The 1970 Census Enumeration
As
A Social Action Report Card

Julian Levi*

General Robert Wood, the Board Chairman of Sears Roebuck & Company who led that giant into the retail business, once said that his favorite reading was The Statistical Abstract of the United States, which consists primarily of materials drawn from the United States Census enumerations.

Publication has commenced of the volumes dealing with the general social and economic characteristics for the United States en toto and then for the various states of the Union as shown by the 1970 enumerations. This data ought, but probably will not, be used to test the effectiveness of our domestic governmental problems. Specifically:

Since the 1920s states have enacted zoning legislation with the thought that the control of land uses and densities would assist in the maintenance of values and the development of a stable society.

Since 1937 the Federal Government has provided "financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the eradication of slums, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority." Year after year the Congress has pumped hundreds of millions of dollars into this program.

Since 1949 in support of "the goal of a decent home and a suitable, decent environment for every family" the Congress has pumped hundreds of millions of dollars each year into slum clearance, urban renewal, model cities and community development programs.

Since 1965, through Title I of the Elementary and Secondary Education Act, the Congress has authorized and appropriated something over six and one-half billion dollars in order to improve the educational opportunities for the children of low-income families.

Housing and building codes in which the states have exercised their police power for the purposes of health and safety have been with us for well over

a century and a half.

The legislation just enumerated is, of course, no more than a fraction of what is now on the books. I propose that we look at the 1970 Census and certain other materials, all incidentally in the public domain, and then judge the achievement of these programs.

To set the size of our universe, the 1970 Census found our total population to be approximately 203 million people, 178 million of whom were white; 22½ million black, and 9,200,000 of Spanish heritage.

Of this number, 149 million lived in urban communities; 42 million in rural non-farm areas; and 10½ million in rural farm areas. Accordingly, the drift of population from rural areas to urban conditions continued, as well as the flow of blacks from the rural south to urban centers. The black population in this country is increasingly an urban population. Of the 22½ million blacks, 55% lived in central cities compared with 28% of the white population.

Analysis of the urban population discloses that 76 million live in suburbs compared with 64 million in the central cities. Since 1950 central cities added 10 million people; the suburbs added 35 million.

Half of all employment in the fifteen largest metropolitan areas in the country is now outside city limits. In the Los Angeles-Long Beach standard metropolitan area, for instance, in 1970 there was a reported total of 2,483,000 workers, of whom 1,133,000 worked in the cities and 1,350,000 worked in the suburbs.

Employment, or what is more to the point unemployment, is not uniformly distributed among the population. In California in 1970 of the total labor force 6% was unemployed but whereas 5.7% of the white labor force was unemployed, 10.6% of the black population was unemployed and 7% of Spanish heritage were unemployed.

Of even greater significance to those interested in crime and delinquency are the figures for males 14 and 15 years old. In California 12.4% of this total group were unemployed—for whites the figure was 11.6%; for blacks 29%; and for youths of Spanish heritage 16.5%.

Median income of all families in California was $10,732 per year, but $7,484 per year for blacks.

Statistics as to housing conditions are not yet available. The sole indicium now shown relates to the percentage of households lacking some or all plumbing facilities. Nationally the statistic is 2.7%.

However, as to households with income less than the poverty level the figure is 8.4% and as to non-metropolitan areas 25.9%. The comparable San Diego figure, incidentally, for all households is 1.9% but for poverty families 4.4%.

I would suggest that it not be necessary that you be burdened with statistics as to broken homes, unemployment, dependency, crime and delinquency. All of this follows from the materials just enumerated.

The central city is increasingly a backwater, separated from the growth elements of the American economy. Paradoxically, at the very time when the need for government services to a low-income population develops, the assets upon which the city must rely move out. The results are not startling—they were predicted in the reports of Presidential Commissions, Congressional Committees, Planning and Educational Authorities—world without end!

