

Right of Return Means Access to the Ballot, Access to Neighborhoods, and Access to Economic Opportunity

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“There is nothing new about poverty. What is new is that we now have the techniques and the resources to get rid of poverty. The real question is whether we have the will.”

Dr. Martin Luther King Jr.

ABSTRACT

Over one million people were displaced by Hurricanes Katrina and Rita; they are residents of three of the poorest states in the nation?Louisiana, Mississippi, and Alabama. New Orleans represents a microcosm of right-of-return issues for all Gulf Coast residents who were displaced by these storms. This article explores the race, economic, and class divides that appear to be key factors in determining which Gulf Coast residents truly have access to the right of return including: who will have access to a barrier-free ballot to vote in the 2006 New Orleans mayor’s race, who will have access to actively participate and benefit in rebuilding their communities, who will have access to temporary housing to reunite families, and who will have access to the economic opportunities to rebuild their lives.

INTRODUCTION

Today, if you travel to New Orleans and visit what were once neighborhoods where a majority of Black residents lived—New Orleans East, the Lower Ninth Ward, Gentilly, Pontchartrain Park, and Lakeside, to name a few—there are no lights, no running water, and no sewage services. No grocery stores, banks, schools, churches,

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or gas stations are open; there is just the still and chilling reality of no people on the streets and no children playing in the parks.

What I have discovered in organizing tours of New Orleans is that right of return may simply mean having the lights on and the water running in your neighborhood. But right of return also means temporary housing being made available for residents now who want to return to New Orleans and other parts of the Gulf Coast from which people were displaced.

A vast majority of Black New Orleans residents, many whom were active, engaged voters and a core component of the local and state tax base, is still locked out of New Orleans. Today in New Orleans, those who have exercised their right to return in such areas as the French Quarter and Uptown—mostly White residents—appear to have been able to do so because the city has turned on their lights! This begs the question why so many Black and poor New Orleans residents have not been allowed to return and be part of the rebuilding process as these complex issues are addressed by federal, state, and local officials.

VOTING ESSENTIAL TO RIGHT OF RETURN

Pre-Katrina, the U.S. Census reported that New Orleans had a population of nearly 500,000. Over 300,000 of those residents, mostly Black residents, were displaced after Hurricane Katrina devastated the city. *New York Times* reporter Clifford Levy stated in his article on 17 November 2005, “since the hurricane, most of the estimated 60,000 to 100,000 residents who have returned to New Orleans are white and middle class, changing the city’s racial composition, which had been two-thirds black” (Levy 2005).

Benjamin Greenberg reported in his *In These Times* article on 17 November 2005, that there are roughly 219,000 New Orleans evacuees who are voting age [over the age of 18] and estimates that 70 percent of those are Black, which represents 153,300 Black voters who will not have access to the ballot in the 2006 elections. “This is voter disenfranchisement by attrition,” states Greenberg (Greenberg 2005).

Louisiana State Representative Juan LaFonta, who represents the Seventh Ward in New Orleans, stated, “The majority became the minority, and the minority became the majority. That changed the whole outlook of the political scene. If you have an election right now, it is going to be some of the people voting on behalf of all the people” (Levy 2005).

The right to vote is arguably the most important right of citizenship in a democratic country. Since the passage of the 15th Amendment to the U.S. Constitution in 1870, Americans have enjoyed the legal freedom to select those in charge of governing the country without regard to race or color. Yet exercising this civil right has been a struggle for Black Americans. Black citizens need courage to stand up to violence and intimidation and the fortitude to confront poll taxes and literacy tests in order to exercise their democratic right to vote.

Yet, the New Orleans mayor’s race of 2006—rescheduled from its original date of 4 February 2006 to 22 April 2006—is shaping up to be a modern day litmus test, with the poll tax in this case imposed on the victims of Hurricanes Katrina and Rita.

Hurricane victims have to find *access* to the ballot by the government while many are struggling to survive in over 34 states across the country.

The *New York Times* reported that New Orleans residents who wish to vote in the 2006 mayor's race "will either have to make their way back home to town or rely on absentee ballots, a method of voting that has had a checkered record across the nation in recent years" (Levy 2005).

