An Analysis of the November 9, 1971 Referendum Vote on Rapid Transit in Fulton County

Abraham L. Davis

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The primary purpose of this study is to analyze the November 9, 1971 referendum vote on Rapid Transit in Fulton County. Such an analysis is worthy of careful examination for five reasons. In the first place, by examining the November 9, 1971 referendum vote, it will be possible to pinpoint some of the important independent variables that played a role in causing a number of voters to change their minds in favor of rapid transit compared to their rejection of such transit in Fulton County on November 5, 1968.

Second, an examination of the successful 1971 referendum vote will provide rapid transit decision-makers in other metropolitan areas with some insight as to the type of decision-making conducive to gaining voter approval of rapid transit.

Third, by analyzing the 1971 referendum vote in Fulton County, it will be possible to make generalizations about voting behavior on the issue of rapid transit and the strategies the rapid transit decision-makers utilized to maximize their chances of reaching stated policy objectives.

Fourth, an examination of the aforementioned referendum is worthy of inquiry because the results have been challenged in the courts. The referendum was approved by the voters in Fulton County by only a 471 vote margin and many questions were raised immediately following the outcome of the election.

Finally, the referendum vote in Fulton County is important because blacks make up approximately thirty-three percent of the eligible voters. Therefore, since race is still a big issue in local politics, it will be interesting to examine how black and white voters respond to an important local rapid transit referendum.

On November 5, 1968, the voters rejected the mass transit bond referendum for the metropolitan Atlanta area. The plan that the voters were asked to approve consisted of "a four corridor, fixed rail, rapid transit system of 40.3 miles in length," at a cost of $750 million dollars,

exclusive of interest. Modern air-conditioned vehicles designed to reach speeds in excess of 70 m.p.h. were a part of the plan. The voters were also promised park-and-ride stations in the outlying areas and feeder bus service. The proposed system called for approximately thirty stations, five of which would be underground. It is important to note that the plan was for the system to lie entirely within Fulton and DeKalb Counties with long-range plans to provide services to Clayton and Gwinnett Counties, which were also participating members of MARTA.

The cost of the system was to be paid by the Federal government, the State of Georgia and the local governments involved. It was estimated that the contributions from the Federal government and the state of Georgia added up to about half of the cost, with the participating local governments supplying approximately $377.6 million dollars. An increase in the ad valorem property tax was the method agreed upon for the local governments to fulfill their financial obligations.

The plan was defeated at the polls with a 42.8% affirmative vote; whereas an affirmative vote of over 50% was required for adoption in each voting locality. The referendum results were as follows:

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. City of Atlanta</td>
<td>38,675</td>
<td>53,660</td>
</tr>
<tr>
<td>2. Fulton County</td>
<td>14,619</td>
<td>25,871</td>
</tr>
<tr>
<td>(excluding Atlanta)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. DeKalb County</td>
<td>32,568</td>
<td>35,397</td>
</tr>
<tr>
<td>(excluding Atlanta)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>85,862</td>
<td>114,928</td>
</tr>
</tbody>
</table>


It is interesting to note that blacks overwhelmingly voted against the 1968 referendum. They felt, as did many community leaders, that the plan was not responsive to their needs and was designed primarily to benefit whites living in the suburban areas. Only two public hearings were held in the black communities prior to the 1968 referendum! This caused great resentment and solidified black opposition to a plan that failed to consider, in a meaningful way, the needs and suggestions of a potentially significant black vote.

2 The 40.3 mile plan was presented in a number of excellent public relations brochures which were prepared by MARTA's Director of Information.

3 Coogan, Landon, Row, Rubin and Schaffer, p. 94.

4 Interview with Morris Dillard, MARTA's former Community Relations Director, on April 6, 1971. At the present time, Mr. Dillard is the Executive Assistant to the General Manager of MARTA.
Many whites also voted against rapid transit because the MARTA Board of Directors failed to consult with the regionally elected officials on a continuous basis and failed to gain their support for the proposed PB-T-B Plan following the year of technical decision-making. This failure occurred because the board of directors had developed the rapid transit plan on a largely technical level and never had intentions of "going to each locality and determine how best to maximize support for the system, either from the local elected officials or from the populace itself." Thus, the influential community leaders failed to campaign enthusiastically for the proposal because they felt that they had been left out of the planning stages. The approach to decision-making meant that technical decisions were being made which did not take into account diverse community feelings, especially those feelings within the black community. For example, on the morning following the election, *The Atlanta Constitution* carried an article entitled "Rapid Transit Trails Except in DeKalb Vote." The author of the article made the following observation:

Negroes linked the transit proposal with their opposition to Atlanta school bond proposals and said that in neither were they guaranteed enough service and, in the case of rapid transit, participation.

On November 7, an article by Dick Herbert and Alex Coffin appeared in *The Atlanta Constitution* entitled, "Board to Meet Today on Future of MARTA." In that article, Mayor Ivan Allen said:

In the future . . . I will attempt to restructure the rapid transit authority in an effort to make it more representative of city-wide interests.

