



Department of Justice

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Address by

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65th COMMENCEMENT EXERCISES

NORTHEASTERN UNIVERSITY

Boston, Massachusetts

Sunday, June 19, 1966

President Knowles, Mr. Elliott, reverend clergy, distinguished guests, graduates and friends of Northeastern University:

It is a pleasure to come to Northeastern. I am grateful for this honor and for the opportunity to address this convocation.

This is not my first contact with Northeastern or with the Boston Garden. This is, however, the best seat I have ever had. My previous ventures here have either been to the upper balcony or to the exposed vantage of the goal nets, which I guarded with imperfect success as a Princeton hockey player.

Nor are we in Washington untouched by the influence of the University. Whether we get our bills--in Congress or in the mail--is determined in good part by a great political craftsman and Northeastern alumnus--Larry O'Brien.

I do, however, suffer one handicap. This is the very tail-end of the graduation season. The air is thick with incantation, prescription and stirring calls to action. Nowhere is this more true than in Boston in whose alluvial soil there has been such a fertile growth of educational institutions.

Friends and associates have preceded me--my Cabinet colleague Arthur Goldberg at Brandeis, former Commissioner Keppel at Boston College, the President's advisers and confidantes Eugene Black and Barbara Ward at Wellesley and Boston University, and Averell Harriman at Harvard. The temptations to pirate their ideas and the contagion of repetition are serious dangers.

There have been two enduring, living issues during your lifetime. They have been affected and shaped by the explosion of science and knowledge, but they will continue to be at the center of our concern even with the acceleration of change.

The first has been the assumption by the United States since World War II of enormous responsibilities. It has required patient courage, sacrifice, nerve, and innovative skills from our leaders and from our people. Despite the terrible tensions and tragic complexities of the nuclear situation, a common effort has sustained the peace. We have succumbed neither to the illusions of omnipotent power or of quick cure.

Today we are in Viet Nam not because we choose to extend our power or because of a senseless or impulsive war fever. We are there because our adversaries chose to make this the place for a test of will and of good faith.

The second dominant issue paralleling your lives has been the swelling national revolution against injustice. Throughout our society there is a growing appreciation of the moral, social, and economic costs we pay for failing to achieve the full release of the energies and abilities of all our citizens.

Indeed, in an age when our ideals are constantly tested by our international position, we cannot rest even on achieving equality of opportunity for our Negro citizens. We must, rather, be impelled to seek superior opportunity and superior achievement for every citizen.

We have, so far, given that revolution the label "civil rights." But by now we have come to the time when that label is no longer sensible.

Insuring legal rights against segregation is surely a first and critical step. Enactment of the proposed Civil Rights Act of 1966 would erect one of the final pillars of that effort. Yet, not even passage of this fifth civil rights measure in nine years will solve the still more penetrating infection which encrusted bigotry has inflicted on our society.

Scratch any domestic problem; the pathology would reveal it to be permeated with "civil rights" questions.

--Health is a dominant domestic question. But so long as the life expectancy of the young adult Negro American is five years shorter than that of his white contemporary, health is a civil rights problem.

--Employment is a dominant domestic question. But so long as the unemployment rate for Negroes aged 21--even in this time of full employment--is double that of whites, employment is a civil rights problem.

--Prosperity is a dominant domestic question. But so long as the income of the average Negro family is 40 percent lower than that of the average white family, prosperity is a civil rights problem.

--The decay of the city is a dominant domestic question. But so long as cities are thick, white, suburban collars encircling a Negro core, the city is a civil rights problem.

--The quality of education is a dominant domestic question. But so long as the average adult white has had three more years of education--and education in better schools at that--than the average adult Negro, education is a civil rights problem.

"Men of reason," the President told the White House Conference on Civil Rights recently, "who are honest with each other know that there is so much to be done that we should have done a long, long time ago. . . For reasons of ignorance or prejudice or hate, of greed or fear, of indifference, of blindness or whatever, we waited long. . . Now the awakening has come."

The federal government has been in the forefront of this awakening.

Since the enactment of the Voting Rights bill last August, we have made heartening progress toward achieving the integrity of the ballot. In the five states affected by this Act, the number of Negroes registered has increased by at least fifty percent--350,000 newly registered voters. In the South as a whole, registration of total eligible Negroes exceeds fifty percent.

Even more important, Negroes are exercising the franchise, and the terms of political debate and attitudes in the South are changing.

For example, scores of Negroes voted recently in Noxubee County, Mississippi. That would be an unspectacular fact elsewhere. In Noxubee County, they were the first voters of their race in this century.

Because of the quiet, comprehensive effort of Assistant Attorney General John Doar and his attorneys; of the FBI; of the Civil Service Commission examiners and observers who worked so devotedly; and of hundreds of law-abiding state and local voting officials, these elections were conducted with far less harassment, intimidation, or contrived barriers to Negro voting than any in memory.

In those few instances where difficulty did occur, as in the symbolic sheriff's race in Selma, Alabama, the Department of Justice brought suit the moment a defiant challenge was made against the true results.

