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Against the Tide - Katrina Exposes Racial Divide

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Katrina “Survivors versus “Internally Displaced Persons”

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Decent housing fit to shelter human beings, gainful employment, adequate health care, public safety, and education are still scarce in New Orleans more than a year and a half after Katrina. In fact, as of December 2006, no plan for future public housing in New Orleans had yet been formulated. “It’s very clear there are those who are interested in reconstituting the demographic and literally the face of Orleans [Parish],” said Debo Adegbile, associate director of litigation at the NAACP Legal Defense and Educational Fund Inc.

Ultimately, if there is to be any wholesale effort to return those displaced persons and to recognize their

legal status, it will likely require congressional legislation because of the massive nature of the task. The Congressional Black Caucus, Senator Barack Obama, and others introduced bills during the last Congress proposing solutions to make whole the displaced victims of Katrina, giving them a right to return to New Orleans, and offering other problem-solving plans. But the 109th Congress did not act on those proposals. It remains to be seen whether Katrina relief efforts will see action in the Congress that convened in January 2007.

Given the inherent human rights value of treating disaster victims as IDPs and affording them the legal rights and protections that attach to that label, the United States would do well to heed the call of the Brookings Institution to create a cohesive national response to future potential displacements. As for the Katrina “survivors,” identi-

fying them as IDPs will provide a rational context for the discussion of how to meet their real needs.

Hon. Cynthia Diane Stephens is a judge of the Third Circuit Court in Detroit, Michigan. She is chair of the Standing Committee on Justice Initiatives of the State Bar of Michigan and has served on state task forces and commissions addressing alternative dispute resolution, prison overcrowding, and racial and ethnic bias. She assisted in the creation of Operation Safe Harbor, which housed more than 150 IDPs at the Shrine of the Black Madonna in Houston, Texas. Jerome Reide, a long-time civil rights activist, attorney, political scientist, and journalist, is vice-chair of the Committee on Civil Rights and Equal Opportunity of the ABA Section of Individual Rights and Responsibilities.

humanrights hero

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abandoned in the Superdome. But there was a sense of denial in the country. Surely, the nation had moved beyond the consideration of race in response to a disaster.

One set of news photographs soon made it impossible to ignore the role that race played after the hurricane. Published on a widely viewed website the day after Katrina hit, one Associated Press photo showed an African American male wading through water with groceries the photo caption said he “looted” from a store. On the same day an Agence France Press photo showed two white people “finding bread and water from a local grocery store.” The difference in the two captions touched off a firestorm of controversy. Debate over whether African Americans were being targeted heated up as police cracked down on looters and President George W. Bush urged “zero tolerance of people breaking the law.”

Various people began to demand that the nation recognize that response to the disaster reflected less urgency and compassion because so many of the victims were African American. They rocked the nation from its complacent moorings that focused more attention on other aspects of

the disaster—the tragic property loss of nice homes, boats, and cars. These heroes likened the image of thousands of African Americans in the Superdome in squalid conditions to the images of slavery from another century. They have continued to speak up about the lack of progress in providing restored housing and services in the poorer areas of New Orleans, which were predominately African American.

It is difficult to determine who spoke up first, so this recognition is intended for all who spoke out. Damon Hewitt, an NAACP Legal Defense Fund lawyer, was one of the first voices of outrage, telling ABC News, “It’s very difficult to imagine this happening to folks who are not poor, to folks who are not African American.” Another was Rep. Elijah Cummings (D-Md.), a member of the Congressional Black Caucus, who told reporters, “We cannot allow it to be said that the difference between those who lived and died . . . was nothing more than poverty, age, or skin color.”

For these human rights heroes, the fight is not yet over.

Stephen J. Wermiel is associate director of the Marshall-Brennan Constitutional Literacy Project, a program of law students teaching in Washington-area public schools through American University’s Washington College of Law. He was the Wall Street Journal’s Supreme Court correspondent from 1979 to 1991.



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Against the Tide

Katrina Exposes Racial Divide

By Stephen J. Wermiel

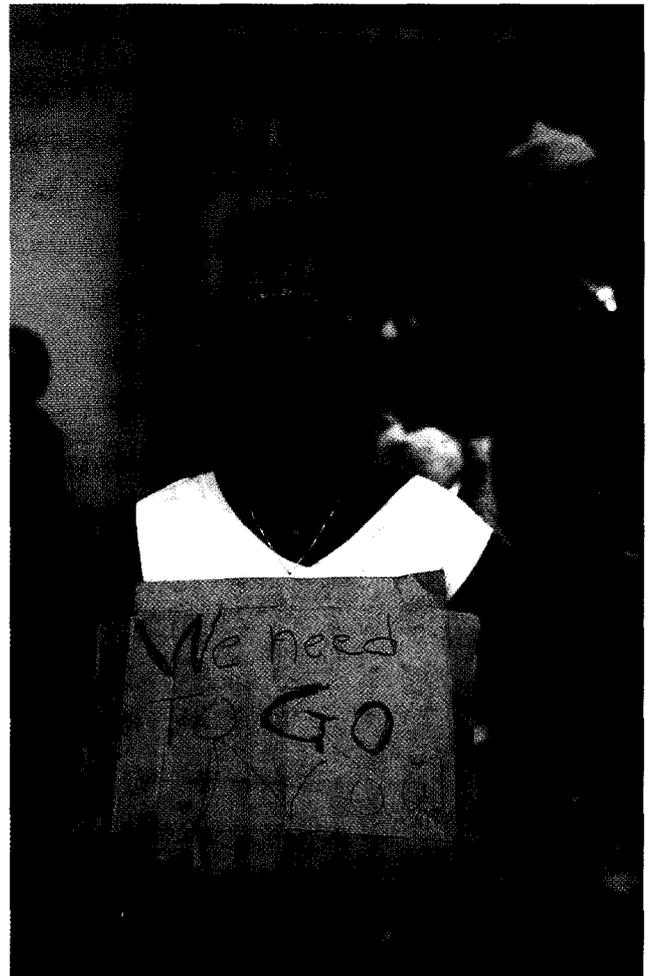
When a natural disaster strikes, Americans look for heroes. The first images of Hurricane Katrina captured not only the physical destruction but also heroic boat and helicopter rescues of residents stranded on rooftops with water rising around them.

The response to Katrina also brought a different kind of hero, individuals whose principal impact was not the hope that the rescuers achieved for the nation. These unique human rights heroes are the persons who complained with outrage and moral indignation that the slow evacuation from New Orleans and later the disarray in recovery efforts were affected by the fact that many thousands of victims were African American.

Why was this heroic? In the aftermath of the hurricane, the nation yearned for optimism, a way to feel that the country could recover. It was not easy to buck this longing for a bright side. But the heroes we honor had the courage and determination to speak out and make us confront, once again, the racial divide in the United States.

At first, it seemed that no one wanted to articulate this thought. Photographs and videos quickly made clear that thousands of African Americans lacked the physical or financial means to evacuate, that they were virtually

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A woman waits with hundreds of others outside the New Orleans Convention Center in the aftermath of Katrina.

Associated Press, AP