing and might even make it worse. The reality for much of the poor black community is that the men either are not present or are not capable of supporting a family. Black and Latino men’s incarceration, which appears as a statistic in the newspapers, remains a drain on the poor minority community in a way that simply does not happen in other communities. Many of these men are added to

19 In 1990, 56.2 percent of black households with children had no husband present, while the same is true for 17.3 percent of white households. Interestingly, since 1950, the percentages of absent fathers have steadily grown for both blacks and whites, and the ratio of these percentages, 3.2, has remained relatively constant in that period. HACKER, supra note 5 (quoting the DECENNIAL CENSUSES; and BUREAU OF THE CENSUS, HOUSEHOLD AND FAMILY CHARACTERISTICS (1990) (Series P-20, No. 447)). More to the point, perhaps, 59.7 percent of black families headed by women, compared to only 28.1 percent of such white families, live in the central cities.

20 The corresponding figures for white children are 14 percent (who live only with their mothers) and 2.7 percent (whose mothers have never married). HACKER, supra note 5 (quoting BUREAU OF THE CENSUS, MARITAL STATUS AND LIVING ARRANGEMENTS: 1990 (1991)).

21 HACKER, supra note 5 (quoting NAT'L CTR. FOR HEALTH STATISTICS, ADVANCED REPORT OF FINAL MORTALITY STATISTICS: 1988 (1990)).

22 See HACKER, supra note 5, at 74.

23 AFDC rules actually penalize women with children who get married. Two-parent families are not eligible for AFDC benefits, unless one parent is incapacitated or both have significant earnings histories. Also, if a stepfather is present in the household, then the benefits are reduced. See HOUSE COMM. ON WAYS & MEANS, OVERVIEW OF ENTITLEMENT PROGRAMS, 102d Cong., 2d Sess. 1226 (1992). Conceivably, even if the men cannot find employment outside of the home, they can help in other ways—such as with child care. While this is a possibility, it is not a probability.
the homeless rolls, for there are extremely few programs to help them reintegrate into the community or achieve financial self-sufficiency. Understandably, large portions of this community are often referred to as the underclass.

As a result, many black inner-city poor become maladapted and discouraged from participating constructively in society. The isolation, coupled with the low availability of good, or any, jobs, can lead to work habits that are unproductive and tend to reinforce an already very difficult situation. Furthermore, the weak public services in inner-city neighborhoods, along with the economic and social marginalization—especially for young men—that comes with the inability to obtain a steady job, foster an atmosphere that leads to crime and violence and reduce the incentive to maintain property. Hence, the African American poor who are stuck in the cities tend to be characterized also by psychological attitudes such as despair about economic advancement.

What makes the problems of the inner-city poor so intractable is that each of the above elements feeds off the others in a complicated and vicious cycle, so that conditions seem to worsen continually. In addition, many of the plans intended as solutions are not designed to address this complicated web of problems. Instead, there is a tendency to look for a single cause and a single solution. Many of these plans therefore understandably fail, thus weakening society’s resolve to do anything other than try to protect itself from the “inner city.” For example, segregated schools inadequately prepare students to work. Potential employers relying on both prejudice and the belief that minorities have been ill-prepared are less likely to hire a minority. Minorities recognize that, even if they prepare, they have less chance of getting the job and therefore see less reason to prepare. This ensures that the poor minorities, if they get a job at all, are more likely to get the secondary jobs described above. These jobs are simply a dead end.

It is not just that poor minorities’ problems are more severe; it is that they have a cluster of problems that interact and reinforce one another in a complex manner. This phenomenon cannot be understood or addressed just by focusing on the individual. One must also look at the community and its resources to address these problems.

III. The Impact on Legal Services Programs

The dedication of the people involved in legal services activities to the needs of the poor is without question. Even a casual flip through an issue of the CLEARINGHOUSE REVIEW will make apparent that those in the legal services field believe that not enough is being done for the poor. Despite regulations prohibiting LSC attorneys from engaging in certain types of advocacy, and besides the few mandated programs, various legal services offices have managed to create programs to deal with the special needs of a number of populations that they serve. The recognition of the “feminization of poverty,” for example, has brought about a number of programs to help women who become victims of domestic violence. Similarly, there are services for persons with disabilities and for the elderly because the “standard” programs that serve the general population are not as useful to those groups.

It is not my claim that enough attention in these programs has been paid to issues such as the feminization of poverty, or that poor whites are being served adequately. Instead, what I am suggesting is that there has been almost no focus on the combined urbanization and racialization of poverty. The feminization of poverty...
Race and Poverty: A New Focus for Legal Services

The legal services community comprises the largest poverty organization that serves the needs of minority communities. In a number of urban areas, blacks and Latinos may comprise the majority of the legal services’ clients. Despite this fact, I stated that legal services does not focus on the needs of the urban minority poor. I would like to explain further why this is the case.

