

**Gloria Guard**  
**Keynote Remarks**  
**Pennsylvania Legal Services Annual Conference**  
**Split Rock Lodge Resort, Pennsylvania**  
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Good Evening and thank you for inviting me here tonight to address this energetic group of talented and dedicated people. As you now know, I direct the People's Emergency Center (PEC), the oldest shelter for homeless families in Pennsylvania. PEC was founded in the early 70's, at a time when Penn and Drexel students wanted to do something about social justice "right here at home." They did some research and found out that if a family became homeless, parents were separated from their children, who were put into foster care. So a small group of students and activist ministers started the first shelter for families in a church basement. Some of you may have been in nursery school or even younger.

Although I didn't work at PEC in its beginnings, I certainly have many clear memories about the late 60's and early 70's, about Legal Services and public interest attorneys. I was in college during the Civil Rights movement – I went to rallies and marches, heard Stokely Carmichael and learned to play Joan Baez songs on my guitar, but never went down South like so many others did. When those Freedom Marchers came back home, many went straight to law school. They were charged up about our country, what was wrong with it, and the power they had felt first hand about what could be accomplished if we banded together to make real change. They wanted to get their hands on the tools of power to continue the struggle for justice.

Lots of young attorneys (mostly guys) went into public interest law with gusto. Those were the days of Kent State and Frank Rizzo and the Black Panthers. They were exciting and incredibly energizing times, when right was right and wrong was wrong. And the lawyers emerged as our local heroes. They had the law and especially the Constitution on their side. The country had unforgettable leaders, like Dr. Martin Luther King who reminded us that "We are caught in an inescapable network of mutuality; tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."

There were many turning points, many personal and cultural revelations, and many "all-nighters" as we discussed and argued over issues and tactics. Even as we pressed for justice in the public sphere, we also had plenty of difficulty explaining ourselves to our own parents and grandparents in America's suburbs. Many of us were the middle-class World War II babies. Our parents were proud to serve their country in foreign wars, and were rewarded with the seeming prosperity and moral perfection of the 50s – a sedan in every driveway, intact nuclear families with stay-at-home moms, drive-in movies, strip malls and the wonder of television.

Despite the happy haze of middle-class comforts, many of us recognized that elsewhere in America we were imposing injustices on our own people. Black kids still couldn't go to school with white kids. Our neighbors and cousins and friends were being forced to risk their young lives thousands of miles away in a country that none of us had even heard of until the war. Slowly, incrementally, the struggle came together – everything from intimate and often heated

family discussions to all-out radical actions and civil disobedience. We began to turn public sentiment – and the system – around.

I can still remember what seemed like such a watershed to me, the trial of the Camden 28. A group of anti-war activists were arrested in Camden New Jersey – caught red-handed inside a federal building in the act of destroying draft records. They represented themselves at trial. The jury found them not guilty and embraced their defense, that the war in Vietnam was the injustice and that their work was just. All of us were ecstatic - everyday people agreed with us - finally.

There are times when I wish that things were as clear cut today – simple in their division into right and wrong. As deadly and threatening as the war or as obviously racist and brutal as Frank Rizzo. But things are not nearly as clear cut and society is not nearly as sympathetic. A lot has changed over the past few decades.

Today we are still facing tremendous upheaval and crisis, but that crisis exists almost solely amongst the very poor. Our communities have been severed from each other, our neighborhoods are divided, and, by and large, we do not feel bound up in one another the way we did a few decades ago.

We live in very different cities divided much more by race and class than was the case in the past. Today young middle class couples don't even consider marriage unless they have assured themselves of a home that they own, fully furnished. Their counterparts across town are living on an incredibly meager welfare check – without an increase for the cost of living for more than the last ten years. Young upper class couples are waiting for decades to have their first child, until Mom and Dad have moved past middle management into an economic comfort zone close to Donald Trump. And they are naming their children gender-free names like Monroe and Madison, after either Presidents or State Capitols. These little ones are treated to nannies, personal computers, and spring water while their parents worry about the stock market. Meanwhile, their low income counterparts are dropping out of high school to have children at increasingly younger ages, with no prenatal care, and no family support. These mothers are giving their babies African-sounding names – about as far as they can get from our founding fathers. Their children are being raised in homeless shelters or doubled up with other families or grandparents, in destitution and without hope. These families live in homes without computers or spring water and all too often with guns or crack cocaine.

Let me assure you that you and I live with as deadly a threat as the Vietnam War each day. The violence in our city neighborhoods is horrifying. The poverty is massive and enervating. There are countless families and individuals who have no hope of escaping from a nightmare hand-to-mouth existence in which each day is a struggle. Their social system is one where everyone is either predator or victim and the toughest, meanest, nastiest people get the most respect.

