



Department of Justice

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Remarks by
Attorney General Robert F. Kennedy
before the
Annual Convention
of the
Theatre Owners of America

Americana Hotel
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I'm very grateful for the opportunity to talk with you this evening.

As theatre owners, you have always filled a unique and important role in American life -- and lately, with the advent of the national crisis in race relations, your role has become a highly sensitive one.

Along with the owners of restaurants, hotels and retail stores, you have come to be known as "public accommodations," and have found yourselves in the center of a storm of controversy.

In practical terms, the controversy chiefly affects those of you who have theatres in the Southern and border states; but the civil rights movement is nationwide, and so is something that must concern us all.

Of the many business and professional groups I have met and talked with during these troubled times, none has shown itself to be more responsibly aware of the problem than yours.

You don't have to be told that there is nothing hypothetical about the American Negro's quest for equal opportunity -- you know that it is happening, that it is here and now, and that to ignore it is to adopt the self-deluding, head-burying posture of the ostrich.

You know that the time is long past -- if indeed it ever existed -- when any opposition to civil rights could be argued on moral grounds.

Yet the controversy persists -- not so much in moral terms as on grounds of legal technicality.

Does the federal government have any right to tell a business man whom he may or may not serve? That seems to be the main thrust of the argument today.

It's an argument very likely to impede the passage of the civil rights bill now pending in Congress. And it's an argument that cannot instantly be dismissed, if only because it is sincerely held by so many reasonable men.

Assuming that a number of such reasonable men are here in this audience tonight, I'd like to discuss that part of the legislation in some detail. I think it needs to be discussed, because it needs to be understood.

But first I'd like to touch on one aspect of the civil rights movement that has received all too little attention in the nation's press -- the heartening, encouraging fact that voluntary desegregation has become a rapidly increasing trend among theatre owners.

Prior to last May, when the President began calling business, labor, civic and religious leaders for conferences in the White House, there were desegregated theatres in 109 cities throughout the Southern and border states. In the past five months, theatres have desegregated in another 144 cities, bringing the total to 253.

In many cases, theatre owners have been able to desegregate their facilities with little or no reaction from the public -- which seems to indicate that racial discrimination can sometimes be a product of mere inertia rather than active or militant policy.

And even where community opinion is opposed to integration, theatre owners have found they can safely desegregate as long as they do so in unison with their competitors. The individual owner who might be reluctant to take the step alone is encouraged to do so when it comes about as part of a group action.

So far, very few disruptive incidents have taken place as a result of theatre desegregation -- and for the most part, those that have occurred, have been quickly and peacefully resolved.

One theatre owner voluntarily desegregated in Cambridge, Maryland -- a town world-famous for its racial strife -- and there have been no unpleasant repercussions from that act.

Another interesting case in point is that of a middle-sized city in Arkansas, where most but not all of the theatres chose to let down their racial barriers.

A local newspaper trumpeted the story, and for a week or so the theatres were subjected to a costly boycott by white citizens.

But in a matter of days the boycott collapsed, partly as a result of persuasion by civic leaders and representatives of church, welfare and labor groups -- and partly because the theatres began to show better movies.

Like all social problems, the racial crisis demands responsible leadership at the community level -- throughout the North as well as in the South -- and you, as influential and respected men in your own communities, are well qualified to be leaders.

Many of you have already taken on that kind of responsibility, and many others have shown willingness to do so.

There are any number of direct and positive things you can do. You can initiate, help organize and participate in local bi-racial committees, groups devoted to rational discussion as a means of finding peaceful solutions to interracial disputes rather than allowing them to erupt as violence in the streets.

You can concern yourselves publicly with local educational facilities and engage in efforts to combat the problem of school dropouts.

As business men, you know that the market for unskilled labor is rapidly shrinking under the advance of automation. You know that youngsters whose education is cut short of a high school diploma are headed for probably unemployment -- and since a high percentage of school dropouts today are Negroes, you can see how this dilemma bears directly on the racial problem.

A great need exists, North and South, for adequate vocational and on-the-job training programs to help equip previously unskilled workers with the abilities they need to compete in today's labor market. Here again is an area in which you, as business and civic leaders, can profitably concern yourselves.