An individual problem, particularly in the minority community, cannot be addressed adequately or understood without situating that problem in a larger context. The programs and priorities of legal services’ agenda for minorities, however, tend to be the same as those used for poor whites, a group that, although also poor, has very different problems. Many of the strategies used by legal services are more appropriate for the poor not living in a concentrated poor urban community, isolated from goods and services, and locked in by discrimination. These strategies were not explicitly adopted to address the needs of the white poor and certainly not only the white poor. Instead, there was an assumption that these programs were universal and that poverty is color blind. However, while in theory this might be true, in practice it is certainly false. As in most apparently universal plans, there were and are hidden biases that are more sensitive to one group’s needs and less sensitive to others’. While both the laws and the strategies for legal services attempted to be sensitive to the standard poor client, there is seldom recognition that there is no standard client and therefore no standard model, including the individual model, that is sufficiently sensitive to the needs of poor people.

The foregoing oversights have been neither identified nor corrected through legal services’ normal priority-setting process. The priorities that legal services identifies closely track existing statutory laws. It is not surprising that legal services did not initially address these issues. For example, given the impact of a million-plus men returning from prison or jail, without skills or sufficient government assistance, there is surprisingly little being done to address this problem for the men or the community. In addition, the degree of concentration of the minority poor in the city, with the attending new set of problems, is something that no one adequately anticipated. The current approach to aiding the poor does not deal with the needs of a population that lives in a hostile urban environment, stuck in poverty, and sealed by neglect and racism for multiple generations.

The tentative effort to address some of these urban problems quickly reveals the inadequacy of information and the traditional approaches. Consider, for example, the issue of crime and violence in ghettos and public housing. To address this issue, should one advocate for the increase of police? While the answer in the white community, and even the poor white community, is likely to be “yes,” the answer is much more complex in an urban black or Latino community. This is true especially if there have been publicized instances of apparent police brutality. Consider also the policy of evicting from public housing a family whose unit is used in the sale or consumption of drugs. This issue has split programs and the client community. A possible response may be to increase education and treatment, and the effectiveness of such an effort may also turn on race. The issues of controlling drugs and violence is particularly complex because of the intersection of race and poverty in the cities.

I have participated recently in a number of meetings with legal services advocates in an attempt to develop effective strategies for addressing homelessness. One of

27 One may wonder about the significance of the sharp divide between the white and minority communities in a society that was legally desegregated decades ago.

28 Legal services can and does lobby. Much of the recent lobbying has been to maintain existing law, or the status quo. Certainly, lobbying to address the cluster of needs of the urban minority poor has not been done.

29 I have been focusing on the urban minority poor. One could probably make a similar claim that the rural poor and the farmworking poor have special needs. While this is undoubtedly true, some (although certainly not enough) attention has been paid to the special needs of these communities.

the most important strategies is to try to increase the stock of affordable housing. This goal is often a part of the program priorities for local service providers. In these strategy meetings, there is some recognition that the difficult goal of increasing the housing stock becomes much more difficult if the housing is perceived to be for minorities. If the goal is not just the creation of housing for minorities, but integrated housing, the assumption is that what was a very difficult goal becomes virtually impossible. Concern was expressed that if race and integration are coupled with this goal, it would all but kill any support for construction of low-income housing. But if race and integration are not coupled with this goal of building low-cost housing, there is the danger of recreating the isolation and the concentration of poverty for minorities. Indeed, I have suggested throughout this paper that this is one of the unique and important problems facing the minority poor. If I am right about the failure to confront this problem, then even if a program whose clients are all minority handles eviction defenses, it is not addressing the needs of the individual client or of the community. This discussion demonstrates both the unique set of problems faced by the minority poor and the difficulty of addressing these problems due to their enormity, to racism, and to poverty. It also demonstrates a recognition on the part of legal services advocates that the problems of the urban minority poor are both different from, and more difficult than, the problems of poor whites.

Some have argued that the best way to help the poor is through a universal program that does not consider race, but merely economic status, in determining whom to assist. Legal services has traditionally followed this route. They have argued, for example, that race-based programs will be ineffective in helping blacks at poverty levels because such programs tend to help the black middle class, and not the poor. They argue that we should adopt universal programs to help anyone who is poor and that, in the process, the minority poor will benefit as well (possibly more, since the poor are disproportionately minority). Furthermore, general improvements in the economy will also improve the lot of the poor by providing more opportunities for economic gain. Along these lines, it is argued that programs for minorities only are not politically palatable and that, besides, poor whites also need help.

