

Justice *for* All

Promoting Social Equity
in Public Administration



NATIONAL ACADEMY OF
PUBLIC ADMINISTRATION

TRANSFORMATIONAL TRENDS IN
GOVERNANCE AND DEMOCRACY

Edited by

Norman J. Johnson *and* James H. Svara

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The National Academy of Public Administration is an independent, nonprofit organization chartered by Congress to identify emerging issues of governance and to help federal, state, and local governments improve their performance. The Academy's mission is to provide "trusted advice"—advice that is objective, timely, and actionable—on all issues of public service and management. The unique source of the Academy's expertise is its membership, including more than 650 current and former cabinet officers, members of Congress, governors, mayors, legislators, jurists, business executives, public managers, and scholars who are elected as fellows because of their distinguished contribution to the field of public administration through scholarship, civic activism, or government service. Participation in the Academy's work is a requisite of membership, and the fellows offer their experience and knowledge voluntarily.

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To Philip Rutledge,
whose life was devoted to advancing social equity.

Acknowledgments

This book draws on the ten years of work by the Social Equity Panel of the National Academy of Public Administration (NAPA). The panel consists of over 250 people in public organizations and universities who are committed to understanding and advancing social equity. The members include both NAPA fellows and associate members. The lively exchanges at monthly panel meetings combine the face-to-face exchange of participants in Washington and many other people who connect to the meeting by telephone.

The group regularly organizes several panel sessions each year at the major public affairs organizations—the American Society for Public Administration, the National Association of Schools of Public Affairs and Administration, and the Association for Public Policy Analysis and Management—as well as special panels at other organizations including the International City/County Management Association. Countless members of the panel have stepped forward to raise the visibility of the social equity issue and make it a regular part of the discussions carried on in practitioner and academic associations.

The panel has been guided by imaginative and dedicated leaders. Phil Rutledge was the first chair of the panel. He was succeeded by Costis Toregas from 2005 to 2007. Blue Wooldridge has been chair since 2008. All have been highly effective at keeping the large and loose organization focused and moving forward. The panel has been ably assisted by staff members at NAPA. In the introduction we describe the reports prepared by the panel with major contributions from George Frederickson, Charles Washington, and members of the initial coordinating committee—Bill Hansell, vice chair; Gail Christopher, Valerie Lemmie, Sy Murray, and Costis Toregas.

In the preparation of this volume, we thank all the contributors for their efforts. Terry Buss, a contributor and former staff member at NAPA who is executive director and Distinguished Professor of Public Policy at Carnegie Mellon University in Australia, shepherded us through the process of preparing the manuscript and working with the publisher. Harry Briggs at M.E. Sharpe offered guidance in the publishing process and thoughtful feedback about our topic. Daniel Ledbetter, a doctoral student in the Ph.D. program in Public Affairs at the University of Texas

at Dallas, prepared the final manuscript for publication. He combined his high-level organizing and editing skills with his interest in social equity and a deep knowledge of public administration.

We acknowledge our profound debt to Philip Rutledge and share his words in the Introduction. This book is dedicated to him.

Introduction

This is an appropriate time to reconsider the record of achieving social equity in the United States. With the election of Barack Obama, an African American, as president (and his nomination over the final contender who was a woman), we added significantly to the drive toward perfecting our constitutional democracy. Hopefully this breakthrough will make it possible to recognize that acknowledging progress does not undercut the need to continue the work of making the union more perfect. There is still much work to do, Obama's election notwithstanding. His election is an opportunity to pursue more aggressively the justice-for-all agenda.

The essays in this volume were selected to serve as foundational stones to support the twenty-first-century efforts to ensure justice for all. These efforts will reflect the governance of our nation, states, and local governments in combination with decisions and delivery of services by nongovernmental organizations. The union was marred and flawed at the nation's founding. Inequality was built into the organizational fabric when these founders were unable to wrestle to the ground the issues of slavery and exclusion. In the words of then candidate Obama, the Constitution was "ultimately unfinished." These issues were left to American generations to come. Each succeeding generation has been expected to contribute to making the union more perfect. This beginning structural flaw has been partially remedied, but the consequences of what former Secretary of State Condoleezza Rice called the American "birth defect" remain to this day and take new forms fueled by complexity, expanding diversity, and globalization.¹ These factors generate vertical differentiation and heterogeneity in an underlying cycle that constantly distributes and redistributes opportunities, resources, and outcomes to our citizens and the other residents who continue to enter American society. We have long been committed to preserving liberty and securing justice for all, but we have fallen short of achieving these ends, and achieving equality has been a continuing challenge. This book seeks to develop the shared understanding and commitment among those who work for the people as public servants on how to add to perfection of our union and encompass more in the circle of justice.

