

Denver Law Review

Volume 46
Issue 1 *Symposium - Riots and the Law*

Article 17

January 1969

A Honky in Povertyland

Kyle B. White

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

Recommended Citation

Kyle B. White, A Honky in Povertyland, 46 Denv. L.J. 130 (1969).

This Note is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact jennifer.cox@du.edu, dig-commons@du.edu.

A Honky in Povertyland

NOTES

A HONKY IN POVERTYLAND

INTRODUCTION

A NEW dimension has been added to the War on Poverty — the disadvantaged have ceased their appeals for assistance and have started demanding the resources with which to help themselves. Dissatisfied with the generalship provided by the liberal establishment, they seek to assume command. Signs of this charge are everywhere. There are petitions to government officials, organized welfare recipients, and marches on Washington. Prominently displayed in the background is a picture of a flickering match being touched to a Molotov cocktail — the final resort.

The first Congressional recognition of this new activism is found in Title I of the Demonstration Cities and Metropolitan Development Act of 1966.¹ It states, in part, that a local model cities plan will be eligible for funding only if there is adequate provision for participation and employment of target area residents in all phases of the program.² The desirability of such resident inclusion in the planning and execution of programs in the model cities target area has been emphasized by the Department of Housing and Urban Development, which administers the act.³ However, very little has been said, and even less has been done, about supplying these residents with easy access to the sources of expertise necessary to make their participation meaningful.

Denver, Colorado, for instance, developed a very complex resident participation component for the planning phase of its model cities program but failed to provide an adequate amount of technical assistance in a form acceptable to the residents themselves. At the top of the Denver structure was the Resident Policy Task Force, a group of people representing organizations such as churches and P.T.A.'s that are active in the target areas. To meet its responsibility for directing the organization of resident participation, the Task Force created several planning committees and assigned each to a

¹ 42 U.S.C. §§ 3301-3374 (Supp. II, 1966).

² *Id.* at § 3303(a)(2).

³ See DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, CDA LETTER No.1 (October 30, 1967) and Memorandum from G.A. Parker, Director, Model Cities Program, Region V, Department of Housing and Urban Development, to all City Demonstration Agencies, February 14, 1968.

particular area of concern such as education, transportation, and manpower. There was also a Steering Committee to oversee the work of the planning groups. The membership of each of these committees was drawn from the indigenous population of the target areas. Each group examined and discussed problems in its particular field and was to recommend programs to the Resident Policy Task Force. These were either vetoed and sent back to the committee or approved and passed on to the mayor and city council for possible inclusion in the one-year and five-year model cities plans.

Core City Ministries, a nonprofit corporation, contracted with the city to supply four field workers (minority group members) to serve as advisors to and liaisons between the various planning committees. These field workers were neither capable of nor expected to provide technical assistance in the planning of programs. This was to be the function of the model cities technical staff. Unfortunately, the spirit of cooperation was noticeably absent in all contacts between this all-white technical group and the committees with their heavy Black and Chicano (Mexican-American or Spanish-American) representation. For example, the employment specialist from the technical staff was ordered out of his first meeting with the Manpower Committee by the members and warned of the dire consequences that would result if he ever attempted to return. The basic problem was that the technical staff personnel were considered spies of the Denver mayor by the committee members.

While rejecting the technical staff, the residents recognized that they needed advice, particularly of a legal nature, if they were to deal effectively with the city government. Like all citizens, they viewed the bureaucracy as an indecipherable maze of regulations hidden behind a bulwark of red tape. They knew that unless they could receive sufficient legal advice to cut the tape and thread the mazes, their participation in the model cities program would amount to nothing more than rubber-stamping proposals prepared by the bureaucrats.

The problem could not be solved by assigning a practicing attorney to each planning committee. On the one hand, the experience with the employment specialist from the technical staff indicated that even the best intentioned members of the establishment were not welcome in the councils of the poor. On the other hand, few practicing attorneys have either the temperament, the time, or the desire to spend long afternoons and evenings listening to inarticulate minority group members expressing their views about what is wrong with society. And even if one were found who had the patience to endure the meetings, the effort would probably fail the minute he started talking to the committee members as if they were his

clients. Instead of the unquestioning obedience with which members of the middle class follow the instructions of their lawyers, he would be met with open hostility and a dogged stubbornness impervious to reason. The militant poor desire, at least initially, a talking law library, not a take-charge advocate.

In mid-April 1968, a different approach to the problem was tried. A second-year student at the University of Denver College of Law was assigned to the Manpower Planning Committee. That group was just beginning to concern itself with Denver's application for a Concentrated Employment Program (CEP). CEP is an approach to employment problems created by the 1967 amendments to the Economic Opportunity Act.⁴ The program is designed to combine all job development, work experience, employment, and vocational training activities into one program focused on the target area. While not a part of the model cities program, the Concentrated Employment Program in a locality is required to integrate itself into any model cities plans in that same area.⁵

During the first seven weeks that the law student worked with the Manpower Committee, this program led to a confrontation between officials of the City of Denver and the resident participation groups. The way in which the confrontation developed, the incompetent manner in which the city officials attempted to handle it, and the complete breakdown of communications that resulted are all narrated in the remainder of this Note. No attempt to made to analyze or explain the behavior of the parties to this dispute. Rather, the purpose is to analyze the role created for a student legal advisor when a group of poverty area residents makes its first attempt to wrest from established society some measure of self-determination.