One obvious solution that seems to be escaping federal, state, and local government officials is that our nation has the ability to resolve the issue of access to the ballot. For example, our military personnel who have been deployed overseas voted in federal, state, and local elections through the Uniformed and Overseas Citizens Absentee Voting Act. In addition, our government found a way to provide access to the ballot for Iraqi citizens living in America and established multiple polling locations all across the country for them to vote for a new leader in Iraq without blinking an eye. Why is it so difficult to provide access to the ballot for American citizens who have been displaced in their own country to vote in a local mayor's race in New Orleans? My analysis is that our government does not have *the will* to do so.

Congress has the opportunity to provide *access* to the ballot by passing the Congressional Black Caucus Omnibus Bill HR 4197 [the Hurricane Katrina, Recovery, Reclamation, Restoration, Reconstruction & Reunion Act of 2005]. A key provision of the bill is Title VI—Voting Rights, which provides Katrina evacuees the same absentee ballot provisions available to military personnel and authorizes up to \$50 million in grants for restoration and replacement of election supplies, materials, and equipment damaged by Hurricane Katrina.

As the country grapples with ballot access issues, there continues to be growing concern and discontent in the Black community that many victims displaced by Hurricanes Katrina and Rita who want to return to their communities will not have the *access* or the ability to return to their communities based on economic and political realities.

One thing that is certain is the impact of Hurricanes Katrina and Rita; the levee breaks in New Orleans neighborhoods such as the Lower Ninth Ward collectively have not only swept away the livelihood of over one million Gulf Coast residents, but also have the potential to substantially change the political landscape, culture, and psyche of New Orleans, the state of Louisiana, and Black politics across the South overnight.

DO RACE AND CLASS STILL MATTER IN AMERICA?

A CBC News article from 5 September 2005 states that "If those forced out of New Orleans by Hurricane Katrina end up re-building their lives in new locations, it could be the largest U.S. black resettlement since the Great Migration of the 20th Century lured southern blacks to the North in search of jobs and better lives" (CBC News, 2005).

According to The Pew Research Center for the People and the Press, in a national survey conducted on 6-7 September 2005, "the hurricane has had a profound psychological impact on the public. Fully 58 percent of respondents say they have felt depressed because of what's happened in areas affected by the storm (Pew

Research Center for the People and the Press 2005). In recent years, this percentage is only surpassed by the 71 percent reporting depression in a survey taken just days after the September 11th attacks.”

However, the Pew Research Center survey concluded that:

Overall opinion on this measure obscures a substantial racial divide in reactions to the disaster. As many as 70% of African Americans say they have felt angry, compared with 46% of whites. Blacks are twice as likely as whites to know people directly affected by the hurricane. Further, seven-in-ten blacks (71%) say the disaster shows that racial inequality remains a major problem in the country; a majority of whites (56%) say this was not a particularly important lesson of the disaster.

The painful images of the New Orleans Convention Center, unfair media coverage showing Blacks looting and Whites finding food, floating dead bodies of poor Americans left for days on the side of the road, in neighborhoods, and on sidewalks and bridges, the separation of families, and images of the innocent faces of thousands of missing children have adversely impacted the psyche of Black America and poor Americans as well. These images further reminded Black America and indeed the nation that the legacy of slavery and the old Southern Confederacy is still with us, when African Americans were treated as less than human. Further, these atrocities and the early media reports continually referring to evacuees as “refugees” in their own country may have further exacerbated this racial divide.

LEEVE BREAKS UNMASK ECONOMIC DEVASTATION IN GULF COAST

The Center for Budget and Policy Priorities (CBPP) provided a very sobering analysis of the economic and racial demographics of the affected areas impacted by Hurricane Katrina. According to CBPP, “Many Hurricane Katrina victims faced difficult living conditions even before the storm arrived. Mississippi, Louisiana, and Alabama, are, respectively, the first, second, and eighth poorest states in the nation. And of the 5.8 million individuals in these states who lived in the areas struck hardest by the hurricane, more than one million lived in poverty prior to the hurricane’s onset. CBPP states that many of the storm victims have little or no resources on which to rely in these difficult times” (Sherman and Shapiro 2005).