Then I will ask them immediately to restudy the route structure to make it more acceptable to all Atlantans, who, of course, are the main beneficiaries of the system (p. 7).

Following voter rejection of the 1968 rapid transit referendum, the MARTA Board of Directors found themselves busy preparing to present a second rapid transit plan to the voters for their approval or rejection. It is important to note that the 1971 rapid transit plan differs from the one which was defeated at the polls in 1968 in the following five ways:

5 PB-T-B is an amalgamation of three engineering firms, Parsons Brinkerhoff-Tudor-Bechtel, which contracted with MARTA approximately five months after it was formally organized, to prepare the rapid transit plan that was submitted to the electorate in 1968.

6 Coogan, Landon, Row, Rubin and Schaffer, p. 62.

1. Local financing based on the 1% sales tax, rather than the ad valorem tax.
3. A dramatically expanded and fully coordinated bus system.
4. The use of rapid busways.
5. An expanded rail system. Ten legs covering 70 miles vs. Five legs covering 40 miles of rapid rails and rapid busways.\(^8\)

The MARTA Board of Directors changed their approach to decision-making in at least three significant ways to enhance the chance of voter approval of the second rapid transit referendum for the Metropolitan Atlanta area. In the first place, the MARTA Board of Directors made it very clear at their January 5, 1971 meeting that they unanimously approved of a meeting with the participating local governments in order that they would be aware of the definite role they would play in the decision-making process, as far as rapid transit is concerned. The primary purpose of this meeting would be to have a discussion with the participating local government officials on the topic of how they felt the system should be financed.

On January 7, 1971, officials from Atlanta, DeKalb, Fulton, Clayton, and Gwinnett Counties met, and there was a feeling on their part that they were an integral part of the decision-making process. Representatives from each local government were called on to state their position on which method of financing a rapid transit system would be in the best interest of the metropolitan area. It is the author’s opinion that the MARTA Board of Directors made the most rational choice from among competing alternatives when it decided to make sure that all participating local governments would be involved in the decision-making process. After all, this had not happened before the 1968 referendum.

Also, there is a requirement by the federal government that a Citizens’ Transportation Advisory Committee be involved in the region’s transportation planning and that the rapid transit decision-makers adequately consider their viewpoints when crucial decisions are made. The rationale behind this approach is that the broadest possible base of community participation is needed in the decision-making process when it affects the lives of citizens. Representation on the committee is proportional to the population of the six jurisdictions.\(^9\) Also, members of the committee are appointed by the Mayor of the City of Atlanta and the Chairman of the

\(^8\) Rapid Transit: Facts, Figures and Future Plans, p. 7.
\(^9\) The six jurisdictions are Clayton, Cobb, DeKalb, Fulton and Gwinnett Counties and the City of Atlanta.
five county governments. The breakdown of the sixty-man committee is as follows:

<table>
<thead>
<tr>
<th>Counties</th>
<th>Representatives</th>
<th>% of Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clayton</td>
<td>4</td>
<td>6.2</td>
</tr>
<tr>
<td>Cobb</td>
<td>8</td>
<td>13.7</td>
</tr>
<tr>
<td>DeKalb</td>
<td>17</td>
<td>27.8</td>
</tr>
<tr>
<td>Fulton</td>
<td>28</td>
<td>46.6</td>
</tr>
<tr>
<td>Gwinnett</td>
<td>3</td>
<td>4.7</td>
</tr>
<tr>
<td></td>
<td><strong>60</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

(Note: The above breakdown is based on ARMPC 1968 population estimates.

The MARTA Board of Directors intentionally went on record strongly favoring citizen involvement in rapid transit decisions for the Metropolitan Atlanta area. They even agreed to meet with the Citizens’ Transportation Advisory Committee and to consider their ideas and suggestions, seriously.

Finally, the MARTA Board of Directors decided unanimously that an intensive community relations campaign was a “must,” especially in the black community since such a campaign was absent preceding the 1968 referendum and since there was a general consensus that this failure was one of the factors that led to voter rejection of the proposed referendum. A white man had been the public information officer preceding the 1968 referendum. However, Morris Dillard, who is black, was the Community Relations Director in 1971. His staff was much stronger compared to that of 1968 and the campaign for rapid transit was much more intensive. Eighteen public forums and a number of public hearings were held to allow “the people to tell MARTA what they want and need in a rapid transit system.” The rationale behind these eighteen forums was to give the rapid transit consultants enough time to include the inputs from these public forums in their report to the MARTA Board of Directors during the month of June, 1971. This report was actually a suggested rapid transit system for the Board’s consideration.