It is these families and individuals that we must serve. Your offices are filled with their stories of disappointment, injury, loss and injustice. As legal services advocates, you are able to clear their paths and get them past today's problems – get them the food stamps they need to feed their kids, stop the landlord from evicting them, bar the door to the batterer, get them on disability, or help them with some other daily hurdle. We do much of the same at PEC, helping each family

somehow surmount the seemingly overwhelming barriers to just living life. This work is essential and necessary, but sometimes it can wear us down. However, at PEC, we have been blessed with regular injections of systemic change which give us hope and courage to move forward and which in many cases have bulldozed the path for all of our families – not just cleared up that day’s problems. That change is the result of the expertise and tireless assistance of legal aid and public interest attorneys. They have mounted the *big* struggles for poor people which have made a *lasting* systemic impact. And so their work continues to make our work easier.

To show just how important this work is, I want to give five examples of legal victories for poor and homeless people that you and your colleagues have made possible. I need to apologize because my examples are all from where I work and live; I am sure that there are myriad examples in other parts of the state.

- First, there is actually a 17-year-old law in Philadelphia, which forces the city to give homeless people shelter. That law was tested in court in the mid 80’s and we won. The City still has to live up to the court order which was the result of that case. It is a luxury for us to have this case to fall back on, compared to homeless advocates in other cities who lack this legal foundation for their work.
- Second, we have been lucky to have Irv Ackelsberg and George Gould in Philly, assuring that our clients can get and keep decent housing. In 1994, Ackelsberg successfully filed the class action lawsuit which eventually stopped a local real estate company from taking advantage of poor people who were trying to buy a home. Some families had spent their life savings to “apply” for a home and received only a listing of homes for sale in return. Ruben Montgomery Realty (RMR) had to cease this unfair and unethical practice. In 1996, Gould took on a class action suit representing tenants of Ogontz Manor, a 200 unit apartment building which had been neglected and abandoned by its out-of-state owners. The housing failed to meet all normal codes and safety standards and the landlords almost got away with filing for bankruptcy and walking away, since tenants have no standing in bankruptcy cases. But George and his colleagues fought the good fight and in the end, each tenant received a substantial cash award with which they could relocate and the landlords had to pay. Perhaps more importantly, this case sent a loud and clear message to slumlords and to the city’s housing code authorities. Since this victory was won, no large multi-family buildings have been lost. The City has employed a coordinated approach and increased housing inspections to avoid any further public embarrassments.
- Regional Housing Legal Services has had an unprecedented impact on our region. By lending highly technical know-how to each non-profit, Regional has built the capacity of literally dozens of agencies like PEC which in turn have rebuilt their neighborhoods. In many ways, I think Regional Housing exemplifies what I always believed legal services advocates were about. They assist and guide us do what we absolutely could not do without them, while at the same time teaching and training us, so that next time we can do more and more ourselves. I have watched colleagues at Women’s Community Revitalization Project, Norris Square, and Project HOME move from building a few units of housing at one site, to literally changing the entire landscape in their neighborhoods. Thousands of families and

individuals now live in hundreds of newly renovated homes because of the brain trust at Regional. People with AIDS, homeless children, Latinos, whites and African Americans have affordable and lovely homes which allow them to live lives of dignity. They can also enjoy beautiful playgrounds, day care and community centers developed by people who were not trained as builders or architects or financiers. The developers in all these cases are everyday social workers and low-income people who had some vision and needed some help. Regional injected their wisdom and incredibly hard work and now the infrastructure to continue this work is in place – inside the walls of Project HOME and PEC and the other CDC's. We now rely on Regional less and less so that they can help the newly emerging groups more and more.

- Next, I cannot count the number of times that Rich Weishaupt, Jon Stein, Sharon Dietrich and their CLS buddies intervened in public policy to make life easier for our clients. We are so lucky to have them in Pennsylvania where they have been able to quietly, and sometimes not so quietly, move mountains for women on welfare. Right now they are the backbone behind the reasoned and thoughtful pressure in Harrisburg to soften welfare reform legislation. I am hoping that in a few months, TANF recipients may be allowed to get an education or some skills training instead of going directly to work after their first 24 months of assistance. This significant change will alleviate some of the inconceivable pressure on our mothers who are getting more and more desperate each day.
- The last legal aid success story started with an apartment building that needed a zoning variance because it didn't have a rear yard. Project H.O.M.E. led by Sr. Mary Scullion, was embroiled in seemingly endless litigation over the development of 48 units of permanent housing at 1515 Fairmount Avenue in North Philadelphia. Over four years, Sr. Mary and the homeless community in Philadelphia launched an incredible battle with legal services advocates in the lead. In 1989, the struggle began to "Free 1515."