This book will attempt to capture what has been learned, to provide a foundation for public officials to use in building an expanded commitment to equity and an action plan for promoting it. Beyond public officials, this volume seeks to inform observers of public affairs, citizen activists, and the general public about social

equity's place in American society in the past, present, and future. Engaging the public is intended to spark an enlarged conversation on what it will take to achieve our highest ideals as a society grounded in justice for all. The essays examine the current state of equality in the key sectors of the United States and identify crucial issues—some longstanding and others expressed in today's headlines—that must be confronted if social equity is to be promoted. Hopefully it will serve as a primer to advance social equity while acknowledging the complexity of the concept and the many obstacles that stand in the way of achieving an equitable society that assures justice for all.

Social Equity Panel of the National Academy of Public Administration

Early in the new millennium, in February 2000, the Board of Trustees of the National Academy of Public Administration approved the creation of the Standing Panel on Social Equity and appointed Philip Rutledge as its chair. Phil had been the primary advocate for the creation of the panel and the increased attention to social equity that it was intended to foster. He coalesced a group of leaders in practice and research who "have invested much of our careers in trying to bring a better sense of fairness, justice, and equity to the field of public administration" (Rutledge 2002, 391). He worked with the energy and creativity he brought to all the tasks that were important to him until his sudden death in January 2007. The panel was expected to:

- A. review and evaluate developments in public administration that have to do with critical matters in social equity and governance and provide guidance to the Academy on those issues,
- B. initiate or sponsor educational meetings to communicate with the public administration community and the fellows of the Academy on social equity issues in public administration,
- C. prepare papers for public release on social equity and governance,
- D. serve as a forum where fellows interact on issues of social equity and governance,
- E. serve as a means of identifying ideas, issues, and projects in social equity and governance, and
- F. provide or recommend witnesses and/or draft or review testimony for congressional hearings related to social equity and governance.

With the exception of point F, the panel has engaged in all of these activities. The initial meeting of the Standing Panel on Social Equity was held at the spring 2000 meeting of the fellows of the Academy. A first draft of an Issue Paper and Work Plan for the Standing Panel on Social Equity was prepared in October 2000, with George Frederickson as the principal author.² The initial coordinating committee members in addition to Rutledge, chair, and Freder-

ickson, were Bill Hansell, vice chair; Gail Christopher, Valerie Lemmie, Sy Murray, and Costis Torgas.

The first chapter of this book owes a debt to the Issue Paper, but it reflects as well the work of the panel in the ensuing eight years and what we have learned in the process. A lively discussion among practitioners and scholars about a topic of mutual interest has been a regular but somewhat diffuse exchange of ideas organized around monthly meetings of the panel and one or more sessions each year at meetings of professional associations in public administration along with a meeting once a year where an intense examination of the topic occurs. These Leadership Conferences have been held in Indianapolis, Dallas, Cincinnati, Cleveland, Omaha, Richmond, Phoenix, and Newark. At each, members of the panel, other scholars, and leaders from the community hosting the meeting have made presentations and engaged in discussions about the state of social equity and how to advance it. In addition to face-to-face meetings and conference calls, the panel has helped to foster writings that have appeared in the *Journal of Public Administration Education*. The panel also produced in 2005 a Call to Action intended to draw forth commitment from individual administrators and scholars and to serve as the basis for shared activities among major associations of public professions, although there has been little formal response to this point. The National Academy of Public Administration (NAPA) itself has recognized the importance of social equity as the third pillar of public administration—along with effectiveness and efficiency/economy. NAPA is committed to advancing social equity in all its activities as it does with effectiveness and efficiency/economy.