It cannot be overemphasized that of the three strategic changes made by the MARTA Board of Directors following the 1968 referendum, top priority was given to an intensive campaign for rapid transit which was carried to the Metro-Atlanta citizenry by means of TV, radio announcements, newspapers (such as The Atlanta Constitution, The Atlanta Journal, The Atlanta Inquirer and The Atlanta Daily News), public forums, brochures, a MARTA Newsletter, black and white political leaders, and school children. Former Atlanta Alderman Everett Millican
pointed out that the campaign cost three quarters of one million dollars and was more propaganda than anything else.\textsuperscript{10}

Although many facets of the proposed rapid transit plan were presented to the voters, there can be no doubt that the major part of the campaign effort centered around the proposed eye-catching fifteen-cent fare. For example, The Atlanta Constitution, The Atlanta Inquirer and campaign literature by MARTA carried the following statements which are representative of what appeared time after time in the above sources before the November 9 referendum:

Immediately upon the purchase of ATS by the Metropolitan Atlanta Rapid Transit Authority, cash fares in Fulton, DeKalb, Clayton and Gwinnett Counties will drop from the present 40 cents plus transfers to 15 cents, regardless of the length of the ride.\textsuperscript{11}

The Black Community needs a 15 cent fare, we need increased service, we need new and expanded routes, we need a strong employment program and we need the impact of 1.4 billion dollars.\textsuperscript{12}

Passage of the Rapid Transit Referendum on November 9 means the immediate purchase of the Atlanta Transit System, and a reduction in fare to 15 cents including transfers . . . The fare will be 15 cents for the first 7 years with increases of only five cents in the 8th, 9th, and 10th years. You will not have to pay for transfers.\textsuperscript{13}

It cannot be overemphasized that the proposed fifteen-cent fare\textsuperscript{14} for prospective users of the rapid transit system did cause some controversy. At a breakfast given by MARTA on June 17, 1971, State Senator Leroy Johnson withdrew his support for the system after accusing MARTA officials of deceiving him that the fare would remain at fifteen-cents for at least ten years.\textsuperscript{15} He made it clear that a fifteen-cent fare guaranteed for ten years was essential for black support. State Representative Ben Brown agreed with Johnson, who also stated that MARTA was guilty of "double talk." However, State Representative John Greer pointed out that the "impression of the fifteen-cent fare got out and the press picked it up . . . ."

\textsuperscript{10} Statement by Everett Millican on WSB-TV, Channel 2, Atlanta, November 9, 1971.

\textsuperscript{11} Alex Coffin, "If Transit Wins, First Step Will Be Purchase of Bus System." The Atlanta Constitution, November 8, 1971, p. 15A.


\textsuperscript{13} Rapid Transit: What Does It Mean?, p. 7.

\textsuperscript{14} The 15 cent fare was essentially proposed by Atlanta Mayor Sam Massell.

\textsuperscript{15} Alex Coffin, "Deceived on Transit Fare, Says Johnson," The Atlanta Constitution, June 18, 1971, p. 11A.
Vice Mayor Maynard Jackson observed that if the news media was responsible for the misunderstanding, MARTA should have corrected it. MARTA Chairman Roy Blount said that the Authority would not proceed with public hearings on the proposed rapid transit plan until it got the green light from the public officials who attended the breakfast.

In addition to the key demand of a guaranteed fifteen-cent fare for ten years, the black leaders in Atlanta confronted MARTA officials with twenty-six demands and made it clear that "further support of rapid transit hinges on how the white community responds" to their demands. The following are representative of the list of demands presented to the MARTA officials:

1. MARTA [should] see to it that its staff is at least thirty-five per cent black and that steps be taken to increase black membership on the MARTA Board . . .
2. Rail, not bus, service to the Northwest—Perry Homes area.
3. Priority [given] to those dependent on public transit.
4. Public transit service from all inner city communities to major employment centers.
5. High-speed rail service to Southwest Atlanta - Cascade Heights.
6. No contract or agreement that prohibits or limits hiring or promotion of persons because of race, sex and national origin.
7. Provide at least thirty-five per cent of each service or goods contract to minority firms and consultants.
8. Adequately staffed equal employment office.\(^{17}\)

The outcome was a commitment by the MARTA Board of Directors of a fifteen-cent fare for seven instead of ten years, with a five-cent increase until the fare reached thirty cents by 1982. An additional five-cent fare hike would occur in the eleventh and fifteenth years which would return the fare to forty cents. It was at this point that *The Atlanta Inquirer*, a black newspaper, and black leaders with the exception of Alderman Henry Dodson, decided to endorse the rapid transit plans and urged black voters to follow their lead. State Senators Leroy Johnson and Horace Ward, Vice Mayor Maynard Jackson, Alderman Q. V. Williamson, Ira Jackson and Marvin Arrington, State Representatives Ben Brown and Grace Hamilton were among the black elected officials who endorsed the plan. Representative Ben Brown represented the feelings of the black elected officials when he said:

\(^{16}\) Raleigh Bryans, "26 Black Demands Given to MARTA." *The Atlanta Journal*, July 2, 1971, p. 2A.
\(^{17}\) Ibid.
Those persons who oppose the referendum obviously have not given in-depth thought to what rapid transit is all about. If they had, they would clearly understand the significant benefits to be derived from the . . . system . . .