Project HOME had been successful in raising the millions that were needed to build what amounts to an apartment complex for formerly homeless people with lots of administrative and program space. They located a site which appeared to be perfect in that it was on an obviously commercial street, on the edge of what most of us would think of as a deteriorating neighborhood – where it wouldn't cause the typical NIMBY problems. However, they weren't counting on the opposition of a few people who owned several small developments some blocks away in a much more gentrified area. These folks sought to use the law to stop the development of 1515. Citing the lack of a rear yard, they entered into a pitched battle, engaged and won over the City's Mayor and the President of City Council, and mounted an unprecedented campaign to stop those homeless people from moving into their neighborhood. At this point, let me quote directly from Mary's speech to the Justice Department in 1994 :

*We spent almost four years in courtrooms ostensibly because of inadequate rear yard space. Even the Pennsylvania Supreme Court agreed to hear our opponent's appeal. Apparently they too were deeply concerned about our rear yard space. And the Rendell Administration considered petitioning the United States Supreme Court to add the matter of a rear yard at 1515 Fairmount to its list of pressing issues in our nation. (In November of*

*93, Federal Judge Louis Polack ordered the Rendell Administration to grant us a "reasonable accommodation" which would have ended this absurd situation. The City appealed this decision to the 3rd Circuit and lost by an unanimous decision before the 3 Judge panel.).*

The struggle over 1515 Fairmount Avenue was not about the rear yard. It was about the landed gentry keeping the undesirables out of their neighborhood and attempting to deny the fundamental right and the simple opportunity to have a home. And for tonight, it was also about the role of legal services advocates in continuing to raise the flag, to call the question and speak out, to fight the fight, and challenge those who are our oppressors.

So as it turns out, there are times today when things are just as clear cut – simple in their division into right and wrong as was the case when legal services was in its infancy.

Poor people face the same opposition that they always have, only now, in addition to office holders and the obvious Fortune 500 leaders, regular everyday people also don't want poor people in their neighborhoods and think that people on welfare need to get off the dole and get a job. Poor people face more devastation from gun violence and drugs each day -- life is much meaner and much more complicated. And gone are the 12 good men and women of the Camden 28 jury.

From where I sit in Philadelphia, I've seen mergers and acquisitions leave those at the top with incomprehensibly grand incomes. Whether it is Scott Paper or Allegheny Health Systems or CoreStates Bank – each time there is some big merger there is always the same result -- hundreds of working class people lose their jobs while the big cheeses walk away with more money than all of us could possibly spend in a lifetime. Those working class people are forced to take less skilled, lower paying jobs leaving fewer and fewer entry level jobs for the untrained and unskilled. Even as our economy continues to thrive, this division between the "haves" and the "have-nots" grows and grows.

It is against this backdrop that the most vulnerable will now be thrust. It is against this backdrop that you will be entering the next millennium and asking yourselves, What is our role? What should we do? Where do we fit?

I've had a chance to see some of your plans and it is heartening to me is to see that all of you are going to take on the new millennium with vigor, energy and a new organization.

It is great to see that you are attacking the organizational and infrastructure issues so that you can remake yourselves into a more focussed and efficient operation. I noticed that you are going to travel into the future with the help of technology – I guess you're going to have to ditch those shoeboxes, index cards and post-its! You will be able to make the most of the special expertise that you have among you and hopefully attract the best and the brightest from the law schools.

It seems to me that you have taken on this metamorphosis with individual client needs in mind while at the same time adjusting for the reality of shrinking resources. However, as I paged through your goals, I started to wonder whether the larger battle for social justice has been

forgotten in your considerations. At first glance, it seems to me that you have chosen to spend most of your resources in the trenches with hundreds of clients handling daily problems and have left us alone on the battlefield to fight the big fights. I do understand that much of your money is restricted and cannot be used for the class actions and legislative work that I believe is so crucial. But there are funds that can be diverted to this work and I sincerely hope that each one of those unrestricted pennies will be applied to effecting systemic change.

No major social change has been made by a single group struggling for itself. Poor people – especially today – are struggling just to live. Social workers like us have our hands full meeting basic needs and putting out fires. We have to have you – the legal services advocates -- the masterminds, the public policy experts, construct the right vehicles, figure out the angles, lead us, be our advocates and keep us on track. Without you, we will inevitably drown in the flood of suffering.

Tonight, I hope that each of you has the courage and leadership that I have personally witnessed on so many occasions and the willingness to fight for what we know in our conscience and our heart is right. I wish you the best in your deliberations over the next few days.

Thank you.

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