Based on a careful review of the tradition of public administration and drawing on extensive deliberations among its members, the Standing Panel on Social Equity of the National Academy of Public Administration defines social equity in public administration as follows:

The fair, just, and equitable management of all institutions serving the public directly or by contract, and the fair, just, and equitable distribution of public services, and implementation of public policy, and the commitment to promote fairness, justice, and equity in the formation of public policy (Standing Panel on Social Equity, 2000).

This definition and the concepts of fairness, justice, and equity will be analyzed in depth throughout chapter one.

Insights of Phil Rutledge: Founder of the Standing Panel on Social Equity

Although Phil Rutledge is not here, his words from the Donald Stone Lecture at the 2002 conference of the American Society for Public Administration set the tone for the Social Equity Panel and created a framework we will attempt to fill.

Some Unfinished Business in Public Administration

Issues of social equity have not always been at the forefront of the attention of the founders of either our profession or its organizational instruments like ASPA, NAPA, and NASPAA³—but social equity has always been implicit in both the language and the philosophy of their founding fathers. Just as equality for minorities and women was not foremost in the minds of the white male slaveholders who wrote our Declaration of Independence and the U.S. Constitution, the philosophy and values they promulgated in those documents made possible the tremendous gains we have made in social equity over the past 200 years. . . .

It is now time to adapt the social equity concepts, so well defined for us by our public administration scholars, into modules that the practitioners among us can use on the streets and in the neighborhoods, as well as in the bureaucracies. . . .

Although the issue was joined some 35 years ago, the profession still does not have good answers or acceptable strategies for policy implementation. A major weakness has been our failure as a profession to develop the quantitative tools, indicators, and benchmarks to define objectives and measure progress in the pursuit of social equity. This deficiency may be second only to our failure to marshal the will and commitment within our professional ranks to move social equity front and center among our national concerns.

Phil Rutledge (2002)

Introduction to the Book

The book is divided into three sections: context and background of social equity, measuring social equity, leadership, outreach, and organizational development to advance social equity.

Context and Background

The first chapter, written by the editors, examines the concept of social equity, how it has developed, and how it can be measured in terms of access, procedural fairness, quality, and outcomes. It is followed by chapters that stretch back in time and survey the global scene at the present time.

In Chapter 2, Sallyanne Payton offers a penetrating analysis of the differential treatment of whites and blacks (and in time other groups that do not trace their roots to Northern Europe) in American society. She was originally asked to write a chapter on the Constitution and social equity and then when other responsibilities dominated her schedule, we asked her to write a short commentary on this topic. What she has provided instead is a provocative reexamination of the narrative of the slow movement of African Americans from slavery to freedom and the continuing struggle to expand

equality. She recounts instead a fundamental disjuncture between the constitutional and public policy principles that have advanced the “ideal of the self-governing, enterprising, educated white man” and the counter principles and policies that have restricted the prospects for “free persons of color” not just in the Jim Crow era but in post–World War II urban development and up to the present time.

In Chapter 3, Bárbara Robles examines the historical roots of inequity in income and wealth in the United States drawing from *The Color of Wealth* published in 2006. She broadens the themes developed by Payton to consider a wider range of minority groups and a broader array of governmental activities. Public policies that affect income and the accumulation of resources have not been equally applied nor had the same impact on all ethnic and racial groups. Some groups have been advantaged—until recently whites—while others have suffered from laws that put them at an economic disadvantage or limited their capacity to accumulate wealth. In addition, private actions condoned or not by governmental officials subjected racial and ethnic minorities to personal attacks and destruction of property.

Chapter 4 by Terry F. Buss and Usama Ahmed may strike the reader as odd in its content and placement. Its importance is the description of social equity issues at the present time in various places in the world. The authors’ vignettes of inequity now resurrect aspects of the American history of inequity rooted in its “original sin.” The raw urgency of these current stories reminds us of the difficulties American society has faced and the detours and regressions it has experienced in the long effort to create a more perfect union. What happens in many countries today is often foreshadowed by occurrences in the United States over its history extending almost to—and many would contend up to—today. Gaps in social equity are an important part of the world described by Thomas Friedman (2008) as hot, flat, and crowded.