CBPP ESSENTIAL FACTS ABOUT THE VICTIMS OF HURRICANE KATRINA: POVERTY AND INCOME IN THE AFFECTED STATES AND COUNTIES

Table 1 shows the poverty rate and median household income in Alabama, Louisiana, and Mississippi. The table compares the data for these states to the data for other states and the nation (Sherman and Shapiro 2005).

The CBPP further reported that:

The Census data also confirm that African Americans made up a disproportionate share of the hurricane’s victims. About one of every three

people who lived in the areas hit hardest by the hurricane were African American. By contrast, one of every eight people in the nation is African American. African Americans living in New Orleans were especially likely to be without a vehicle before the hurricane struck. More than one in three black households in New Orleans (35 percent)—and nearly three in five poor black households (59 percent)—lacked a vehicle. Among white non-Hispanic households in New Orleans, 15 percent lacked a vehicle (Sherman and Shapiro 2005).

Dr. Silas Lee, pollster, communications strategist, and a native of New Orleans, wrote a daunting policy paper, “A Haunted City? The Social and Economic Status of African Americans and Whites in New Orleans” (2003). Dr. Lee’s study further reveals the gross economic inequities that exist between Blacks and Whites in the Crescent City.

As a community, the continued social and economic displacement of a disproportionate share of our population [New Orleans] will result in excessive under employment and unemployment, producing on-going economic stagnation.... For example, only 11 percent of the white population in the workforce has an income below the poverty level, compared to 35 percent of the black population. Furthermore, this inequitable distribution in income also impacts civil leadership. Rather than achieving a broader distribution of income, a small controlling oligarchy emerges to position themselves and benefit from the economic and social opportunities intended for a more diverse constituency (Lee 2003, 8).

Lee’s analysis seems almost clairvoyant to what New Orleans currently faces in the aftermath of Hurricane Katrina when he states “As we stand on the crest of this new century, New Orleans cannot afford to have the failure of inaction, and the weight of its constituencies haunt its potential as a city. Twenty years from now, I wonder, will we still be haunted by the same old challenges?” (Lee 2003, 9).

BLACK LEADERS CALL FOR ACTION BY OUR GOVERNMENT

In the first few days after the Hurricane Katrina catastrophe there was a serious void in leadership and action on the federal, state, and local levels of government and from disaster relief and response agencies such as the Federal Emergency Management Agency (FEMA), which is under the Department of Homeland Security, and the American Red Cross.

Many civil rights, civic, labor, business, faith, nonprofit, philanthropic, and grassroots leaders took swift action to provide relief as our nation watched in horror and disbelief the catastrophic events of Hurricane Katrina and the tragic loss of life and liberties that followed after the levees broke in New Orleans.

In those critical first seventy-two hours after Hurricane Katrina devastated the Gulf Coast region, Black leaders and other people of goodwill began to realize that they needed to maintain a sustained relief effort to ensure help arrived to the victims as soon as possible. Grassroots organizations, churches, and other community-based leaders were in the eye of the storm and activated alternative on-the-ground emergency

response efforts to address the immediate needs of the survivors in Alabama, Mississippi, and Louisiana.

Vincent Sylvain, state director, Louisiana Unity Coalition, and a displaced New Orleans resident, has been a leading voice of right of return for all New Orleans residents. Sylvain advocates in a field report to the National Coalition on Black Civic Participation that “all displaced persons should maintain the ‘right of return’ to New Orleans and that a person’s socioeconomic status, class, employment, occupation, educational level, neighborhood residence, or how they were evacuated should have no bearing on this fundamental right. This right shall include the provision of adequate transportation to return to the city by the similar means that a person was dispersed.” Further, there was an urgent need for a collective voice from national Black leadership to speak out publicly and demand timely and aggressive action from the federal government and disaster relief agencies whose mission it is to provide aid to those in need in times of national crisis and natural disasters.