CHRONOLOGY OF EVENTS OF 1968

Early in 1968, an official of the Model Cities division of the Department of Housing and Urban Development contacted the special administrative assistant to Denver Mayor Tom Currigan. He suggested that an attempt be made to secure funds from the Department of Labor for a concentrated employment program (CEP) in Denver. Since the program guidelines make the local community action agency the presumptive sponsor, *i.e.*, the administrator of the CEP, the mayor's assistant got in touch with officials of Denver's Community Action Agency, Denver Opportunity, Inc., and attempted to interest them in applying for the program. Denver

⁴ 42 U.S.C.A. § 2740(a) (Supp. 1968).

⁵ *Id.* at § 2740(a)(5).

Opportunity, whose existence has been characterized more by a string of internal administrative crises than any positive accomplishments, refused to assume the responsibility and suggested that the City of Denver itself attempt to become the sponsor.

On February 2, 1968, Mayor Currigan sent a letter to the Department of Labor's Manpower Administrator, Stanley H. Ruttenberg, requesting that the city be authorized to assume the sponsorship of a CEP in Denver. Almost two months later, Mr. Ruttenberg replied. In a letter dated March 26, 1968, he told Mayor Currigan that "in the absence of compelling reasons, which transcend preference against such agency, the community action agency will be given the first call as the presumptive sponsor."

Shaken by the possibility of losing two million dollars in federal funds, the city called for tripartite negotiations between itself, Denver Opportunity, and the regional representatives of the Department of Labor. Still wishing to limit itself to its intramural controversies, Denver Opportunity reaffirmed its wish to have nothing to do with the sponsorship of a local CEP. The city again volunteered to accept the responsibility (and the money). The Department of Labor officials finally agreed to name the city as sponsor if Denver Opportunity would formally assign to it the sponsorship rights. The members of the Denver Opportunity Board did exactly that on April 4, reserving to themselves only the right to veto the city's proposal if it did not meet with their approval. The next day, on April 5, the city submitted its previously prepared proposal for the 7-week planning phase of a CEP to the Department of Labor in Washington, D.C.

During its meetings in March, the Manpower Committee, one of the resident committees responsible to the Resident Policy Task Force, discussed the CEP and attempted to determine what features should be included in the final plan. Its prime concern was with the selection of the person who was to administer the program, the CEP director. Based on their bitter experiences with the failure of other poverty programs headed by Whites, the members felt that the director must be either a Black or a Chicano. On March 30, they drew up a list of 15 minority group members whom they trusted and hence felt were qualified to direct the CEP.

On April 9, the Resident Policy Task Force and the Steering Committee held a joint meeting to discuss the city's sponsorship of a CEP in Denver. The main topic covered was the directorship, and it was reported that the city was considering two men as possibilities for the job. One, a White, was an official of the Colorado Department of Employment. The minority community regarded him as a bigoted agent of a discriminatory pillar of the establishment.

The other candidate was a Mexican-American who was an employee of Denver Opportunity. He was considered the Chicano equivalent of an Uncle Tom, and hence was hated even more deeply than the White. Those attending the meeting took this limited selection of director candidates as an indication of the city's bad faith and voted to ask the Denver Opportunity Board to reconsider its action and attempt to regain the right to sponsor the local CEP.

Saturday, April 20

Due to the death of Dr. Martin Luther King, the Manpower Committee did not meet on either April 6 or 13. The meeting on Saturday, April 20, was thus the first gathering since the Denver Opportunity assignment of the CEP sponsorship to the city. The Core City Ministries field worker assigned to the committee explained to the members what had occurred since they last met on March 30.

The law student from the University of Denver was present and offered his services as legal advisor to the committee. The field-worker then explained the role of the technical staff in the model cities structure. The members were not too impressed with the qualifications of the "authorities" who made up the technical staff, and a member suggested that one of their number be included as an authority on poverty since, "those other people sure don't know anything about it."

The committee turned to a discussion of the city sponsorship of CEP. The distrust and resentment toward the city, based on past promises never fulfilled, was absolute. The depth of this feeling was indicated by one of the women who said, "If the city is going to run this program, we'd be better off if there was no program at all." The desirability of Denver Opportunity as a sponsor was the next topic. Here again, the poverty agency's past failures were cited.

The suggestion was made that the residents incorporate themselves and seek to be designated as the CEP sponsor. The question of procedures and expenses involved in forming a nonprofit corporation was raised, and the law student was asked to research the problem and report to the committee at its next meeting. Then followed a lively discussion of the possible composition of the board of directors of such a corporation, most members agreeing that their corporation would be a more acceptable sponsor if they included representatives of "the establishment" on its board.

Finally, the committee examined other possible alternate sponsors of the CEP. After several were proposed, they were ranked in order of preference. Topping the list was, of course, the committee's own proposed corporation. Core City Ministries was the

second choice, subject to an investigation to make sure that it wasn't secretly controlled by "the establishment." The Denver Opportunity Board was reluctantly made a third choice. The idea of city sponsorship of the program was completely rejected. The committee decided to hold a special meeting on the following Wednesday to prepare an alternative planning proposal to be used to contest the city sponsorship and then adjourned.

Monday, April 22

On the following Monday, the law student conferred with the city official whom the mayor had placed in charge of the city's CEP effort. He was told that the proposal submitted on April 4 was for the funding of a planning period only. The \$30,000 requested would be used to study the manpower problems in the target area and to prepare the final CEP plan which had to be submitted to the Department of Labor for approval and funding by June 1.