I support MARTA this time because the Black Community has had significant input in the formulation of plans. When the issue came up before for a vote, I opposed it because we were not given the chance to put in that input.18

The opposition was led by Alderman Henry Dodson, Lieutenant Governor Lester Maddox and Former Alderman Everett Millican. It is interesting to note that Alderman Dodson centered his opposition campaign primarily in the black community. It is the author's opinion that Dodson's opposition campaign was basically ineffective because it was not well organized or coordinated. His major contention was and still is that MARTA is a "trick." 19 However, Dodson failed to back up his assertions in a convincing manner. Moreover, when confronted by proponents of rapid transit to support his allegations with facts, Dodson's answers were vague. The end result was that blacks who were straddling the fence could not be persuaded to vote "No" due to an ineffective opposition campaign.

Lieutenant Governor Lester Maddox and former Alderman Everett Millican led the opposition campaign in the white community. Their campaign was undoubtedly more organized and persuasive. Lyndon Wade, Director of the Atlanta Urban League and Secretary to MARTA, argued that blacks' confidence regarding the proposed fifteen-cent fare guarantee was undermined by white enemies of the rapid transit proposal 20 rather than by Dodson's opposition campaign. If Wade's analysis is correct, it simply points out the impact that an effective campaign can have on voters in contrast to an ineffective one. Lester Maddox stated his position in a one-quarter page ad which appeared in The Atlanta Constitution. He observed:

I am convinced that those who vote for rapid transit on November 9, 1971, will be only the uninformed, who have not been given the whole truth, the special interest groups and individuals who will be voting to protect their own investments and those who would make

18 Ernest Pharr, "MARTA Vote Approval "Would Effect Greater Development"," The Atlanta Inquirer, October 23, 1971, p. 1 A.
millions of dollars from the expenditure of hundreds of millions of dollars not needed for such development . . .
I urge the voters to . . . vote No until state, and local government, and MARTA officials, come up with a plan that will assure as much interest in protecting the wage earners and the taxpayers as present proposals assure gain for the freeloaders, some politicians, special interest groups and individuals who would make millions of dollars.21

Everett Millican, Chairman of the Committee Opposed to MARTA emphasized in his opposition campaign that MARTA would become a super government and that the fifteen-cent fare was a political gimmick to attract voters.22 It is interesting to note that Lester Maddox and Everett Millican were given much more news coverage in their opposition campaign than Henry Dodson. This indicates that the white press is more inclined to give greater news coverage to what influential whites have to say on important issues of public concern. Moreover, black voters are forced to make up their minds on public issues from a white dominated press and the white viewpoint.

On November 9, 1971, after almost every conceivable argument had been made for and against rapid transit, the voters in Fulton, DeKalb, Clayton and Gwinnett Counties were given their opportunity to express how they felt. The outcome of the election was as follows:

<table>
<thead>
<tr>
<th>Counties</th>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fulton</td>
<td>55,736</td>
<td>53,725</td>
</tr>
<tr>
<td>DeKalb</td>
<td>39,565</td>
<td>36,207</td>
</tr>
<tr>
<td>Clayton</td>
<td>3,300</td>
<td>11,147</td>
</tr>
<tr>
<td>Gwinnett</td>
<td>2,500</td>
<td>9,506</td>
</tr>
</tbody>
</table>


Clayton and Gwinnett Counties rejected the proposal, while Fulton and DeKalb Counties approved it. Approval was absolutely necessary in the two latter counties for the project to go forward. According to the law, a second referendum could be held in Clayton and Gwinnett Counties by December 31, 1972. Forty-three and three-tenths per cent of the voters or 211,686 of the 488,300 eligible voters cast ballots in the four counties.

Mayor Charles Summerday of Clayton County observed that MARTA’s decision to cut out a portion of a rail line to his county in order that another line could extend to the black Perry Home area in Atlanta

21 An Ad entitled “Vote ‘No’ On Rapid Transit,” which appeared in the *Atlanta Constitution*, November 8, 1971, p. 4C.
was one factor which resulted in voter rejection of the proposal in this suburban county. The residents of this county felt strongly that they were not getting their money's worth. However, in Gwinnett County, the proposal was rejected because a number of people felt that they were not going to receive enough benefits quickly enough. Gwinnett County Commissioner Carvis Williams pointed out that the users of the transit system should be "willing to pay for it rather than having it subsidized by the taxpayers." There was a majority vote against rapid transit in every Clayton and Gwinnett County precinct. Vice Mayor Maynard Jackson said that whites in Clayton and Gwinnett Counties voted overwhelmingly against rapid transit because of their fear of blacks moving into these localities.

In DeKalb County, the voters approved of rapid transit by a 3,358 vote margin. It should be pointed out, however, that voters in South DeKalb defeated the proposal in almost every precinct, while the heavily populated northern precincts approved it. The commuters in DeKalb provided the bulk of "yes" votes.