You can take the initiative too, in helping to put a stop to discriminatory hiring and promotion practices in your business community -- you can set the example in your own organization and urge others to follow suit.

All these suggestions, of course, are chiefly applicable in places where the basic structure of official segregation has either broken down or never existed.

In many parts of the South, there remains a considerable feeling of resistance to voluntary change -- though quite a few theatre owners in those areas have indicated that they would welcome the opportunity to desegregate if the law required it.

Finally, I know that there are pro-segregationists among you -- theatre owners who question the government's right to regulate the way you conduct your business.

And this leads us back to that persistent question about the public accommodations clause in the civil rights bill. It seems to me that there are three logical answers to that question.

One: There is nothing new or extraordinary in the concept of federal regulations in private enterprise or private property. Federal health laws govern all businesses that deal in food and drugs for public consumption; federal safety regulations must be met by all airlines; federal deposit insurance must be maintained by all banks; zoning laws affect all property owners -- and the list of examples could go on and on.

Two: A federal law prohibiting segregation in places of public accommodation would be no different in principle -- and less restrictive -- than similar laws that now exist in 31 of the 50 states.

The third, and to me, most logical answer is that a public accommodations business is, by its very definition, a business that accommodates the public. No organization established to serve an exclusive group, such as a private club, would be affected by the proposed law -- nor would any business man lose his right to refuse service to a customer, who is, for example, drunk or unruly or improperly dressed.

Both the spirit and the letter of the civil rights bill make its purpose absolutely clear: its purpose is to assure that no man, woman or child in America will be discriminated against because of race, creed or color.

Those of us who are white can only dimly guess at what the pain of racial discrimination must be -- what it must be like to be turned away from a public place, or made to use only a segregated portion of that place, for no reason other than the color of one's skin.

Prostitutes, criminals, communist and fascist conspirators -- these people are free to go to the movies and to choose their own seats, as long as they are white.

How can a Negro father explain this intolerable situation to his children? And how can the children be expected to grow up with any sense of pride in being Americans?

All these things have been said so many times; all these points have been made and clarified so often over a period of so many months, that it's surprising how much misunderstanding still remains about the nature of the proposed civil rights legislation.

On one hand the Administration has been charged with seeking too much power, with trying to usurp and dictate the rights of private enterprise, of going too far -- and on the other hand, particularly during the past several weeks, we have been accused of "selling out," of not going far enough.

I suppose this kind of confusion is inevitable in any issue as delicate and as highly emotional as the issue of civil rights. My only hope -- and what I trust to be the hope of the vast majority of Americans -- is that reason will prevail.

The Administration has believed all along, and still believes, that a strong civil rights bill has every chance of being enacted into a strong and meaningful law -- a law that strikes effectively at the injustice of racial bigotry in voting, in public accommodations, in education and in employment.

Indeed, the Administration believes that such a bill must be passed, not only for the sake of racial minorities within this country but for the sake of the country itself.

The enactment of a strong civil rights bill will provide American Negroes with legal remedies to many of their grievances, and with an article of faith -- a clear indication that their government is responsive to the settlement of longstanding injustices.

But the law will be only the beginning. In the final analysis, only better education, better employment opportunities, better housing and more enlightened social attitudes will enable the Negroes to attain the full citizenship they have deserved for so long. And only those things will put a stop to the bitter unrest that poses a constant threat of disorder within our society.

The most any law can do is point the way -- the rest is up to the people. Civil rights is not an issue that can be solved by governmental edict -- it must be dealt with at the community level, within states, within cities, within neighborhoods -- wherever a meeting takes place between persons of light and dark skin.

A great deal of hard and conscientious work must be done, all over America, if we are to fulfill our destiny as a just and democratic nation.

If the disgrace of racial discrimination is to be purged from our land, in our time, it won't be a triumph of government alone. It will be a triumph of civil leadership in every American city and town -- leadership of the kind so many of you have already shown -- leadership by men responsive to the call for fundamental human justice.

Thank you.