The plumbing statistic is a good place to begin the analysis. Lack of adequate, sanitary facilities is not a matter of taste or luxury, nor is the risk limited to the particular household concerned. Epidemics are no respecters of income characteristics.

Moreover, the lack of sanitary facilities is only the most glaring evidence of conditions dangerous to health and safety. If the pattern of former years continues, we will find an appreciably larger percentage of households lack adequate fire exits and safe electrical wiring and are overcrowded.

These conditions present a blatant, continuing violation of local housing and building codes. The facts are apparent to any building inspector and, in truth, they may be photographed.

There is, nevertheless, a pretense about this business all over the country. Enforcement of housing and building codes occurs in the half world of the quasi-criminal violation. The fine, if ever assessed, is more a license than a deterrent. Effective enforcement ought to be an administrative, rather than a judicial, proceeding. Some states now permit this alternative which, however, has not been taken up by a single municipality. Most recently the authorities of New York State refused to finance such an effort in New York City.

Two well known doctrines have long existed in our law. First, that a contract ought to be interpreted in accordance with the intentions of the parties; and, second, compliance with the law is fundamental to the exercise of jurisdiction. Yet
there are two related instances, among others, demonstrative of our failure:

Both landlord and tenant in any multi-unit residential structure anticipate that the landlord will provide the essential services required to make the dwelling unit habitable. The tenant expects hot and cold running water and the landlord certainly does not anticipate that the tenant will be tinkering with the hot water heater or pump. Now in almost all of the relationships between buyer and seller, or lender and borrower, on the American scene the performance of one party is conditional upon performance by the other. Yet as a result of nothing more than a historic accident, the tenant's obligation to pay rent is considered independent of the landlord's obligation to perform his part of the bargain.

Ordinarily we determine value on the assumption of legal operation—the highest and best use of a property is considered to be its highest and best lawful use. The true value of a structure unfit for human habitation ought to be the value of the raw land, less the cost of removing the structure. Even this suggestion is generous. Property which is used contrary to public policy is generally subject to confiscation, to-wit the automobile used to transport narcotics. But how many instances do any of us know where in Urban Renewal proceedings value reflects lawful income rather than the capitalization of income achieved only in violation of the building code?

Zoning doctrine first emerged in the 1920s under the aegis of Mr. Herbert Hoover, then United States Secretary of Commerce. It is interesting to note that regulations of land use, of density, and the like, originally attacked as socialist interference with the rights of property, are now enshrined as the greatest legislative innovations of this century on the theory that proper zoning enables a governmental unit “to keep them out.” Recently Bernard Seigal published his LAND USE WITHOUT ZONING. For years the City of Houston has been the horrid example of a municipality which was so backward as to refuse to enact a municipal zoning code. Seigal concludes there is not one whit of difference between land development as it has occurred in Houston without benefit of zoning and land development elsewhere where planners, lawyers and others have played what Richard Babcock describes as THE ZONING GAME.

What we have done by enactment of zoning has been to separate employment generating use from place of residence. Increasingly the city neighborhood becomes a backwater separated from the growth elements of the American economy. The problem of an industrial use in a residential neighborhood is really an issue of nuisance rather than a fiat of land use. In cities over the world one can find case after case where the factory, properly shielded and built, is a perfectly acceptable neighbor. Our difficulties in mass transit and in employment may often be traced to the heavy, and unwarranted, hand of zoning.

In 1956 Catherine Bower, commenting on public housing, said:

“The tendency of normal families to reject our projects is an indication of an illness that may well be fatal.”

In the intervening sixteen years the Federal Government spent hundreds of millions of dollars in public housing subsidies and in the financing of additional units only now to have the Secretary of the Department of Housing and Urban Development say what ought to have been clear a decade or more ago—the program was a total failure.