The official assured the law student that target area residents would be given a role in the preparation of the CEP plan. He gave the student a copy of the planning proposal and showed him where several of the members of the Manpower Committee had been included on the CEP planning committee. When asked whether these people had been contacted about serving on such a committee, the official answered in the negative. The student suggested that a letter be sent from the mayor to each person, officailly asking him or her to serve on the planning committee. The theory was that such a formal recognition of the residents might serve to smooth their ruffled feathers. The official rather indignantly answered that such public relations efforts aimed at the residents were of no importance. "If they want resident participation, they'll serve on this committee, no matter how we tell them about it."

On the subject of the CEP directorship, the official explained that since the program was to be a city-sponsored activity, all positions would have to be filled through the Career Service Authority, Denver's civil service mechanism. He indicated that the residents would be given some voice in the screening of candidates, but that the final selection of the director was up to the mayor. Relating to the student the administrative horrors that always resulted when people from the minority community were placed in charge of government programs, the official made it clear that he believed that an individual from the resident target area would be unfit for such a position as the CEP director. When told that the Manpower Committee wanted the director to be chosen from their list of 15 trusted residents, he scoffed: "They'll never get that."

Wednesday, April 24

The city official was invited by the Manpower Committee's chairman to address a special meeting on April 24. The official assured the members that the city wanted the residents to participate in the planning phase of the CEP and had in fact argued for such participation with the Department of Labor. The committee chairman admitted that this was true, and the official seemed satisfied that he had enhanced the city's image with the residents. When pushed on the issue of appointment of the CEP director, he told the committee that whoever was appointed would serve only during the planning period and could be replaced by someone else at the beginning of the program's action phase.

Asked to explain how the city was able to submit its planning proposal to Washington less than 24 hours after it had been assigned the CEP sponsorship by Denver Opportunity, the official admitted that it had been prepared several weeks in advance of the Denver Opportunity Board meeting. He was then queried as to why the Manpower Committee had not been consulted while the planning proposal was being drawn up. He answered that he had not believed that the members would be interested in a mere planning grant and that they would not have been able to assist in its preparation because of its technical nature. He warned the residents that time was of the essence. The proposal for the action plan had to be submitted to the Department of Labor by May 31 if Denver was to get a CEP. In other words, "If you don't let us go ahead with the program proposed by the city, there just won't be any CEP in Denver, this year or ever."

After the official left the meeting, the hostility that had been seething just below the surface while he had been talking finally broke out. The city government, the official himself, the Career Service Authority, and the mayor were all vehemently condemned. To the members of the committee, it was an oft-repeated story—hopes are raised by a new program; the city takes over and refuses to recognize the real problems; the program fails, leaving them more frustrated than before.

Because of the critical time element, the committee members agreed to accept the city as sponsor, but only if the top seven staff positions were filled from persons on the list of 15 acceptable minority group members previously drawn by the committee. The chairman announced that, "We'll try to communicate with them all right, and if words don't work we'll use smoke signals." He also told the committee that he had a contact in Washington, D.C., who would prevent the Department of Labor from granting any money

to the city for the planning phase until he had given his approval. The meeting adjourned with the understanding that the chairman would set up an appointment between Mayor Currigan and the committee so that the members could present their demands to him in person. The chairman promised to inform the members of the time set for the appointment.

Saturday, April 27

The Manpower Planning Committee held its regular meeting on Saturday, April 27. The chairman not being present ("He went to Kansas City to see some people at the Department of Labor's regional office"), the vice-chairman presided. The chief objections to the city's sponsorship of the CEP were again discussed. The complaints seemed to boil down to three: (1) The Denver Opportunity Board wasn't aware of what it was doing when it released sponsorship rights to the city; (2) No one on the Manpower Committee had been consulted during preparation of the planning proposal; and (3) The proposal failed to give the committee a voice in the selection of the CEP director.

The members were curious about what had happened to their big confrontation with the mayor, none of them having heard from their chairman. The field worker arrived at this point and announced that the chairman had set up an appointment with Mayor Currigan and then had failed to show up. Rather than being shocked or angered at him for having let them down, everyone seemed to feel that since city officials had treated them discourteously, their chairman had been under no duty to keep his appointment with the mayor.

After further discussion of the CEP issue, the committee decided that the best solution was to draft a set of amendments and force the city to incorporate them into its planning proposal. The law student was asked to prepare a document which would give the committee members not only a strong voice in the writing of the final CEP plan but also the power to veto any portion of the plan which they disapproved. Also to be included was a provision for some sort of control over the selection of all program personnel. The student was admonished: "Be sure that you don't leave any loopholes that he [the mayor] can squirm through."

Once this was settled, the discussion drifted to the subject of the CEP director. One of the Chicanos requested that the name of a nonminority group member, a disbarred White attorney highly regarded by the Chicano community, be added to the committee's list of approved candidates for the job. In response to this, one of the Black female members argued that the director had to be from the minority groups since "we're asking for self-determination. If

we get it and then appoint someone that isn't a minority person, we'll be admitting we don't have anyone from the minorities who can lead us. We're always talking about self-determination — let's prove we mean it." Her argument was effective, and the request was denied by Chicanos and Blacks alike. The meeting then adjourned, the vice-chairman asking the law student to have the amendment completed by noon on the following Monday.