In Fulton County, the voters approved of rapid transit by a narrow margin of 2,011 votes which was less than the margin in DeKalb County. However, by November 11, 1971, the margin of victory had been reduced to a mere 461 votes as a result of the vote totals in each precinct being recounted. The margin of victory was less than one-half of one per cent of the 107,115 votes cast. The first vote tabulation in Fulton County appeared in *The Atlanta Constitution* on November 10, 1971, as follows:

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>55,736</td>
<td>53,725</td>
</tr>
</tbody>
</table>

The vote tabulation following the recount of the precinct by precinct totals was:

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>55,760</td>
<td>53,299</td>
</tr>
</tbody>
</table>

The supervisor of elections pointed out that errors had been made as the precinct by precinct vote totals were transposed to the board following the election. At this point, people from all walks of life throughout Fulton County became suspicious and distrustful of the election outcome. The result was a suit filed by Atlanta Attorney M. Henderson and his wife

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challenging the MARTA election. They had voted against rapid transit and contended that a recount would show that a majority of the voters rejected rapid transit for the Metro-Atlanta area. Superior Court Judge Jefferson Davis of Cartersville was called in to hear the case and said “I think they are entitled to a recount.” By midnight of November 29, 1971, the ballots had been recounted by mostly college students from Georgia Tech, Georgia State University and the Atlanta University Center. Judge Davis permitted only representatives for MARTA and the Hendersons in the room where the recount took place. The recount failed to upset MARTA’s narrow margin of victory. Judge Davis announced that 53,793 voters favored rapid transit while 53,322 voters opposed it.24 The margin of victory had increased by ten votes over the original count. Thus, Fulton County voters had approved of rapid transit by a 471 vote margin rather than the original 461 vote margin.

Nevertheless, the cloud of doubt remained following the recount because Atlanta Attorney Moreton Rolleston was handling two other suits challenging the MARTA victory. Terrell Hill, the Deputy General Manager of MARTA admitted that “the cloud is still there.” The one per cent sales tax could not be levied in Fulton and DeKalb Counties to finance construction of the rapid transit system until all challenges had been cleared. Attorney Henderson was not satisfied with the recount and pointed out that a significant number of printed ballots which had been issued to poll managers, were not accounted for. He said “I think I am absolutely right in asking for an accounting of all the ballots.” 25 Henderson then filed a suit against the Fulton County Commission and the Georgia Revenue Commissioner, John Blackmon, to block collection of taxes for MARTA because in his opinion, the election was invalid. In October, 1972, Fulton County Superior Court Judge Jack Etheridge ruled in favor of MARTA’s motion to dismiss the case. Judge Etheridge seemed to have been influenced by a MARTA attorney who said that the Authority had spent or committed 23.5 million since last spring.

On February 14, 1972, Attorney Moreton Rolleston appealed the suit, which had been dismissed by U. S. District Judge Sidney O. Smith on December 1, 1971, to the Fifth U. S. Circuit Court of Appeals. The appellants were Atlanta Alderman Henry Dodson and former Alderman Everett Millican, “The Millican-Dodson case charges voting irregularities, intimidation of voters by pro-rapid transit workers passing out literature at the polls, and the lack of constitutionally guaranteed due process of

law in State Courts." The appeal seeks to void the November 9, 1971 rapid transit referendum in Fulton County. Despite all this activity, MARTA's Attorney, Steve Huie, advised rapid transit officials to proceed with their plans despite the pending court challenge.

It must be pointed out that a majority of blacks who cast ballots on November 9, 1971, voted for rapid transit and were responsible for rapid transit being approved in Fulton County. At a City Hall press conference following the election, Vice Mayor Maynard Jackson expressed the position of Atlanta's Black Coalition when he observed that "the black community is responsible for the MARTA victory. . . . The black vote made the difference in this referendum." The coalition's analysis of the election returns showed "that blacks voted 55.3 per cent in favor of MARTA, while whites voted only 49.3 per cent in favor." 28

Although it is difficult to determine without an extensive survey just how much impact the intensive campaign concerning the fifteen-cent fare had on the voters in general, there can be no doubt that many poor black and white voters supported rapid transit primarily because of the desirable fare which MARTA promised. A sixty cent savings per day might not mean that much to people in the higher salary brackets, but for poor blacks and whites, this is a significant savings and an economic blessing. It should be noted that since the fare was lowered to fifteen cents on March 1, 1972, patronage increased 18.5 per cent after the first week, according to Alan Klepper, the new General Manager of MARTA. Moreover, William Maynard, former Assistant General Manager for System Operations, stated that "there has been a substantial increase in riders during off-peak hours and on Sunday, and a significant increase in short-distance riding has occurred." Thus, the approval of a rapid transit system by Fulton County voters can be largely explained by economic factors. Poor blacks and whites were interested in a sixty cent savings per day and middle class blacks and whites could not feel the effect of a one cent sales tax on their pocketbooks. After all, it was these same people who rejected the proposed rapid transit system, which would have been financed by an ad valorem property tax, in 1968.

