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ADDRESS BY
ATTORNEY GENERAL NICHOLAS deB. KATZENBACH
BEFORE THE
ROTARY CLUB OF HOUSTON

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The story of the explosive growth of this city might well be described as 33 stories--in the Tennessee Gas Transmission Company building; or 44 stories--in the Humble building. It is a story of your 90 chemical plants, the Manned Space Center, your production of 2 billion barrels of oil a day and of 30 percent of the nation's rice output. It is a story of culture, embodied in the new Jesse Jones Hall for Performing Arts.

Yet the success and promise of this city--or nation--cannot be measured alone in buildings, bushels or barrels. The test of a society's vitality is not the promise it offers to some of its citizens; the test, rather, is the opportunity it offers to all.

Challenges of national and worldwide scope await us in the design of cities, mass transportation, science, space, foreign trade, and peace--challenges of this century and the next.

Yet Houston, like much of the nation, remains distracted from these challenges by a weary, tortuous, enduring problem of the last century; providing full opportunity, full responsibility, and full freedom for the American Negro.

I.

In the past decade, the nature of our racial problems has deepened and sharpened, while most of us were awakening to them. They have now advanced into the second stage--of economic and urban isolation, of doors closed to opportunity. These are problems of infinite complexity. Yet a good many communities have still to overcome the first stage, by making real for the Negro the legal rights which to the rest of us are formalities.

We offer no more basic right, no more central duty than the vote.

That right was explicitly guaranteed to Negroes 95 years ago in the 15th Amendment. It was reaffirmed by Congress in the Civil Rights Act of 1957, the Civil Rights Act of 1960, the Civil Rights Act of 1964. But each time, the will of Congress was tarnished by evasion and delay.

In the words of a Southern columnist, "The funny thing, really, was that all the time, some. . . Southerners were braying to the heavens about how much they loved the Constitution. They cried the 10th Amendment from the housetops; and they buried the 15th Amendment where no one could find it."

Of the 3.3 million Negroes of voting age in the South at the start of the year, 2.2 million--fully two-thirds--still were unregistered. It remained necessary for President Johnson to seek and Congress to enact the Voting Rights Act of 1965.

That Act, which has been in effect for nearly two months, does two things. First, it suspends the use of discriminatory devices, like literacy or constitutional interpretation tests, in six states where they have been used to disenfranchise Negroes.

Second, the Act provides a mechanism under which federal officials can be empowered to register eligible voters in areas where state officials fail to apply the law. The first appointments were made on the day the new Act went into effect. So far, we have sent examiners to 19 counties in Mississippi, Alabama and Louisiana.

Thus, under the new law, we have acted quickly and steadily, but we have not acted massively. Our aim, after all, is **not** the widespread deployment of an army of federal examiners. The purpose, rather, is to insure that every citizen can vote, and do so according to normal and fair local procedures.

In my view, the best way for us to meet our responsibilities under the law is to see to it that local officials live up to theirs. And so, in appointing examiners, we have sought to act deliberately.

This policy so far has produced encouraging results. In addition to the 46,000 Negroes registered by federal examiners so far, we estimate that more than 100,000 Negroes have been registered voluntarily by local registrars in the states affected by the 1965 Act.

There are those, however, who believe that our deliberate course suggests reluctance to get the job done fully, fairly **and** promptly. To them let me say, there should be no mistake. The 1965 Act speaks to local officials, as well as to the federal government. If they **don't** fulfill their responsibilities under that Act, we will fulfill ours.

II

Voting discrimination is of general national concern but it is not, by and large, a problem here. The use of federal examiners in Texas is neither needed nor contemplated. But there is a second basic right whose need for fulfillment is very much present here--the right to free public education.

By this I do not mean a merely perfunctory or a merely adequate education--unless Houston seeks to bequeath itself a future that is merely perfunctory or **merely** adequate, and that would be hard to **believe**. The motive of this city is **not** adequacy. It is excellence--in potential and in resources, whether mineral or human.

Yet perhaps the most damning understatement we can make about ourselves in 1965 is that **both** nationally and locally we are providing Negro children with inferior education. That fact is so well recognized that it has become popular to use it to support segregation--in practice, if not in policy.

Few, if any, still believe that Negroes are inherently inferior racially. The argument, often well meant, now **takes** a different tack. Negro children, the argument goes, growing up in a barren, bookless environment, cannot be expected to do as well in school as white children who are not afflicted by a "cultural lag." Consequently, it is unfair for white children to be held back by the greater needs of Negro children in the same class.

There is a patronizing fatalism to this argument which I believe to be demonstrably false.

First, to the extent that such a "cultural lag" exists, it can be overcome--if we want to overcome it. Let me cite only one example. In 1963, Baltimore schools tried experimenting with a pre-school year for four-year-olds from two of the city's most depressed, largely Negro, neighborhoods.

When the children went on to kindergarten, they did as well as children from middle and upper class families. In the first grade, they did substantially better than other children from the same neighborhoods. By the end of the year, two-thirds of the original sixty were in the top half of their class; ten out of sixty were in the top quarter.