Tuesday, April 30

The committee's amendments arrived by registered mail at the mayor's office on Tuesday afternoon, April 30, creating a certain amount of consternation on the part of city officials. They contacted the vice-chairman and demanded to know what the committee thought it was doing, telling him that the amendments were not legally acceptable. He replied that they had been drawn up at the direction of the committee, by its lawyer, were perfectly legal, and represented the committee's terms for allowing the city to sponsor the CEP. The director of the city's model cities staff then contacted the University of Denver Law School professor who had assigned the law student to the Manpower Committee and demanded an explanation of the student's behavior. She was told that the student had merely carried out the wishes of the committee. When asked what was wrong with the amendments, she replied that poor people just didn't have the right to ask for that much power!

Thursday, May 2

On Thursday, May 2, the city's CEP official appeared at the regular meeting of the Steering Committee. He presented a memorandum from the city attorney which declared that the Manpower Committee amendments were extralegal and must therefore be disregarded by the city. When asked why the amendment granting the Manpower Committee veto power over any unacceptable portions of the CEP plan was extralegal, he replied that the mayor and city council were not allowed to delegate such powers. Then how, asked the residents, could the city have granted veto power to Denver Opportunity when accepting the assignment of the right to sponsor the CEP? Hoist with his own petard, the official dropped all legal pretenses and informed those present that a Department of Labor representative from Kansas City was going to be in his office the next day to sign the planning phase contract with the city, and that he wasn't going to allow "you people" to cause Denver to lose a two million dollar federal manpower program. On this pleasant note, the meeting adjourned.

Friday, May 3

Bright and early Friday morning, the Manpower Committee's chairman led several irate members of the Manpower and Steering Committees into the official's office. Though the arrival of this resident group merely irritated the official, it apparently made the Department of Labor representative feel somewhat like Custer at the Little Big Horn. He suggested that perhaps the contract should not be signed until these residents of the target area had worked out their grievances with the city. Although somewhat displeased with the suggestion, there was little the city official could do but agree. While Secretary Wirtz's underling beat a hasty retreat, the city official, local Department of Labor representatives, and the residents discussed matters for about an hour. While perhaps not a "tale of idiots," this exchange was nevertheless "full of sound and fury, signifying nothing." The resident forces finally withdrew in disgust.

In search of an alternative sponsor that would be acceptable to the Department of Labor, the Manpower Committee next turned to the Children's Educational Fund, a Roman Catholic charitable foundation formed in 1959. This organization had contractual experience with both the Department of Labor and the Office of Economic Opportunity and had an excellent reputation with both bureaucracies. Its six-man board of directors met with several members of the Manpower Committee that Friday afternoon, May 3, to discuss the CEP. An agreement was reached by which the Children's Educational Fund would assume the sponsorship of Denver's CEP and would set up an autonomous board to administer the program. The Manpower Committee was to determine the composition of the board, recruit its members, and perform all necessary paperwork. The only control to be retained by the Fund was the right to examine all subcontracts let out by the CEP board. The committee members present were somewhat insulted by this condition. As one of them said, "They're just saying to us that they know that Black folks and Mexicans steal, and they want to be sure we don't steal any of the CEP money." Nevertheless, they swallowed their pride and agreed to the arrangement.

Saturday, May 4

The full Manpower Committee met on Saturday, May 4, to discuss the latest developments in their struggle with the city over the CEP. The committee chairman reported on the previous day's negotiations with the Children's Educational Fund (CEF) and informed the committee that he had talked to "some people" on the

phone and that the Department of Labor was ready to allow the CEF to sponsor the program since the residents would not accept city sponsorship. The committee agreed to approve the CEF as the sponsor of Denver's CEP. The chairman then reminded everyone that the June 1 deadline for submission of the final plan was but one month away, so all turned to the task of determining the composition of the board which was to administer the program.

It was agreed that the 15 members of the committee should constitute a majority of the CEP board's membership. This meant that seats could be given to representatives from 14 different establishment-oriented manpower organizations without endangering resident control of the program. The chairman asked for suggestions of possible candidates for these 14 slots. A Black activist, attending the meeting at his own invitation, then took the floor. He prefaced his remarks by dismissing the importance of deadlines. "That's all bah, humbug. I say bah, humbug, to this time business." He then asked the chairman why there had to be any outsiders on the board at all. The answer was, "When you shave the deck, you don't want to shave it so much that the Man is going to notice it." The honky translation of this addage is that you should have a few of "them" around for the sake of appearances, a philosophy similar to that which underlies the hiring practices of most banks and stores.

Twenty-two organizations that conducted manpower programs and hence had a legitimate place on the CEP Board were mentioned as possible candidate contributors for the additional seats on the board. The group struggled with the task of weaning organizations from the list for almost 40 minutes. At one point, the law student made a contribution sufficiently larcenous to appeal to the chairman and was rewarded by being classed as a "pretty damn sharp dude, as dudes go." The list was finally reduced to 14 groups acceptable to the committee, and its approval of the composition of the 29 member board was expressed.

At this point, one member of the committee proposed that the group cooperate with the city, even if its demands were not met. He seemed to feel that a part of something was better than all of nothing and that the residents could work to obtain more power from the city after the program went into operation. He was answered by one of the women members: "I'm tired of always getting just half of a loaf. If we let the city get away with this now, we'll be right back where we started. We'll never get the whole loaf until we take it, and the time to take it is now." The committee concurred with this latter viewpoint and then adjourned.