Edward L. Glaeser, Matthew Resseger, and Kristina Tobio analyze the sources of inequality across urban regions and the policy options for addressing it in Chapter 5. Inequality—the disparity between income groups—has harmful effects but is often associated with growth. Indeed, an increase in inequality may accompany growth if it produces an influx of people with high skill and income and also attracts low-skill workers seeking employment. The authors assess both national and local policy options to reduce inequality. An aggressive policy of tax-based redistribution that takes from the rich and gives to the poor may be an option at the national level (although American values and governmental arrangements make the adoption of European social welfare policies unlikely). At the local level, such policies would likely lead to emigration of the prosperous and an influx of the poor. Improving the education of the least fortunate seems to be the most promising policy for reducing inequality and supporting development.

The examination of the meaning and context of social equity is completed in Chapter 6 by Samuel L. Myers Jr. He traces the development of affirmative action programs in the 1970s and 1980s, and their replacement with a “diversity” strategy

in the last decade of the twentieth century. Although advocates of diversity have commonly linked diversity with social and economic benefits—the efficiency case—Myers identifies a number of weaknesses or unknowns in this argument. The case for expanding racial, ethnic, and gender representativeness in public organizations should rest on social equity grounds rather than relying on benefits that may not be realized or may accrue to nonminority staff members.

Measuring Social Equity

Four chapters measure social equity in divergent areas of public policy and service delivery. Richard W. Hug has tackled the complex and changing issue of social equity in health care in Chapter 7. There is a fundamental shortcoming in access to care in the system that has evolved through 2008. The over 46 million people uninsured is a well-known figure, but nearly two-thirds of American adults, or 116 million people, are underinsured, have difficulty paying medical bills, or have problems getting care because of costs. There continue to be many indicators of lower quality health care received by blacks and Hispanics, although some improvements have also been documented. Minorities have experienced less fairness in being referred to specialists or receiving patient-centered care. From an outcomes perspective, the United States continues to demonstrate dramatic differences in morbidity and mortality among different racial, ethnic, and income groups.

The record of criminal justice agencies in providing equitable service and incorporating equity in their data reporting is the focus of Chapter 8 by James R. Brunet. These agencies are actively involved in performance measurement and routinely present reports on crime levels, response and case processing times, and recidivism rates. Their performance measure systems tend to focus on measures of workload, efficiency, and effectiveness. The performance measures largely exclude, however, an agency's progress in promoting social equity. Little is known from the agencies themselves about disparities in the distribution and quality of criminal justice services delivered to different citizen groups. Outside organizations measure the performance of criminal justice agencies and sometimes present evidence of disparities. Despite perceptions, studies do not document consistent evidence of racial profiling in traffic enforcement. Racial differences are more evident, however, in the interactions of police and citizens after a traffic stop is made, in incarceration rates, in the quality of representation, and other aspects of the criminal justice system.

Chapter 9 by Leanna Stiefel, Amy Ellen Schwartz, and Ingrid Gould Ellen addresses a topic that seldom appears in the public administration literature. The essay received the Douglas Wilder Award in 2008 for the Best Paper on Social Equity presented by Virginia Commonwealth University. This is an effort to build a crosswalk from the silo of research on educational performance to the field of public administration. This chapter points out that there are huge gaps in educational performance that undo the efforts at access and process equity described in this volume. Although

these test score gaps are explained in part by racial and ethnic differences in poverty rates and differences in English proficiency, an even more important determinant of the race gap in any year is the performance of students in prior years, which is lower for black and Hispanic students. Put simply, much of the race gap “this year” is explained by the race gap “last year,” a factor beyond the influence of this year’s schools and teachers. These students start off behind, and the gap becomes larger over time. The adverse impact of this failure to close the gap is huge for the individual and his family, the city, the region, the state, and the nation’s economy.

Finally, in Chapter 10, Sylvester Murray and Mark D. Hertko assess issues of environmental justice in land use planning. Past approaches by local officials have left some communities, often people of color or low-income communities, without adequate protection for health and welfare, and in some cases have deprived citizens of opportunities for effective civic engagement. A legacy of actions that left citizens without meaningful involvement in decisions affecting their health, environment, and neighborhoods requires current public officials and administrators to conduct the business of land use planning and zoning with the goal of environmental justice in the forefront of their minds.