It can not be overemphasized that rapid transit decision-makers in the city of Seattle should examine the method proposed for financing the mass transit system in the Metro-Atlanta area very carefully because the voters in that city have twice defeated proposals for a rapid transit

26 Alex Coffin, "Court To Hear MARTA Appeal Case," The Atlanta Constitution, February 12, 1972, p. 6B.
27 Bill Seddon, "Blacks Claim Credit for MARTA Win," The Atlanta Constitution, November 11, 1971, p. 13A.
28 Ibid.
Virginia Hetrick and Hugh Calkins found in their study of Seattle that the economic status of voters or what they call "nontransportation factors" were largely responsible for voter rejection of the proposals on two occasions. They wrote:

... While the proponents of the transit plan considered the lower and middle income groups to be the important swing vote, the upper income areas showed the greatest disaffections. The losses in suburban communities may be attributable to two factors among others: tax-sensitivity and cutbacks in the aerospace industry. Just prior to the 1970 election, information on local property taxes show that two of the east-side communities had the highest property taxes in the state. Cutbacks in the aerospace employment during the six months previous to the 1970 election were heavily concentrated in residential areas east and south of Lake Washington...

Voter response to general obligation bond elections is a function of economic characteristics of the population and the general state of the economy. It does not appear that factors such as need for improvements in the transportation system or anticipated levels of service influence voting behavior.

It is interesting to note that voter response to the rapid transit proposal in Fulton County was also largely influenced by economic factors rather than "transportation factors."

A majority of the black precincts had voted for rapid transit although the margin of victory in a number of these precincts was very narrow. The following is a sample of such precincts:

<table>
<thead>
<tr>
<th>Precincts</th>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>3E      Morris Brown College</td>
<td>163</td>
<td>136</td>
</tr>
<tr>
<td>3J      Harper High School</td>
<td>704</td>
<td>582</td>
</tr>
<tr>
<td>3M      Archer High School</td>
<td>142</td>
<td>136</td>
</tr>
<tr>
<td>6H      Howard High School</td>
<td>194</td>
<td>100</td>
</tr>
<tr>
<td>7D      Washington High School</td>
<td>361</td>
<td>249</td>
</tr>
<tr>
<td>7Z      Frederick Douglas</td>
<td>531</td>
<td>414</td>
</tr>
<tr>
<td>9A      Morehouse College Gym</td>
<td>227</td>
<td>144</td>
</tr>
<tr>
<td>9B      English Avenue Primary School</td>
<td>277</td>
<td>212</td>
</tr>
</tbody>
</table>


Although a majority of voting blacks favored rapid transit, it should be pointed out that the turnout in black inner-city precincts was very low (approximately thirty-five per cent, compared with an over-all forty-

three per cent). This proven lack of black voting on this vital issue is due in part to the inability of Atlanta’s black leadership to bring the diverse elements in the black community together. Such a low turnout is not only indicative of the very low level of political participation on the part of blacks on important policy issues, but is also indicative of why it is so easy for decision-makers to carry through important decisions that are not representative of community sentiment and be able to get away with it. This situation is unfortunate and will exist for a long time due to the following reasons:

1. Black leaders in Atlanta are not vocal enough when it comes to pushing for policies that are beneficial to black people. There seems to be a feeling among some black leaders in Atlanta that keeping quiet or not being too vocal will somehow result in policies that will be beneficial to black people. The evidence suggests that if this is the assumption upon which they have been operating, it has been an erroneous one. The end result is a feeling among the masses of black people that there is not much hope and that to perform their civic responsibility is a futile activity.

2. The type of black voting power that is needed to affect basic policy changes that will be beneficial to black people is non-existent in almost all sections of Georgia as well as the entire country. A minority of blacks casting votes in an election is *almost meaningless in a majoritarian context*. A problem which will continually face black people involves black leaders being a minority on nearly all decision-making bodies working to get truly liberal proposals passed that will benefit the masses of blacks. This problem is magnified in Atlanta. For example, Floyd Hunter found in his study of the Altanta power structure that “in no case may the Negro citizen break out of the pyramids into the upper echelons of policy-making groupings at the top of the total community structure. This is the general pattern of participation of the Negro Community in the power pattern in Altanta.” From my observations, this particular conclusion by Hunter is still valid although his study was written nine years ago.

3. The majority of poor blacks are so busy “making ends meet” that even vital political issues affecting them directly are viewed with apathy.

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4. Many black people take a fatalistic attitude toward their plight and are convinced that there is nothing they can do to change it. Numerous unfulfilled promises resulting from institutionalized white racism are largely responsible for this "there is nothing I can do" attitude.

5. Many blacks in Fulton County feel that although there is a transportation problem, they will still be able to get to and from work, and therefore, fail to become very concerned about a rapid transit system which they do not perceive as being directly beneficial to them. The author is convinced that until the transportation problem becomes far worse than it is now, there will continue to be a low level of political activity in the black community on this issue.