Thursday, May 9

On May 9, an issue not directly connected with either the Manpower Committee or the CEP came to a head at the meeting of the Steering Committee. For several weeks there had been a controversy over the contract between the city and Core City Ministries. The city auditor, an independently elected official, had refused to give Core City the lump-sum payments provided for in the contract. Instead, he required that all expenses be submitted to him so that he could issue checks to cover them. In short, he didn't trust Core City to handle the money due it. At the May 9 meeting, the Steering Committee decided to call a mass gathering of the members of all model cities resident planning committees to discuss whether or not they should all resign in protest over the auditor's actions. Since there appeared to be little of importance on the agenda of the Manpower Committee meeting that Saturday, May 11, the mass meeting was scheduled for the same time and place. As they were going to be there anyway, the Manpower Committee members were not contacted about the special meeting. Denver's two top model cities officials, one of whom also happened to be the CEP official, were invited, along with the acting director of Denver Opportunity.

Friday, May 10

All would have probably gone smoothly that Saturday if there had in fact been nothing urgent for the Manpower Committee to discuss. This, however, was not the case. On Friday morning, May 10, the city, without notice to anyone, signed the contract for the CEP planning phase with the Department of Labor. That afternoon, the city further complicated matters by hiring as CEP director a Chicano who happened to be on the list of those acceptable to the Manpower Committee for the position. A Black, who had also been on the committee's list, was hired as deputy director. Though this action, like the signing of the CEP contract, was taken without consulting any members of the resident participation committees, the news soon spread throughout the minority community.

Saturday, May 11

Thus, on Saturday, May 11, the members of the Manpower Committee arrived at their meeting with a great deal to discuss. Most were pleased with the city's choice for CEP director, but they were extremely upset that they had not been consulted before the action was taken. At the same time, members of other planning committees, Steering Committee members, the full staff of Core City Ministries, and several city officials were also gathering in the same meeting

room, each for his own purpose. The meeting was called to order at 2:00 p.m. and the next four hours resembled a nonplay in the best tradition of the theatre of the absurd.

A member of the Steering Committee opened the meeting by announcing that everyone present must decide whether to walk out of the model cities resident participation structure. Needless to say, this announcement came as a bit of a surprise to the members of the Manpower Committee.

One of the model cities officials was then given the floor to "tell us the city's point of view." On the Core City contract controversy, she explained that, although the city auditor was in the wrong, he was an independently elected official and there was nothing that the mayor could do to force him to change his behavior. She did promise that the city would join as a party with Core City in a breach of contract suit against him. She then reviewed the history of the CEP issue in Denver and related why the city had signed the planning phase of the contract the previous day. She claimed that the Department of Labor had told the city that it would not accept the Children's Educational Fund as the CEP sponsor. The city was told that if it did not sign the contract by Friday, May 10, there would be no CEP funds for Denver.

One of the Core City field workers then cautioned the audience against taking any hasty action which might endanger the model cities program itself. To this, one of the women on the Manpower Committee replied: "Maybe we don't want model cities. What's in it for us?" She asked her fellow residents what they thought they were getting when here, at the very beginning of the program, it was obvious that they again had no voice. All the promises of participation they had ever received had been conditional, and she, for one, was tired of being told what she needed by the establishment. It was time for the minority peoples in Denver to take a stand, and if it took the sacrifice of the model cities program to wrest the control that they wanted from the establishment, then so be it.

The newly appointed deputy director of the CEP then took the floor. Speaking primarily to the members of the Manpower Committee, he told them that he would accept the position only with their approval. He promised to see that the residents' ideas were followed in the drafting of the CEP plan and implored them all to "get together and decide what the heck we want."

The Manpower chairman asked why the city had ignored the Manpower Committee when it selected the persons to fill the top two positions in the CEP. When neither of the two city officials present replied, he informed the group that "there's someone coming back from Washington today who's going to be able to

shed a lot of light on this whole thing!" He did not identify this bringer-of-truth.

Several people rose to criticize the manner in which the CEP director had been selected. All were in complete agreement with the member of the Manpower Committee who said, "You couldn't have picked a better man." Each, however, expressed strong reactions — ranging from indignation to rage — to the fact that an existing committee had been completely ignored by the city.

At this point, the acting director of Denver Opportunity attempted to justify the position his organization had taken with respect to the CEP. This man provides an amazingly strong unifying force throughout the entire minority community in Denver — he is equally disliked by Blacks, Chicanos, and Indians. The group listened to him for approximately four minutes and then asked him to leave.

It was becoming obvious at this point that no hope remained for a viable dialogue between the residents and the city officials present. Nevertheless, a member of the Manpower Committee made one final, futile attempt. He told the model cities officials that he and his fellow residents wanted the city to guarantee them a real voice in both the planning and actual operation of all programs that were supposed to be for their benefit. Explaining that token representation was not enough, he asked, "Why can't the mayor negotiate with us and give us some insurance? If he will, then we can work together." The city officials, as usual, missed the point entirely. Their reply rambled on about how valuable the present participation scheme was to the city. The officials were asked to follow the Denver Opportunity representative out the door of the meeting room.

After the departure of the unwelcome guests, the Manpower chairman informed all present that the city was merely trying to pressure them. "If we hang tough, they can't touch us. We've got to maintain our stance; that's the only way we can improve the quality of our lives!" Another member of the Manpower Committee then warned everyone about the evils of factionalism and urged them to work to eliminate rifts within the minority community.

