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REMARKS BY ATTORNEY GENERAL ROBERT F. KENNEDY  
TO THE NATIONAL CITIZENS' COMMITTEE  
FOR COMMUNITY RELATIONS  
Department of State Auditorium  
August 18, 1964, 10:30 a.m.

Mr. Dean, Governor Collins, and members of the committee:

We meet at a historic time, a time which illustrates the difference between journalism and history. The new Civil Rights Act went into effect six weeks ago and since then, there have been instances of resistance and even violence. These are the cases which have drawn the headlines and the newspaper stories.

But in terms of long-range importance -- in terms of our history-- there is a much bigger story. While there have been isolated instances of resistance, this story is that hundreds and even thousands of communities and businesses are accepting the law. They may not like it. But they obey it. And this is a very great example of progress.

To understand how great this progress is, we need only think back ten years to another legal milestone in our civil rights history, the Supreme Court's school desegregation decision. What happened after that decision? What was the reaction of responsible national and community leaders? Where were the pulpit, the press, the public officials?

The answer is that they were silent. There was a vacuum of leadership from responsible sources, until, finally, leadership was provided by demagogues and mobs. Their slogans were "segregation forever" and "massive resistance" and their philosophy was not respect for law, but intimidation.

We got what we deserved. After all, when a whole generation and a whole region are told that a Supreme Court decision is unconstitutional and that it need not be obeyed, how could we expect that the mortar of public respect would be added to the bricks of law?

Rarely in history are nations presented with a second chance, with a new opportunity to correct a deep failure of the past. I believe we have been given such a chance. Now, ten years later, under the leadership

of President Johnson, there is a new opportunity for the responsible members of each community to make good on that chance. Now, after the enactment of the Civil Rights Act of 1964, instead of a vacuum we have wide understanding. Instead of lawless mobs, we have this gathering of alert, intelligent, and responsible men and women.

You come from every part of the country -- for that is where the problems exist -- in a spirit not of "massive resistance" but of massive compliance. You come in a spirit not of obedience to some laws, but of obedience to all law. Your work, if successful, will not make headlines. But it will make history.

The problems with which you will deal are national problems. But that does not mean that these problems have national solutions or that there is a universal panacea. These problems must be solved, in the same way they arise: in each community. And that is why your will and your effort are so important. You understand the background, the history and the peculiarities of your own areas and communities. You are able to work in a way no central agency or outsider can work -- with understanding and respect. You have the opportunity to contribute a very great deal to our country -- by your contribution in your own community.

This is the same philosophy which underlies the Civil Rights Act of 1964. The stress in this law is not on federal compulsion; it is on voluntary, local solutions.

TITLE I, which deals with voting rights, seeks to guarantee the right to vote to all citizens without discrimination. It does so by forbidding the discriminatory use of tests like the literacy test. It does not forbid literacy tests. It simply requires that they be administered fairly -- and in writing. Local officials remain free to prove that an applicant is not literate. Setting voting eligibility standards remains the responsibility of the state. The new statute only requires that such standards be applied uniformly, regardless of race.

TITLE II, the public accommodations statute, is perhaps the best known aspect of the law. Ideally, there should have been no need for such a statute. "Public" should mean "public." But the fact is that in many states, people have been excluded from such public accommodations solely because of race. Racketeers, or prostitutes, or diseased people have been served. But a Southern Negro woman, on her way home from burying her son, killed in Viet Nam, at Arlington National Cemetery, was refused service.

The simple purpose of the public accommodations title of the new law is to insure that all members of the public can use certain places of business which are open to the public. It means that hotels, motels, restaurants, lunch counters, gasoline stations, theaters, sports arenas,

and other places of public exhibition or amusement -- that these businesses can be patronized by all without discrimination according to race.

This part of the law does not affect a proprietor's right to exclude anyone who is disorderly, or for other legitimate reasons. This part of the law does not affect private clubs or organizations. This is a purpose which 31 states and the District of Columbia have sought by enacting their own public accommodations laws.

Primary reliance for enforcement of the public accommodations title rests with local authorities, where state or local laws exist. Only if local remedies prove futile can the victim of the discrimination bring a federal court case. If there are no applicable state or local laws, the court is authorized to refer the case to the Community Relations Service, to seek voluntary compliance.

TITLE III deals with public facilities. It gives the Department of Justice power to bring suit to desegregate publicly operated facilities, such as parks and libraries.

TITLE IV authorizes us to bring court action to desegregate schools. But we can do so only after seeking voluntary action by local school authorities. And this title also provides for federal financial and technical assistance to schools attempting to carry out desegregation plans.

TITLE V extends the Civil Rights Commission for another four years, and gives it new and useful authority to serve as a clearing house for information about civil rights.

TITLE VI, concerning discrimination in federally assisted programs, also exemplifies the emphasis on voluntary, local action. Its purpose is to assure that public funds, to which all taxpayers contribute, are not spent on a discriminatory basis. For example, it offers assurance that hospitals financed with federal money will not deny adequate care to Negroes. But no federal funds can be cut off arbitrarily or abruptly. Such termination is only a last resort, after all other measures, including attempts to secure voluntary compliance, have failed. Even then, funds can be cut off only under certain conditions and any termination is expressly subject to review by Congress and the courts.