Second, there is considerable evidence to show that the failings of Negro students are not attributable to any "cultural lag" but, rather, to poor schools and poor teaching. Junior High School 43 near Harlem was, ten years ago, so "culturally deprived," interviews showed that teachers felt their students to be hopeless--and so did the students.

Then a pilot demonstration program was introduced at the school. The results were almost incredible. The dropout rate fell one half. In two years, the average student gained more than four years in reading ability. New tests showed that previous I.Q. scores were too low for 81 percent of the students: they went up an average of eight to nine points.

But this result was no miracle. It was the product of what ought to be obvious: good teaching means good learning; if students are expected to learn, they will learn.

All of what I have said so far is in support of quality education, of better schools. I think it is also clear that developing better schools is inseparable from developing desegregated schools.

It is now more than eleven years since the Supreme Court wrote, in its 1954 school decision, that to separate school children from "others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone."

We have had, since those words were written, repeated evidence of their wisdom and their accuracy. Only this week, a research expert reported on a study of Negro children in Boston who were enrolled for the first time in a school with white children:

"After a year," he writes, "it must be said that these children are studying as they never have before. They are showing enormous pride in their studies and generally doing excellent work. Many of them have markedly improved their grades, and their earnest, dutiful willingness to do 'homework,' even seek out extra instruction from volunteer college students has surprised their parents. 'My son has gone through a personality change; he has become a fire-ball,' the mother of a nine-year-old boy observed."

In summary, my point is that when white parents say they don't want the education of their children to suffer, they are expressing the same concern that Negro parents do when they say they want better education for their children.

Both seek quality education--and that must be our aim for all children. As one devoted student of school problems has observed, "The goals of integration and quality of education must be sought together; they are interdependent. One is not possible without the other."

III.

The enactment and enforcement of laws have a place in this process. The United States Office of Education, under the 1964 Civil Rights Act, is engaged in a broad-scale effort to secure desegregation of schools throughout the South. Last year, of about 5,000 school districts in 17 Southern and border states and the District of Columbia, about 1,500 were desegregated to some extent. This year, all but about 80 districts are desegregated--at least in principle.

The Department of Justice, in the meantime, this year began a major effort to complement the efforts of the Office of Education. We have so far brought 22 school suits and secured significant judicial guidelines for the extent and pace of school desegregation.

These guidelines have resulted in significant speeding up of desegregation by many communities, including Houston. As you know, the desegregation process here, originally intended to be completed in 1971, is now scheduled to end in September, 1967.

Yet even that speedup remains founded on a philosophy of gradualism. For there are many who believe that the answer must come gradually, through the erosions of time. I do not subscribe to that view. Gradualism is not an answer. It is a synonym for lack of resolution.

Gradualism in desegregation of schools has never had sanction, even in the philosophy of "deliberate speed." Deliberate speed referred to mechanical, not sociological problems. It was intended to recognize authentic administrative difficulties in carrying out desegregation.

Surely in the intervening eleven years, we have had time to work out administrative obstacles. And surely in eleven years we have had time to learn the more important lesson--that education is not an act of grudging, gradual charity, but an act of common self-interest; it is, perhaps, the most central responsibility of any society.

That this is no academic platitude is evident from even a brief visit to this city. Quality education, to provide skills of ever-increasing complexity, is the lifeblood of the space program, of the petroleum industry, of future maritime development, indeed of every aspect of civic and personal life.

There is nothing gradual about any other facet of Houston--neither your past growth nor your powerful willingness to meet new challenges as a city of the future. To remain distracted by problems of school desegregation is to be burdened still with problems of older cities. These problems are a tragic anachronism. They should have been overcome by now.

For Houston even to delay complete school desegregation for two more years is for you to distract yourselves from larger tasks. Your attention to schools should, by now, be free to focus on the quality of the education you are providing to every child. Your emotions and energies ought no longer be expended on prolonging racial questions, but rather on eliminating them.

Why should you not desegregate your schools fully next fall--even next semester--and get on with the larger tasks ahead?

I cannot help but believe that our grandchildren, living in the year 2000 or 2065, will look back to a city--and a nation--which thought themselves great, and, with a puzzlement similar to ours over witchtrials in Salem or the denial of women's suffrage, will ask. "Why? What took so long?"

Nor is our task limited to schools. "The task is," President Johnson said in his profound speech at Howard University last summer, "to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities--physical, mental and spiritual--and to pursue their individual happiness."

Let us, then, in this most modern of cities and in this most exciting of times discard gradualism to the timid and the short-sighted. Let us disdain the distractions of race as a factor in education and focus instead on quality in education. And let us then get on with the work of modern society, toward the goal Sam Houston set out in his first inaugural address.

He was talking to the proud people of a new republic more than a century ago. But we remain a proud people; we remain--all of us--a new republic, and his words apply to us still:

"As yet our course is onward. We are only in the outset of the campaign of liberty. Futurity has locked up the destiny which awaits our people. Who can contemplate with apathy a situation so imposing in the physical and moral world? None! No, not one."