The deputy CEP director again took the floor and reiterated to the group his intention to see that the final CEP plan reflected every idea which the residents passed on to him. A motion was made that the Manpower Committee approve him as the deputy director. It was passed unanimously, and a motion supporting the newly-appointed director of the program followed. This too passed unanimously.

That which transpired from this point to the end of the meeting is extremely difficult to describe. The dual purposes for the gather-

ing — discussion of the CEP and the city's breach of the Core City Ministries contract — were suddenly fused. The question became, "Do we dissolve or do we remain within the system?" The grounds for the suggested dissolution varied. To some, the issue remained the breach of contract. To others, it was the fact that the city's sponsorship of the CEP was now a *fait accompli*. Just what was to be dissolved — all model cities committees, only the Steering Committee, or just the Manpower Committee — was another uncertainty.

These final 20 minutes of the May 11 "happening" are presented below in transcript form as the best way to convey to the reader a true sense of what occurred. With a few exceptions for close paraphrasing, the statements reported below are the exact wording of the individuals to which they are attributed. Unless referred to specifically by title, the various speakers are members of the various committees present at the meeting. The product should be labeled to warn the reader: Ye who enter here, abandon all hope of discovering any threads of rationality running through what you are about to read.

[The motions giving the Manpower Committee's approval to the appointment of the CEP Director and Deputy have just passed unanimously.]

Steering Committee Chairman: Now, let's discuss whether we're going to dissolve or not.

Speaker #1: We made a threat and now we have to carry it out. The city is the CEP sponsor, and if we don't all resign, they'll never believe another thing we say.

Speaker #2: What *was* the threat we made? I thought it just was about the city contract with Core Ministries.

Speaker #3: What do the minutes say?

Secretary [after shuffling several papers]: I don't have the minutes of that meeting with me.

Speaker #2: Does *anybody* here remember what the threat was?

Speaker #4: I think we can do the most good if we stay together as a model cities committee. So, Mr. Chairman, I would like to move that we *not* dissolve.

Steering Committee Chairman: Then what am I going to do with the letter I wrote because I thought everybody decided to resolve [dissolve] the committees? I sweat blood over this letter [flourishes approximately 20 sheets of paper covered with double-spaced typing] and I intend to send it. It's going to President Johnson, all of his advisors, all the Secretaries of anything [*i.e.*, the President's Cabinet], the Governor, all our Senators and Congressmen, the mayor and all his assistants, all of the newspapers, and *Life* magazine. This letter is really dynamite, and I'm going to get a lot of heat for sending it out. I've got five kids, but I'm going to send it anyway, even if I go to jail! I thought I had you behind me, but even if you back out on me, I'm going to send it anyway!

Director of Core City Ministries: You don't seem to realize that by getting the people you wanted appointed to the top CEP

positions, you've won a real victory here. And this was just a skirmish; the real battle is just starting. Don't quit now.

Steering Committee Chairman: *You're all backing out on me!* I gave *my* word to resign and my word is my bond. *I'm* carrying out the threat!

Speaker #2: But what *was* the threat?

Deputy CEP Director: Why can't we stay together *and* back his letter?

Speaker #5: How can we do that?

Deputy CEP Director: Is there anything in your letter that would stop us from backing it if we stayed together?

Steering Committee Chairman: Well . . . no. But, *I've given my word so I'm going to resign. It's a matter of honor!*

Speaker #6: I've listened to all of you for hours and now I'm going to have my say. What some of you are saying is "Burn, baby, burn!" and I don't like that attitude. It's stupid! I don't know if any of you remember, but during the war there was a concentration camp right out here at Fort Morgan where they kept Japanese from California. And I mean it was a prison — barbed wire, dogs, machine guns, the works. If we start this "Burn, burn!" stuff we're all going to end up in a place just like that. [General scoffing and expressions of disbelief.] Oh, yeah? Don't forget, we're a *minority*. That means there are more of them than there are of us.

Manpower Committee Chairman: You're not going to like this, but I'm going to end debate by tabling the motion that's on the floor. [Sounds of protest.] Nope, no argument. It's tabled. [He leaves the room.]

Speaker #4 [somewhat bewildered]: Why can't we just pass the motion? We can always change it later if we want to.

Deputy CEP Director [imploringly]: Remember, I'm going to be working for *you*. Let's pass the motion and stick together.

Speaker #1: *No!* Table it. It's more like a threat that way.

Law Student: Why don't you put that threat in words? State in the minutes that you're tabling the motion until you see whether the city will honor its promises to you.

Speaker #1: Good idea!

Several people: Yeah, let's do that. [Manpower Committee Chairman returns.]

Manpower Committee Chairman: What are we doing? [He is brought up to date by the secretary.] Fine. [Points to law student.] Write that up in the form of a motion.

Speaker #4: That motion's okay, but [the Steering Committee Chairman] is still leaving the committee.

Everybody: *No!*

Steering Committee Chairman: *Yes!*

Everybody: *Why!*

Steering Committee Chairman: I believe in death before dishonor and *I'm going to carry out the threat!*

Speaker #2: [plaintively]: What was the threat? Doesn't *anyone* remember? [Law student takes written motion up to Manpower Committee Chairman who starts to read it.]

Speaker #7: *Listen to me!* I grew up in this neighborhood. My parents have lived just two blocks away from here for 52 years. This man here [puts arm around Steering Committee Chairman] has done a lot to help them and me and everybody in this room. He has five kids, but he doesn't care! He's working for all of us right now, and you're trying to back out on him. [scornfully.] How cold is that! My God!