It is the author's opinion after a careful analysis that the business element especially in the white community solidified its support for rapid transit because of the financial rewards that would accrue from it. For example, a piece of MARTA campaign literature pointed out that "since rapid transit was completed in Toronto 15 years ago, 85% of all new construction: apartments, offices, homes . . . has occurred along the transit corridor . . . Throughout Atlanta's history, the city's growth has followed its transportation routes." 32 The same article also made the following observation:

When construction starts in 1973, it will have a major economic impact on the entire region. Close to 300 architects and engineers will be required, 30 major contractors and 150 sub-contractors. The manpower demand will vary from year to year, with a peak payroll of some 3,000 construction workers . . . 820 carpenters, 530 ironworkers, 450 laborers, 350 electricians, engineers, pipe fitters, sheet metal workers and many more . . . Local building material suppliers will probably have to hire an additional 900 workers to fill MARTA's needs.33

It is important to recall here that The Atlanta Inquirer and Atlanta's black leadership with the exception of Alderman Dodson urged black voters in Fulton County to support rapid transit in spite of the great degree of uncertainty surrounding the promised fifteen-cent fare for at least seven years. For example, Stell Huie, the Attorney for MARTA, pointed out that the fifteen-cent fare would have to be increased before

33 Ibid.
the seven years are up if the "assumptions and projections" put forth by the engineers do not hold up. This fare is only "established policy" and a "good faith commitment," according to Huie, because state law prohibits MARTA from going into the red, which might happen with such a low fare. Moreover, former Alderman Everett Millican observed:

The 15 cent fare is nothing in the world [but a political gimmick] to try to attract some voters. As a matter of fact, some of the MARTA people told me that. The 15 cent fare is twice as cheap as any other rapid transit system in North America. MARTA's own figures show that they will have an operating deficit for the first 15 years of $478 million or an average of more than $30 million a year, which will come out of the sales tax. Other cities that are charging far more than MARTA are having deficits ranging from $100 million in New York, $51 million in Boston and $32 million in Chicago and in many of these areas there are less people riding rapid transit now than rode it 40 years ago.

Finally, Gerald Rafshoon, an advertising executive who aided MARTA in promoting its rapid transit proposal observed that the "15 cent fare, became a code word for 'nigger'."

It is the author's opinion that black leaders in Fulton County ought to be very cautious about urging blacks to vote a certain way on policies that are uncertain in their outcome and likely to have an adverse effect in the long run. The uncertainty regarding a guaranteed fifteen-cent fare for seven years might result in blacks paying more than a fifteen-cent fare before seven years, plus the one cent sales tax. For example, the proposed fifteen-cent fare went into effect on March 1, 1972. However, as a result of an appeal by Attorney Ben Camp which was heard March 15, 1972, by the Georgia Supreme Court challenging the rapid transit legislation, uncertainty has already become a living reality. MARTA officials asserted that the fares would probably have had to return to the forty-cent level by April 1, 1972, since the collection of the one-cent sales tax which was to begin April 1, 1972, was halted by Camp's suit. William Maynard, former Assistant General Manager for System Operations estimated that deficits would run at the rate of approximately $600,000 monthly without the one-cent sales tax and a fifteen-cent fare. Roy Blount, MARTA Chairman, emphasized that "right

34 Alex Coffin, "15 Cent Fare Not Assured," The Atlanta Constitution, September 14, 1971, p. 10A.
35 The Atlanta Constitution, November 8, 1971, p. 15A.
REFERENDUM VOTE ON RAPID TRANSIT IN FULTON COUNTY

now we don't know enough to decide. But no one on the MARTA Board wants to create any more confusion than has already been created."

Another example of black leaders failing to do their homework and failing to look out for their constituents' interest before urging them to vote a certain way centers around the proposed one cent sales tax. The Georgia Revenue Department under its new rules decided that the one cent sales tax for MARTA would be collected by adding one penny to the tax collected in each bracket under the present three per cent state sales tax law which operates as follows:

<table>
<thead>
<tr>
<th>Bracket</th>
<th>Tax Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 to 35 cents</td>
<td>(one cent is charged)</td>
</tr>
<tr>
<td>36 to 66 cents</td>
<td>(two cents are charged)</td>
</tr>
<tr>
<td>67 to 100 cents</td>
<td>(three cents are charged)</td>
</tr>
</tbody>
</table>

Note: Under these rules, 2 cents would be charged for 11 to 35 cent purchases, 3 cents from 36 to 66 cent purchases and 4 cents for 67 to one dollar purchases.

In effect, consumers will pay an additional penny for rapid transit on each purchase of a dollar or less.

Two Georgia trade associations have charged, and correctly so, that "this method of figuring the tax collections will constitute an economic threat of unrestrained taxation as it will affect the disadvantaged and low-income population who must buy food—not from week to week, not from day to day—but from meal to meal." 37 It is common knowledge that the low-income population purchases many items one at a time. Thus, the purchase of a fifteen-cent soft drink is subject to a two cent sales tax (13.3 per cent) and a thirty-seven-cent quart of milk is subject to a three cent sales tax (8.1 per cent).

John Blackmon, the State Revenue Commissioner, has pointed out that the brackets are aligned the way they are because Georgia does not have a four per cent tax, but a three per cent sales tax and a one per cent rapid transit tax.

The Georgia Association of Petroleum Retailers Incorporated pointed out that the one per cent MARTA tax discriminates against "middleman" businessmen such as manufacturer's representatives, because the merchandise they sell is subject to the one per cent tax. Moreover, the Association pointed out that the bracket system produces an excess amount of taxes because it is not consistent with the MARTA law. The author has talked with a number of black people from all walks of life who voted for rapid transit because they thought they would be paying an additional penny for every dollar spent rather than a penny for every

purchase of one dollar or less. This is the type of uncertainty that could have been cleared up by black leaders before urging their constituents to vote “yes” for a rapid transit system.