On Friday, 2 September 2005, several organizations joined the Congressional Black Caucus, NAACP, National Urban League (NUL), National Association for Equal Opportunity in Higher Education (NAFEO), Operation Hope, and Congressional Black Caucus Foundation (CBCF) at a press conference that was covered by over 50 media outlets at the National Press Club. This was one of the first collective voices of national Black leadership convened to publicly urge the president, Congress, disaster relief agencies, and the American people to speed up the disaster relief and recovery efforts now to help the people of the Gulf Coast. Further, the ReBuild Hope NOW Campaign (RBHN) was announced urging African American organizations and others to join the campaign to provide emergency relief and recovery support now. RBHN has been implemented as a coalition campaign for the long-term rebuilding process.

On 14 September 2005, the NUL and NAACP convened a coalition of African American leadership organizations for a meeting at Howard University in Washington, D.C., to address critical issues and challenges confronting the victims of Hurricane Katrina. An African American Leaders Call to Action (AALCA) document was developed as a public statement demanding action from the federal, state, and local government to speed up the disaster relief, recovery, and rebuilding process. Over forty national African American leaders were in attendance.

The following AALCA action steps and recommendations called for the president, Congress, federal, state, and local government, and disaster relief and recovery agencies to immediately respond to the following eight critical areas of concern:

1. Ensuring affected families’ immediate and long-term right of return to Gulf Coast region

- Provide temporary housing at all assets available to federal government, including currently closed military bases in Gulf Coast region.
- Provide economic incentives for families to return to Gulf Coast region.

2. Rebuilding and reconnecting families and children

- Establish Family Reconstruction Fund (estimated \$100 billion for providing unemployment assistance, job training, school placement, assistance reuniting families, etc.).

3. Ensuring that local residents have first choice at reconstruction jobs and contracts

- Establish Gulf Coast Region Reconstruction Fund (rebuilding homes, businesses, etc.).
- Establish timeline to rebuild colleges and universities, including historically Black colleges and universities (Xavier University, Dillard University, Southern University in New Orleans, Jackson State University).
- Set 50 percent residency target goal for all contracts.
- Set 40 percent minority vendor target for all reconstruction.
- Place moratorium on all contracts until civil rights provisions can be reinstated (Davis-Bacon Requirements).

4. Providing physical and mental health assistance

- Order the admittance of minority community-based counselors in facilities with evacuees nationwide.
- Provide health benefits to all affected citizens for a period no less than 24 months.

5. Monitoring FEMA, American Red Cross, and Salvation Army distribution of resources

- Establish a diverse commission to monitor the equitable distribution of relief resources provided by FEMA, American Red Cross, and Salvation Army as well as the equitable reconstruction of the affected Gulf Coast areas.

6. Providing Legal, Economic, and Voting Protections

- Direct Justice Department to immediately review individual cases of arrested and detained individuals.
- Ensure evacuees immediate ability to vote in state and local elections.
- Ensure home owners the right of first refusal to reclaim property.
- Freeze all foreclosure proceedings against property in affected areas for a minimum of twelve months.
- Build in legal protections against predatory lenders.
- Institute a prohibition of collections and deficiency judgments on real and personal properties.
- Institute a prohibition on negative credit reporting or the omission of negative events from credit scores when the incidents were a result of Katrina.
- Institute a voluntary waiver of late fees or interest on loans made to people in Katrina-affected areas for a period of at least three months.

7. Securing the environment for future generations

- Develop action plan to secure wetlands in coastal areas of United States.
- Stop rollback/waivers of environmental laws.

8. Develop comprehensive strategy to address poverty crisis in America

ACCESS TO HOUSING KEY TO RIGHT OF RETURN

Key provisions of the Congressional Black Caucus (CBC) Katrina bill [HR 4197] address many of the access and right-of-return issues for all victims of Hurricane Katrina including a housing and community rebuilding provision (Title IV). This provides funding for community revitalization, CDBG Section 108 loan guarantee funds, funding for 300,000 additional tenant-based rental assistance (Section 8), fair housing enforcement, and housing counseling for families in temporary shelters.

Title IV also prohibits placement of persons displaced by Katrina in substandard housing, provides for more vigorous enforcement of Fair Housing laws, gives people displaced by Katrina preference for Department of Housing and Urban Development (HUD) inventory and foreclosed properties, and establishes a mortgage payment fund for payment of mortgages similar to the fund authorized under Title III for the payment of private health insurance premiums.