Manpower Committee Chairman [to law student]: Yeah, this motion's just right — a threat they can understand.

Speaker #7: Well, *I'm* not going to let him down! He says we should resolve the committee so I'm going to resolve it with him. Come on, let's get out of here.

Steering Committee Chairman [clutching his letter to his chest]: Right!

Speaker #1: We'll form our own committee and show you all! [Steering Committee Chairman, Speaker #7, and Speaker #1 get up and start for the door.]

Manpower Committee Chairman: That's it baby! It's all over now! [He hurries out the door after Steering Committee Chairman, *et al.*] [Meeting dissolves in confusion.]

CONCLUSION

It is hoped that the above chronology has given the reader a reasonably clear picture of the events that transpired before and during the first few weeks that the law student spent as an advisor to the Manpower Committee. It does not, however, describe adequately either the relationships that developed between student and committee, the adjustments each was forced to make, or the results of the contact.

The Manpower Committee did not welcome the presence of the law student with any degree of warmth. Both the leaders and the members were highly suspicious of this WASP who had suddenly appeared in their midst. The process of acceptance by the leaders was complicated by the fact that the first three meetings which the student attended were each chaired by a different member of the committee who had never seen him before.

Neither the chairman nor the vice-chairman was present at the first meeting. The Core City Ministries field worker was running the proceedings through a member who had been appointed acting chairman. The law student arrived alone, walked into the room, seated himself, and waited. The meeting opened and the acting chairman asked the student to introduce himself and explain his purpose in attending. He informed the members that he was from the University of Denver Law School and was present to provide any legal assistance which the committee might desire.

The field worker immediately rose and minimized the importance of such assistance. He stated that there was a technical staff —

which included a legal component—built into the model cities structure in Denver and that any help the committee needed could be drawn from that source. He appeared to regard the law student as a threat to his role as advisor of the committee. He conveyed the feeling that he had an inside track with the establishment through which he could provide information and personnel and thus meet any needs which the committee might have.

The committee members themselves were not so much hostile as indifferent to the student's presence. After a brief period of watchful waiting, they were able to relax completely and ignore him until some matter arose which required his opinion. It was clear that as long as the student spoke only when spoken to, he would be accepted by the members as a useful but unnecessary tool.

The second meeting attended by the student was chaired by the Manpower Committee's flamboyant chairman. His initial reaction to the presence of the student was clearly antagonistic. He seemed on the verge of asking, "What the hell do you think you're doing here," but waited while a member of the committee explained that the Anglo was there to assist them. When it became obvious that the student had been accepted by the members at the previous meeting, the chairman altered his approach. Instead of questioning the student's presence, he adopted the field worker's tactic of disparaging the importance of such assistance.

At one point in the meeting, a clash occurred between the chairman and the student. In a discussion of the CEP, the chairman stated that it was a legislative part of the model cities program. Since the Department of Labor had gone to great lengths to make it clear that such was not the case, the student corrected him. The chairman snarled, "This committee is working on CEP and this is a model cities committee. So CEP *has* to be a part of model cities!" The student backed down immediately, saying, "Oh, I understand it now. I'm sorry. My mistake." He was answered with a curt nod and the subject was dropped. Emerging triumphant from this test of strength, the chairman subsequently relaxed completely with respect to the student.

The chairman did not attend the next meeting, so the chair was held by yet another person who had never seen the student, the vice-chairman. Introducing himself to this individual and explaining his purpose in attending the meeting, the student was again met with hostility. However, when the vice-chairman saw that the committee accepted the student's presence without comment and that his own control of the members remained unhindered, he too relaxed. The student had at last met and been approved by all the leaders of the group.

While the hostility of the leaders and the suspicion of the committee members was overcome simply by maintaining silence, the transition from a "seen-but-not-heard" visitor to an active, vocal advisor and contributor was quite difficult. At first, the student followed one rule—speak only when spoken to. He answered all questions directly addressed to him by any of the members but refrained from any other communication. Each question was answered as briefly as possible. No attempt was made to comment on either the validity or feasibility of the members' ideas and opinions.

When it seemed to the student that the committee had become accustomed to his speaking in response to direct queries, he decided to take the next logical step and propose, without being asked, a possible solution to a problem under discussion. He waited carefully for the proper time. Finally, an issue arose that was innocuous enough so that no one had any strong feelings about its solution, a point the student considered a prerequisite to his first uninvited participation. The deliberations had reached an impasse. Every member had had a chance to speak to the problem, and no one was certain as to the best way to proceed. At this point the student made his suggestion. Fortunately, his idea was acceptable to all and was in fact welcomed by the committee as the best solution to its problem. Henceforth, these unsolicited advisory suggestions were continued and, though usually ignored, were accepted as a matter of course by the committee members.

The final advance was from a position of volunteering procedural solutions to one of offering opinions on major issues. The initial move during this phase involved simple reinforcement of the discussions. The student was careful never to offer an opinion that departed from the general consensus, and no attempt was made to interject opinions on any controversial issues upon which the committee itself was split. The opinion offered had been phrased in such a manner that it would not appear to be a mere repetition of what the members themselves had said. It was thus helpful to bread the meat of the opinion in a thick batter of alleged knowledge about the secret machinations of the establishment, and spice the whole mixture with a legal term or two.