The story has been told again and again—eligibility for either entrance into or retention of public housing requires low income. Improvement in income and employment is rewarded with an eviction notice. The result is that the family mix increasingly is represented by the broken home, welfare family and at that point public housing is no longer housing for people only with low income, it becomes instead the county welfare farm for socially disadvantaged and dislocated people. The rejection predicted by Catherine Bower has occurred. There are hundreds and hundreds of vacancies in the public housing projects in the larger cities of this country.

Having thus had demonstrated to us that income limitations inherent in subsidized housing are counterproductive, we continued the device with Section 236 housing but to this we added a pleasant additional feature—instead of only building housing for the poor, you build a tax shelter for yourself. The motivation is, of course, quite clear. A full page advertisement in the Chicago Tribune of November 1, 1972, featured a copy of the 1040 income tax return over which is printed, “The Man with a Plan asks are you fed up?” The Man with a Plan then
volunteers, “to show you how to earn more, to own more and pay far less income taxes!” This is the announcement of the Final 1972 Tax Shelter Seminars—“The Amazing Story of 56 Real Estate Partnerships!” Admission, incidentally, is by advance reservation only. Now, of course, there is nothing wrong with the device of the tax incentive. Higher education, both public and private, is dependent upon that incentive. The difficulty in the housing field is that the incentive has operated to produce continued construction, particularly in the subsidized field which in the public interest ought to have been halted years ago.

The advocates of housing legislation are a mixed bag—the planners, the tax shelter packagers, the architects, the trade unions, the real estate promoters, etc. A collection of these interests account for the omnibus housing bill this past year which justifiably fell of its own excessive weight. One would hope that the new Secretary of the Department of Housing and Urban Development would paraphrase Winston Churchill by saying that he has come to preside over the liquidation of much of the agency and its programs.

In 1966 a group of professors, led by Dr. James S. Coleman, published EQUALITY OF EDUCATIONAL OPPORTUNITY, a study made possible through a Federal grant of some millions of dollars. That study concluded that black children did better in the integrated middle-class classroom. In 1972, Coleman again writes on the Coleman Report. He says that while the Report showed, “that certain kinds of attendance patterns provide higher achievement for children from lower socio-economic levels,” the courts in examining school attendance patterns looked upon this conclusion as “some kind of evidence on which they can base a decision.” This consequence, according to Coleman commenting on Coleman, now produces dismay:

“But I don’t think that a judicial decision on whether certain school systems are obeying or disobeying the constitution ought to be based on that evidence.”

At the same time the author contends the report is:

“. . . appropriate for legislators and school boards in encouraging the kind of student body mix which can provide achievement benefits.”

and says social science research is often not used because:

“. . . it’s not commissioned by a policy-making body.”

The late Carl Byoir, pioneer public relations man, was equally cynical. Most of his recommendations, he said, told his clients what they already knew, but he charged them a great deal of money so that they would be obliged to take his recommendations seriously. Most legislators and school boards would be reluctant to accept the assumption that the evidence submitted to them as a basis for making policy was of lesser quality than required by a court. Therefore, unless Byoirism applies, the source of financing the report ought not to matter.

This month Christopher Jencks with his associates published “Inequality: A Reassessment of the Effect of Family and Schooling in America.” Jencks, of course, was a co-author with Coleman. The trumpeted conclusions are:

“Educational reform cannot bring about economic or social equality.

“Genes and IQ scores have relatively little effect on economic success; and

“School quality has little effect on achievement or on economic success.”

The suggestion is made that society should get on with the task of equalizing income rather than waiting for the day when everyone’s earning power is equal. Thus:

“Instead of trying to reduce people’s capacity to gain a competitive advantage on one another, we would have to change the rules of the game so as to reduce the rewards of competitive success and the costs of failure.”

Thus:

“Employers could be constrained to reduce wage disparities between their best- and worst-paid workers.”

“The net effect would be to make those with the most competence and luck subsidize those with
the least competence and luck to a far greater extent than they do today."