In addition to advocating for key national public policy initiatives such as HR 4197 to be adopted by Congress, Black leaders must closely scrutinize and speak out against any rebuilding plans for New Orleans or any other Gulf Coast community that leaves out Black and poor neighborhoods in their recommendations for rebuilding.

ECONOMIC CATASTROPHE CONTINUES FOR EVACUEES

John Bryant, founder and CEO of Operation Hope, sounded the alarm to the long-term economic disaster that many of the over two million survivors of Hurricanes Katrina and Rita are facing. The economic disaster, Bryant warns, could have more damaging effects on their lives than the storms themselves. Bryant has established an “economic triage” (Project Restore HOPE) to assist the survivors. Bryant states in an Operation Hope press statement dated 13 January 2006, “Economic triage is necessary when short term financial aid is simply not enough to stem the flow of economic bad news following a disaster; and ranges from simply helping to arrange the deferment of a payment or set of payments on credit consumer debt and other loans with your lender, to at times, helping to actually restructure a credit or financial relations benefit of all involved.” Bryant reminds the public that many victims of Hurricanes Katrina and Rita will “require help beyond what FEMA provides through immediate cash payments, including the emergency economic counseling and emergency budget counseling.”

Additionally, in an Operation Hope press statement from 13 January 2006, former Ambassador Andrew Young describes the economic impact of Katrina as having national implications. Young states “the affects of the impact of Katrina is not just felt on a few folks who showed up on television following this disaster. The effects of this are national, and include all of the shipping that comes down the Mississippi River, spanning from Minneapolis to Tennessee, both agricultural and industrial. All of it requires a functioning port out of the mouth of the Mississippi. We are already seeing the effects of damages on oil and gas prices, and if we don’t get this under control, it will damage our larger economy.”

CONCLUSION

The catastrophe of Hurricanes Katrina and Rita has challenged America at its core, exposing the face of poverty and the unresolved issues of race and class, as the world watched in disbelief on CNN, BBC, MSNBC, BET, the Weather Channel, Fox, and hundreds of other media outlets. Yet, in this moment of great crisis, Americans also expressed their outrage by opening their hearts, their homes, their wallets, and their communities to the millions of victims impacted by these storms.

The African American community has been reminded of what it took to survive and thrive in spite of the vestiges of slavery, the Jim Crow South, institutional racism, and negative stereotypes such as the ones misrepresenting them as looters, rather than as mothers and fathers, seeking water, diapers, food, clothing, and shelter for their children who had been abandoned by the government in the first seventy-two hours after Hurricane Katrina devastated New Orleans.

These catastrophes require a regional “Marshall Plan” for the Gulf Coast and a comprehensive response that engages the public, private, philanthropic, civic, faith, education, and grassroots sectors in helping to restore a sense of hope and restoration, not only for the victims of Hurricanes Katrina and Rita, but also the nation, to regain a sense of responsibility for our most vulnerable and precious resources—our children, who are our future, and our elders, who have sacrificed and paid their dues to live in dignity in their senior years.

As I close this article, our nation is celebrating the life and legacy of Dr. Martin Luther King Jr., who had he lived would have been 77 years old on 15 January 2006. Dr. King's teachings left a blueprint that reminds us that our nation's soul is in peril if we forget about the “least of these” God's children.

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TABLE 1

POVERTY ESPECIALLY HIGH AND INCOMES ESPECIALLY LOW IN STATES HIT HARDEST BY KATRINA

	Poverty Rate	Rank	Median Household Income	Rank
Alabama	16.1%	8th worst	\$36,709	9th lowest
Louisiana	19.4%	2nd worst	\$35,110	5th lowest
Mississippi	21.6%	Worst	\$31,642	2nd lowest
United States	13%*		\$44,684	

Source: U.S. Census Bureau, American Community Survey (ACS) for 2004.

According to the ACS (which the government uses for ranking states by poverty), the national poverty rate was 13.1 percent in 2004. According to another government survey, the Current Population Survey, it was 12.7 percent. (Sherman and Shapiro 2005)