Opinions on controversial subjects were eventually interjected in the discussions, but in a rather disguised form. The student would briefly state the issue being considered and then list a set of alternative positions which the committee could take. His own opinion was carefully sandwiched between progressively radical layers. In this way, he was able to impart a note of rationality on those occasions when the debate became so heated that little was being accomplished. Since the members were always willing to look at each of

the alternatives, this tactic at least served to bring things back down to earth, even though the student's camouflaged position was rarely adopted by anyone else.

The student finally threw caution to the wind and directly stated an opinion on an extremely controversial issue at the mass "happening" of May 11. When it appeared that the advocates of dissolution were about to carry the day and dissolve the resident committees, he argued for the retention of the structure since it was a basis of real, albeit limited, power. The statement appeared to appeal to a few of those present; nevertheless, the student had interjected his own opinion directly into a heated discussion and had gotten away with it. Even though this was done under extremely favorable circumstances — *i.e.*, many nonmembers were present who had already expressed opinions and emotions had risen to such a fever pitch that there was no time for anyone to reflect upon the propriety of the student's comment — the precedent held at all subsequent Manpower Committee meetings. The student was allowed to comment on any issue, and his opinions were, on the surface at least, given the same consideration as those of a regular committee member. He was careful, however, to practice much restraint in the exercise of this new liberty so as to avoid the appearance of trying to take things over. If it appeared that some member was about to express an opinion similar to the one he held, the student remained silent.

At this point, a comment about apparel and clothing should be mentioned. At the first meeting, the student followed the adage: "If you are going to be a lawyer, look like one." Dressed as if for a freshman moot court competition, he sat stiffly and tried to appear wise. At the second and all subsequent meetings, he followed the pattern set by the committee members themselves and adopted a very informal if not somewhat sloppy attire. This seemed to be an improvement, no doubt because it made the members less aware of his presence.

Poverty area residents still demand that the lawyers who represent them in court drape themselves in the symbolic costume of the profession. When they are away from the alien environment of courtrooms and carpeted offices, however, and back in the meeting room of their neighborhood centers, they seem to prefer jeans and a sportshirt to a three-piece suit.

The committee's view of the proper function of the law student changed as radically in the first few weeks as did the degree of participation he was allowed in discussions. Initially, the student was viewed by the committee members as an inert repository of information — something like a legal bank account to be drawn

on whenever need arose. He answered questions in straight hornbook terms and performed minor research functions whenever requested to do so.

After the second meeting with the group another role emerged. The student became the committee's unofficial parliamentarian. It soon became common for a speaker to halt in the middle of a sentence and ask, "Now, is this motion phrased correctly?" or, "Under parliamentary procedure, can we do this?" That is, such occurrences were common when the discussion was calm and deliberate. As the intensity of debate rose, the reliance on, or even recognition of, parliamentary procedure diminished proportionately.

The committee request that the student draw up the amendments to the City's CEP planning proposal marked the emergence of the student as an articulator. The committee had developed some unarticulated ideas which it wanted written in proper form for presentation to the mayor. The committee turned to the law student to perform this function. The group was quite pleased with the amendments in their final form and, having thus proven his competence, the student was henceforth referred to by the members as "our attorney."

The group then began approaching the student for advice on the rules by which the establishment operates. The members felt very strongly that the most significant (and most satisfying) way to defeat the powers-that-be was by turning their own tactics against them. Already possessed of a large measure of expertise in this area, the committee members looked to the student for sophisticated and additional touches to add to their basic schemes.

It is difficult to point to any concrete results of an effort lasting but a few weeks in duration. There do seem to have been some visible benefits to the committee members, and the value of the experience gained by the law student is immeasurable.

First and foremost, the committee appears to have profited from the newly-gained ability to articulate its desires through the student. At the same time, its members became more confident of their own ability to deal with the establishment on its own terms. Rather than being intimidated by the City Attorney's memorandum regarding the proposed CEP amendments, for instance, they checked with the student, found that the attorney was incorrect on certain points, and forced the city to back off. This very militant aggregation of minority group members began to feel that, because of the easy accessibility to legal information and advice, they could accomplish their goals within the system instead of resorting to violent means outside of it. Whether this confidence will survive the disappoint-

ment that surely must come to at least some of their efforts cannot be answered at this time.

The law student, through his involvement with the committee, was exposed to experiences on three different levels — working with a client, working with a group, and working with minorities. While the first is a benefit derived from most well-run student practice programs, the other two are areas virtually untouched by legal education today.

On the first level, the student learned the art of determining just what it is that a client wants from his usually disjointed requests and explanations. Facts usually had to be pried from the committee in several pieces and then carefully reassembled in their true relationships. There was also that first taste — both terrifying and exhilarating — of the responsibility involved in dealing with real issues and real people.

The experiences on the second level would provide the subject matter for a two-semester sequence in group dynamics. How did this group really function? How did its formal structure compare with the informal interactions of its members? How were the conflicts between group and individual goals resolved? How did the group decisionmaking process operate? This is material to which a law student is seldom, if ever, exposed, and it was presented in a form far surpassing in effectiveness the most eloquently written sociological treatises.

Finally, for the first time in his life, the student was exposed to the myths, feelings, and beliefs of members of minority groups. He was forced to attempt to understand the true goals of the Blacks and Chicanos. He saw for the first time how those goals were being frustrated. Most importantly, he could see from his neutral position the causes of the clash between the minorities and the establishment and, as a result, began to see how those clashes could be avoided. Knowing this, he may perhaps be able to work a change in our society when, in the not too distant future, he takes his own place as an attorney within that establishment.

Kyle B. White