TITLE VII deals with equal employment opportunity. Like the title on schools, it does not require racial balance or quotas. It will go into effect after a year, in three steps. After four years, employers of more than 25 persons in industries affecting interstate commerce will be prohibited from discriminating on the basis of color, race, religion, sex, or national origin in their hiring practices.

A bi-partisan Equal Employment Opportunity Commission will administer the new law, and seek to resolve disputes through conciliation. A person claiming discrimination may bring suit only if such conciliation efforts fail.

TITLE VIII directs the Secretary of Commerce to compile registration and voting statistics by race, color and national origin.

TITLE IX is a technical provision amending existing law to provide for appeals when efforts to transfer civil rights cases from state to federal courts are denied.

TITLE XI makes various provisions concerning criminal contempt proceedings which may be brought for violation of court orders.

And TITLE X is the provision which brings us here today. This is the title establishing the Community Relations Service, as part of the Department of Commerce, to assist local communities in resolving disputes and difficulties relating to racial problems.

The Community Relations Service can offer its services on its own, or on the request of state and local officials or other interested persons. The Service also handles disputes over public accommodations on referral from federal courts.

The emphasis on consultation, mediation, and local action present in the Civil Rights Act is the same emphasis which has characterized other Administration efforts in the field of civil rights. And even before enactment of the Act, there was widespread evidence of the high sense of responsibility felt by businessmen, all over the country, but particularly in the South.

Many of you will recall that in the spring of 1963, President Kennedy requested leaders of the business community to help reduce racial tension by taking steps toward voluntary desegregation; to form and participate in bi-racial committees, providing communication between the races; to help create local climates of tolerance and progress by conversation and by the efforts of press and pulpit; and to eliminate racial discrimination in employment.

President Kennedy held 11 meetings, attended by 1,600 leaders of religious, labor, legal, and women's groups, as well as businessmen. These meetings helped arouse the country to the need for voluntary efforts apart from the legislative effort.

These efforts have been notably successful. The resulting climate of opinion helped to make passage of the Civil Rights bill possible. And there was widespread voluntary change in racial practices prior to its passage.

Our last survey of such desegregation, made just before the bill's enactment, showed that out of 566 communities in Southern and border states, there had been at least some desegregation in public accommodations in 397 cities -- fully 70 percent.

The number of these cities in which theaters were desegregated increased from 109 in May, 1963, to 300. The number of cities in which restaurants were desegregated increased from 141 cities to 325. The number of cities in which hotels and motels were desegregated increased from 163 to 284 and the number of cities in which lunch counters were desegregated increased from 204 to 366.

On-the-scene observers have reported a remarkable change in attitude toward racial problems in all but a small area of the South. And even in "hard core" areas, the wall of strict segregation has been cracking.

The credit for these gains belongs to the responsible, even courageous businessmen, labor leaders, clergymen, lawyers, the press, and other community leaders. Once the alternatives were understood, they acted wisely, in the interest of their own communities and in the interest of the nation. Their efforts have helped greatly to minimize the potential for difficulty. Their continuing attitudes will make your work a great deal easier in the areas difficulty does occur.

I do not mean, however, to paint too optimistic a picture. There will surely be some difficulties, not only because of hard-core resistance, but also because of a lack of understanding. The progress I have been speaking of has been largely in the South. The lack of understanding I refer to is universal around the country.

Many times, we have heard civic leaders or officials insist that they are enlightened and aware of the problems. They often declare that, "Why, we have always had good race relations here." I would like to suggest that for a city to say this is like an individual saying, "Some of my best friends are Negroes." The sentiment is sympathetic. It may even be true. But it is as inadequate as it is trite. Neither a Civil Rights Act or the most sympathetic, sincere intentions will solve or even allay the present pressure for equal rights. That achievement can come only from the sensitivity, intelligence -- and action -- of people like you, gathered here today.

As President Johnson has stated, "This Civil Rights Act is a challenge to all of us to go to work in our own communities and our states, in our homes and in our hearts, to eliminate the last vestiges of injustice in our beloved America."

Your primary responsibility in this effort might be described as a negative one. When disagreements or even disturbances appear, you can be

firemen, helping to restore calm and communication. This is a vital role and it should not be understated. But there is a much greater, positive contribution you can make.

The purpose of the Community Relations Service is to help resolve disputes relating to discriminatory practices which impair constitutional rights. But such impairment is by no means limited to the narrow issue of civil rights. The very phrase "civil rights" has come to identify only the face, not the body of the problem. It is not simply a Negro-white problem. It is a fundamental social problem. Even if new laws could eliminate racial discrimination, they would not grant job skills to the unskilled, or new homes to the slum dwellers, or conquer the deep-seated hopelessness that afflicts millions of Negroes -- and whites.

These are the problems of poverty and frustration to which President Johnson is devoting such deep attention and it is in the answers to these problems -- of housing, of education, of employment, of opportunity -- for all our citizens -- that the answers to the civil rights problem lie. It is in these areas that you, some of the most responsible and able community leaders of the nation, can make a lasting contribution.

"I ask you to look into your hearts," President Kennedy said a year ago, "not in search of charity, for the Negro neither wants nor needs condescension -- but for the one plain, proud and priceless quality that unites us all as Americans; a sense of justice. Justice requires us to insure the blessings of liberty for all Americans and their posterity -- not merely for reasons of economic efficiency, world diplomacy and domestic tranquility -- but, above all, because it is right."

There is great work to be done and the nation is fortunate to have you to help do it. I wish you well.