What the supporters of such a “universalist” approach do not acknowledge are that there are unique circumstances of being poor and minority and that, due to discrimination, such strategies are implemented in a way that impacts negatively on minorities. Indeed, a part of the apparent attraction to universal strategies is that one can avoid the hostility that many whites have toward people of color. Consider the housing problem discussed above. When it is recognized that housing is tied to access to community services, the need for integrated housing becomes clear. But it is difficult to conceive of an effective integrated housing strategy that does not take race into account. In addition, there is also the reality that the minority poor have a different cluster of problems from others. People who live in the inner city face more obstacles to the use of services provided by various poverty assistance programs; poor black inner-city residents are particularly difficult to reach and to help. The only way, in fact, to help them is to create a program explicitly designed for that purpose. Hiding inside another program for political reasons will not achieve that result—and, worse, we pretend that it does and hence take no further action. What the “universal” poverty programs actually do is help poor whites; they have not proven to be effective in addressing the needs of poor minorities.

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31 It is also obvious that the failure to address these issues has an impact both on the problems of poor whites and on society at large. The failure to develop an appropriate housing strategy affects us all.


33 Of course, the circumstances of the minority poor will also differ. But where there is racial prejudice and poverty in concentrated areas, many of the same conditions are likely to be present.

34 There may be other reasons to support universal strategies, such as to avoid isolating the poor from the nearly poor and the middle class. See Ed Sparer, Gordian Knots:

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IV. Changing Racial Demographics

Throughout this paper I have suggested that the minority poor have different needs. Before discussing how to develop specific strategies, I want to make explicit what has been implicit throughout the paper: the minority communities are very diverse, and their ethnic and racial makeup is changing rapidly; this means that legal services’ future clients and their needs will also be more diverse.

Sometime early in the next century, Latinos will replace blacks as the largest nonwhite racial/ethnic group in the United States. Also, Asian Americans are by far the fastest growing racial group in the country. In California, for example, African Americans are actually outnumbered by both Latinos and Asians, and it is expected that in the first half of the next century, whites will make up less than 50 percent of the population, thus making no racial group the majority in that state. Of course, these groups are not monolithic, and the various subgroups will have different interests and levels of poverty among them. This only makes consideration of race in the provision of services that much more important.

I have already noted that the issues and reasons behind black poverty and white poverty tend to be quite different. This is true for other racial and ethnic groups as well. The histories and experiences of Latinos and Asians in this country are quite different from those of either blacks or whites. A recent Vietnamese immigrant requires poverty-related services different from those needed by a Mexican American migrant worker, each of whom is different from the inner-city black, or a suburban or rural white. In order for a legal services organization to provide assistance effectively to these various groups, it must be sensitive to their various needs. For example, having a program that tries to aid Latinos, Filipinos, or other language minorities does not mean simply having a bilingual program that otherwise provides the same services. The program staff would also need to be aware of language discrimination issues, such as subjection to biases due to one’s accent, as well as cultural issues, in which the relative importance of various concerns could be quite different from the way they are viewed by “white” society. Similarly, the term “Asian American” is clearly too broad to define the issues that such commun-


nities confront. The Japanese American community is likely to have very different problems from a Vietnamese or Laotian community.

There are also likely to be tensions and issues among the various minority communities. Consider the tension that caught the public eye in the Los Angeles riots between blacks and Latinos on the one hand and Koreans on the other. Earlier, I discussed the secondary job market. There is some indication that many of the secondary jobs are being closed off to African Americans in favor of minority immigrants due to status. There are a number of important and difficult issues to address if strategies are to be developed to meet the needs of the various complex minority communities.

A service organization that treats all its poor clients in the same manner, as if they have the same needs, will in fact end up meeting fewer and fewer of the clients’ needs as a larger percentage of the population find the services irrelevant. As the multicultural aspect of our society increases, there will be more and more issues to which one must be sensitive in order to serve the clientele appropriately. Of course, it will be harder, because of the number of complex subgroups, and the solutions to the problems may also be more complex. Having no awareness, however, of the differences among various groups simply means no help for most of them.

V. Developing Strategies to Address the Needs of Poor Urban Minorities

In order to address the specific needs of communities, programs should develop strategies that are sensitive to their needs. Although programs attempted to do this, they were not successful in identifying the needs of the minority poor. The structure of most programs’ priority setting is not sensitive to the issues of concentration and discrimination discussed in this paper. One goal then is to assist programs in developing a process that would be more likely to identify special minority needs. We must have national strategy conferences to see how the problem is occurring in other areas and to share what works. Perhaps the most important function of such a conference would be for us to think collectively about these issues.
The way in which legal services approached the homelessness issue might be instructive. Advocates recognized that homelessness is a problem that is occurring across the country and that the scope of the problem exceeds the scope and resources of any one program. It would not be appropriate to wait for individual clients to walk in the door to identify the scope of the homelessness problem. The legal services community appropriately took a much more affirmative stance in trying to develop strategies. I believe that a similar approach is required in order to develop effective strategies to deal with the intersection of race and poverty. A few programs are exploring these issues. Until this special issue of the CLEARINGHOUSE REVIEW, however, there has, to my knowledge, been no collective national strategy.