In so far as elementary education is concerned, Jencks and his associates conclude:

"There seem to be three reasons why school reform cannot make adults more equal. First, children seem to be far more influenced by what happens at home than by what happens in school. They may also be more influenced by what happens on the streets and by what they see on television. Second, reformers have very little control over those aspects of school life that affect children. Reallocating resources, reassigning pupils, and rewriting the curriculum seldom change the way teachers and students actually treat each other minute by minute. Third, even when a school exerts an unusual influence on children, the resulting changes are not likely to persist into adulthood. It takes a huge change in elementary school test scores, for example, to alter adult income by a significant amount.

"These arguments suggest that the 'factory' model which pervades both lay and professional thinking about schools probably ought to be abandoned. It is true that schools have 'inputs' and 'outputs,' and that one of their nominal purposes is to take human 'raw material' (i.e. children) and convert it into something more 'valuable' (i.e. employable adults). Our research suggests, however, that the character of a school's output depends largely on a single input, namely the characteristics of the entering children. Everything else—the school budget, its policies, the characteristics of the teachers—is either secondary or completely irrelevant.

"Instead of evaluating schools in terms of long-term effects on their alumni, which appear to be relatively uniform, we think it wiser to evaluate schools in terms of their immediate effects on teachers and students, which appear much more variable. Some schools are dull, depressing, even terrifying places, while others are lively, comfortable, and reassuring. If we think of school life as an end in itself rather than a means to some other end, such differences are enormously important. Eliminating these differences would not do much to make adults more equal, but it would do a great deal to make the quality of children's (and teachers') lives more equal. Since children are in school for a fifth of their lives, this would be a significant accomplishment." (pgs. 255-256)

Now, of course, the conclusions just read to you are in complete conflict with the premises of the Federal Elementary and Secondary Education Act which to this point represents a disbursement of something over six and one-half billion dollars, as well as most of the social legislation of the 1960s. Logically you would assume that a book written in 1972 would draw greatly upon the results of this six and one-half billion dollars of expenditure and effort. No such thing occurs. The basic Jencks material is a re-working of the Coleman 1966 data. In Jencks' defense, however, despite the six and one-half billion dollars and the comings and goings of the educationalists, both in and out of government, there is a remarkable paucity of data.

The Jencks thesis, as an example, pays no attention whatsoever to the work of his colleague B. F. Skinner or the work of other behaviorists throughout the country such as Dr. Israel Goldiamond at Chicago. At the very time that the laboratory of the behaviorists discloses examples of control and change in human behavior, Jencks is concluding that these things are impossible.

Thus the programs analyzed have achieved little. In some cases they may even have aggravated the very ills they sought to heal. What should we learn?

1. Time after time we have proceeded to macro programs upon great theory and very little evidence. It will be recalled that the current Model Cities Program began with a suggestion that a few cities in the United States ought to be encouraged to develop new and different programs to solve their difficulties. Before the first dollar was appropriated or the program authorized, the notion had been enlarged to include city after city over the country. Appropriations at this moment run to some billions of dollars and the first bit of evidence as to either success or failure is yet to be received.

2. We do not solve human problems with brick and mortar. Public housing is the obvious example. It would be far more effective and cheaper to provide rent and purchase assistance to the poor family as against the tax shelter to the promoter.
3. Institutional and bureaucratic answers will not suffice. I have seen maps prepared by local boards of health and state departments of health which, in effect, assign to certain inner-city hospitals the responsibility of medical care for adjoining populations since the private practitioner has departed. In this exercise no one thought about asking the patient. What will medical care be like and how will it be accepted when those administering the treatment know that the patient, whether he likes it or not, has no alternative and when the patient knows that his choice is either to suffer or go to this one dispensary? In this, as in most other cases, the solution is money to the consumer; not a subsidy to the provider.

4. The 1970 Census thus ought both humble and encourage us. For the vast majority of our citizens, with all our difficulties, the standard of living and the amenities available are far beyond the expectations of past generations. These successes stand as testament to human resource and effort for all segments of the American population. Thus encouraged, we ought be emboldened to confess our failures.