As a result of pressure regarding the method of collecting the one cent sales tax for MARTA being brought to bear by consumers, the Georgia Retail Food Dealers Association, the Atlanta Retail Merchants Association, and the Georgia Association of Petroleum Retailers, the Revenue Commissioner backed down and on March 30, 1972, one day before the tax was to go into effect, issued the following breakdown for collecting the tax:

<table>
<thead>
<tr>
<th>Bracket</th>
<th>Breakdown</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-10 cents</td>
<td>—none (same as three per cent tax)</td>
</tr>
<tr>
<td>11-35 cents</td>
<td>—one cent (same as three per cent tax)</td>
</tr>
<tr>
<td>36-66 cents</td>
<td>—three cents (one cent more than three per cent tax)</td>
</tr>
<tr>
<td>67-$1.10</td>
<td>—four cents (one cent more than three per cent tax)</td>
</tr>
</tbody>
</table>

For purchases $1.11 and over, the combined tax is a flat four cents on the dollar, plus the additional cent or cents on fractional parts of a dollar (as specified in the above brackets).

Source: *The Atlanta Constitution*, April 2, 1972, page 1A.

On April 1, 1972, confusion was widespread as merchants began to collect the one-cent tax and overcharging was the rule rather than the exception for several days because many merchants had not been notified about the new tax collection ruling which was issued on March 30, 1972. The author was the victim of a one-cent overcharge on April 1, 1973, in the Sears and Roebuck Department Store located on Lee Street, in Atlanta. The store had been operating under the old rules and workers were only instructed to abide by the new ruling after the author brought this matter to the attention of the store manager who had to call the Revenue Commissioner’s office to learn of the new ruling for the first time. The one-cent tax overcharge was returned to me, but many people who had shopped in the store earlier and were not cognizant of the new ruling were overcharged on April 1, 1972. An article in *The Atlanta Constitution* the day following the first day of collecting the one cent sales tax was entitled “Confusion Widespread As Transit Tax Starts,” The author of that article wrote:

They started collecting the 1 per cent sales tax and use tax for Atlanta’s rapid transit system Saturday, and confusion abounded . . . There had been a change in the local option tax structure late Thursday, and many stores and restaurants reported Saturday they still lacked official notification from the state . . . However, because many merchants Saturday had not been advised of Thursday’s new ruling, they were unintentionally overcharging
on purchases of 11 through 35 cents, and on bills more than $1 when the fractional part of the dollar lay in the 11-35 cent range.

"I had to pay 22 cents for a 20 cent cup of coffee at the Atlanta airport," said one enraged customer.

"I just bought groceries" complained another Atlantan, "They charged me $4.26, but it should have been $4.25." 38

Conclusions

On November 9, 1971, voters in Fulton County approved a rapid transit system for the Metro Atlanta area by a margin of 471 votes in what turned out to be a very controversial election. Several lawsuits challenging the election outcome were pending at the completion of this study. It is the author's opinion that three factors were decisive in influencing all segments of the community to vote "yes" in the referendum. They were:

1. The MARTA Board of Directors succeeded in making the Fulton County officials feel that they were an integral part of the decision-making process.

2. Board members placed more emphasis on community participation in the decision-making process than was true before 1968. This strategy caused members of the Citizens' Transportation Advisory Committee who represented all economic classes to carry the campaign for rapid transit to all segments of the Fulton County Community.

3. Board members unanimously decided that a community relations campaign of much greater intensity than the one leading up to the 1968 referendum was a "must" in the black community. It cannot be overemphasized that the campaign was centered around the eye-catching one-cent sales tax and the seven year fifteen-cent fare guarantee which was promised by MARTA officials. Many Metro-Atlanta citizens viewed this tax and fare as an economic blessing because this arrangement will mean a savings of sixty cents per day for poor blacks and whites. For middle and upper class blacks and whites, however, the issue of a one cent sales tax was a bigger drawing card because it is much more acceptable to this segment of the population than an ad valorem property tax which was the method proposed for financing a rapid transit system in the 1968 referendum. Undoubtedly, therefore, the

38 Maurice Fleiss, "Confusion Widespread As Transit Tax Starts," The Atlanta Constitution, April 2, 1972, p. 1A.
Board's decision to carry out an intensive campaign which stressed the one-cent sales tax and the fifteen-cent fare for seven years, was very instrumental in causing a significant percentage of the Fulton County voters to approve the proposed system.

It is the author's opinion that black leaders in the Metro-Atlanta area and in other areas where rapid transit is being proposed should do all they can to guard against uncertainties such as those that appeared following approval of the 1971 Atlanta Referendum. Moreover, poor blacks and whites in other cities should take a close look at the Atlanta experience before they perform their civic responsibility at the polls regarding a rapid transit system. They should also demand clear answers from their leaders if they are to avoid uncertainties that could crop up after their votes have been cast, uncertainties that could work to their disadvantage.