Legal services offices that are located in or near a city of any size with a substantial minority population need to be aware that the minority urban poor need special services and to be helped in identifying those needs. Legal services should therefore begin to emphasize this need throughout the organization, not necessarily as a uniform policy but as another standard service an office offers to its clients. Thus far, legal services has theoretically acknowledged that racial factors do affect the conditions of the poor, as an abstract matter, just as do age, gender, or disability. However, translating this into actual policy or programs has not yet been done.

The difficulty legal services face in identifying the needs of this population is compounded because civil rights groups, social scientists, and government agencies have not adequately focused on the needs of this group either. There is very little research or literature that has focused on this intersection. We hope this is changing. Legal services should assist in developing information about the special dynamics of the intersection of race and poverty in these concentrated urban areas.

Notwithstanding the lack of data, there are some things on which we can safely start to focus. Some information on the status of the poor and minorities in our society, although still extremely meager, is currently available. We are becoming more aware of the different realities that children born into families of different races, socioeconomic classes, or even neighborhoods, will face—both growing up and in adulthood. We do not, however, always apply that information in the best way possible, such as through efforts to create programs to deal with these differences in appropriate ways. Also, it is clear that there is much that we do not know about the cycle of inner-city poverty, such as the cycle’s strong and weak links, measures needed to break or reverse the cycle, or the kinds of programs that would be effective in ending the cycle that traps whole groups of people altogether. In the meantime, we need to develop meaningful strategies to help the most vulnerable among us.

I have suggested throughout this paper that some of the things that make the urban poor minority’s problems so difficult, particularly among blacks and Latinos, are the concentration of poverty, isolation from goods and services, and being walled in by discrimination. In this environment, a cluster of problems that are unique and not well served by traditional approaches has emerged. There is also a lack of adequate resources in the community and inner cities to address these difficult problems. What this suggests is a need to improve this community’s access to resources and to break up the concentration of poverty. One way of dealing with this problem is to bring resources to the inner-city community. Another approach is to make accessible to the minority communities areas that have resources and jobs. Both of these approaches suggest a regional method that looks beyond narrow boundaries of the poverty community.

37 Currently, a lawsuit in Connecticut, Sheff v. O’Neill, No. 89-0360977S (J.D. Hartford/New Britan at Hartford, filed Apr. 26, 1989), is using both of these strategies, and the local legal services program is involved. It is a school equity suit. It was recognized that the cities in Connecticut, such as Hartford, have a high concentration of the minority poor without adequate resources in the city. The surrounding suburbs are some of the richest in the country and are primarily white. Instead of defining the problem as purely local, it was approached from a regional and statewide perspective. There is a potential for real change if one looks at the regional resources. Sheff's strategy is to open up the suburbs to minority students and, at the same time, bring some of the regional human and capital resources to the city. It is not clear what will happen in this suit, but the regional approach to resources is an important new way of considering the issue of concentration and isolation.
One may protest that I am operating from a faulty assumption, in that the legal services community is not charged with the duty to serve the minority poor. The duty to serve the poor, however, means the duty to serve the poor community in its entirety, including the minority poor. Certainly, one would not suggest that legal services need not address the needs of the Latino community. I have argued in this article that, in fact, the Latino community is not being well served.

I make these claims not because of any negative feeling for legal services. There is no other organization that I hold in higher regard. I consider myself to be a part of this community. I make this call for action and rethinking because of what I see happening in the inner cities, and because I believe that if things are to change, it will, in large part, be due to the work and leadership of legal services.

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**Health Care: Developing Strategies for Effective Reform Joint Conference on Law & Aging**

*October 28-31, 1993 Washington, D.C.*

This year’s Joint Conference on Law & Aging, entitled Health Care: Developing Strategies for Effective Reform, will be held at the Capital Hilton, Washington, D.C., on October 28-31, 1993.

This sixth annual conference is sponsored by the ABA Commission on Legal Problems of the Elderly, Legal Counsel for the Elderly (AARP), National Senior Citizens Law Center, and The Center for Social Gerontology. Questions on the conference should be directed to Sharon Block, the conference coordinator, at (703) 765-7497.
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