Leadership, Outreach, and Organizational Development

The final section presents four perspectives on how social equity can be promoted at a time when there are breakthroughs in advancing equality along with new kinds of obstacles and resistance. How does social equity survive as the “new kid” in the public policy square? What behavioral science theory and practice informs the development of leadership strategies? These are the ideas that underpin Chapter 11 by Kristen Norman-Major and Blue Wooldridge. Here the reader meets framing theory as a central idea that shapes how various audiences respond to appeals for social equity and to policy entrepreneurs as key actors driving the likely success of social equity in practice. In some policy disputes, there is a clear battle over how the issue is framed with a number of competing approaches, as has been evident in the debate over health, but often the response to a proposal is shaped by its initial framing, for example, economic arguments versus addressing the problems of discrimination. Although social equity advocates may not want to abandon a social justice rationale or risk having to make compromises by engaging policy entrepreneurs from business, dooming important policy actions through a lack of awareness is not acceptable in the twenty-first century. Building a more perfect union requires flexible strategies and broader coalitions in the nuanced, complex society that America has become.

Susan T. Gooden reports on an agency that refuses to act like the “cowards” who avoid talking about race identified by U.S. Attorney General Eric Holder (2009). Overcoming that reluctance potentially opens up a great deal of emotional baggage, but it is necessary if racial issues are going to be confronted and resolved. The welfare department of Wisconsin is the unit of analysis in Chapter 12. Its

leaders wanted to know if the interactions between street-level bureaucrats and clients contributed to the disparate imposition of sanctions. To get a handle on the subject, an internal review and monitoring committee was established to guide this fact-finding effort and obviously to insulate it from the sabotage activities of the “cowards” who do not want to confront sensitive racial issues. This work provides a solid roadmap in terms of methodology and process to launch the recommended study journey.

Chapter 13 by Susan T. Gooden and Blue Wooldridge, which received the National Association of Schools of Public Affairs and Administration award in 2008 for the best article of the year in the *Journal of Public Affairs Education*, explores how to strengthen understanding of the formal and informal personnel policies and practices that can promote or impede social equity. The authors make the case that social equity should guide all components of human resource management, and they give special emphasis to the handling of job analysis, recruitment, and selection. Both formal and informal personnel policies and practices affect how each component is handled. Decisions are shaped by both formal policies and informal practices, especially the “HR dialogues” that express how officials work their way to conclusions about what to do. Gooden and Wooldridge advise readers concerning how to recognize when these behind-closed-doors conversations undercut the intent of law and policy and how to use these informal exchanges to promote social equity.

The final chapter, by the editors, summarizes the book and issues a “call to action” on social equity for administrators in public and nonprofit organizations, elected officials, and the public at large. Our country is making progress in creating a more perfect union, but each significant step forward creates new sources of resistance and encourages some to argue that we have gone far enough (or too far). Public servants have a special responsibility to argue that more must be done and to find ways to use their position and discretionary authority to be agents of social equity. Building a more perfect union demands nothing less.

Notes

1. Secretary Rice used this term in a speech in 2005 in Birmingham commemorating the 1963 church bombing there and commented that “when the Founding Fathers said, ‘We the people,’ they didn’t mean many of us,” www.usembassy.org.uk/gb030.html (accessed June 2009). She repeated the phrase in March 2008 after candidate Barack Obama’s speech on race in America: “. . . Black Americans were a founding population. Europeans and Africans came here and founded this country together. Europeans by choice and Africans in chains and that’s . . . not a very pretty reality of our founding. I think that particular birth defect makes it hard for us to confront it, hard for us to talk about it and hard for us to realize that it has continuing relevance for who we are today,” www.diversityinc.com/public/3347.cfm (accessed June 2009).

2. Standing Panel on Social Equity, Issue Paper and Work Plan, National Academy of Public Administration, October 2000.

3. American Society for Public Administration, National Academy of Public Administration, and National Association of Schools of Public Affairs and Administration.

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