Similarly, the federal government is moving carefully but decisively to insure that federal funds, which public and private programs receive from more than 20 federal agencies, are not used to support and perpetuate segregated facilities.

In our federal system with its myriad centers of power, its traditions of local responsibility and grants-in-aid, its mosaic of governing systems, this is a matter of enormous intricacy. But in a short time we have begun to devise effective tools.

Achievement of compliance by hundreds of thousands of recipients is a task of enormous dimension. It requires a wide range of skills and careful coordination of effort. We have been immeasurably aided by the goodwill and cooperation of virtually all recipients. Nearly 98 percent have submitted written and enforceable assurances of compliance with Title VI of the 1964 Civil Rights Act.

Progress in some areas may not yet be as rapid or as visible as we might hope. But the tempo is accelerating. Compliance is being achieved. Title VI is being vigorously enforced.

Well over 10,000 Title VI field reviews have been conducted by federal personnel. Where outright recalcitrance has been encountered, steps have been taken to terminate federal assistance. Formal compliance proceedings have been undertaken in 100 cases. Sixty-five hearings to terminate aid have been held for non-complying school districts; 25 of these require only expiration of a 30-day waiting period prior to final termination.

Similarly, an intensive effort is now underway to assure that all hospitals receiving federal aid do not discriminate against patients, doctors, or other professional staff. Thousands of hospitals throughout the nation are on notice that discriminatory practices must end in order for them to participate in Medicare which becomes effective on July 1.

Only this week in remarks to medical leaders, the President said:

"The Federal government is not going to retreat from its clear responsibility."

Meanwhile, the Department of Justice has supported these administrative efforts with action in the courts. We take no pride in the fact that we have had to engage in large numbers of school desegregation suits over the years, 20 this year alone. These derive from the unfortunate failure of the normal processes of political and community adjustment.

But when ordinary processes fail, we shall not fail to challenge recalcitrance to the law of the land.

These are not, patently, questions limited to laws and their enforcement, nor limited to one part of the country.

The 1954 Supreme Court decision was not punitive; it was grounded on a recognition of the indivisibility of the quality of freedom and the quality of education.

Desegregation by itself is merely the antidote to an old problem. By seeking it--by achieving it--we must not delude ourselves that we have solved the growing, new problem of providing education that is superior--as well as desegregated--to every American child. The two questions have become interlocked in so serpentine a fashion that they must be approached together.

The white parent contemplates flight to the suburbs because he fears the depressing influence of poor Negro children in the city school. The Negro parent presses for desegregation because he believes white school boards will not lavish concern on schools with few or no white children.

In short, both white and Negro parents seek precisely the same thing; quality education for their children. And that must be our aim for all children.

And yet there is resistance to so fundamental and evident a need. The argument, often well-meant, goes something like this. Negro children, growing up in a barren, bookless environment, cannot be expected to do as well in school as white children who are not afflicted with 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 in this argument which is demonstrably false.

Experiences in many cities have proved for us the pertinence of an old truth: good teaching means good learning; if students are expected to learn, they will learn. Where a sustained attack is mounted through teaching, curriculum, guidance, and common facilities, the effect on Negro students is quickly evident. Dignity for the individual and talent for the nation are merged.

Boston is inescapably a model city. The radiating influence of its extraordinary possession of human talent and educational and professional distinction gives it a large voice in the national outcome.

If Boston can conquer the blight of segregation and the ghetto, if it can strike more new paths in progressive urban development, then the contagion of example will have a powerful effect elsewhere.

This Commonwealth already has moved far in creating the legal and statutory conditions for this leadership. Your laws on open housing, on equal employment opportunity, on racial imbalance in the schools, place you in the very forefront. If you miss the mark, then the outlook in much of the country is less favorable. What you do--and do not do--are decisive to North and South.

In March, 1965, when the March from Selma to Montgomery for voting rights passed through Lowndes County, Alabama, reporters were diverted

by the sight of the Rolen School. It was a ramshackle frame building propped up on piles of bricks. Inside, holes in the floor were patched with old license plates, bearing the motto, "Heart of Dixie." Books were scarce and firewood for heat was non-existent. It was used only by Negroes.

Now, as the result of legal action and local leadership in the community, the Rolen School and 22 other crumbling Negro schools are being abandoned. Lowndes County could no longer tolerate the shame of preparing children to live in a Space Age by sending them to shack schools.

Boston, the education center of the nation, is a far cry from Lowndes County. But if our communities in the North allow themselves to make segregation rather than the improvement and elevation of all education the pivot of controversy and bridle on progress, then the shame of Lowndes County can also become the plight of Boston, or Washington, or Chicago, or Los Angeles. Once a school system begins to deteriorate, blight spreads quickly and is not easily reversed.

This ought to be obvious. Too often, as we have seen, it is not. Negroes should not have to seek the election of Negroes to a local school board in order to make clear to officials and public alike how critical quality education is to the entire community.

Our success in this great national endeavor means the involvement of those who recognize this issue most profoundly. The community of learning cannot exist in a partitioned world. The community of learning cannot be a dozing and unreverberant audience. For the professor, for the student, for the alumnus, for the university itself, there is fresh wisdom in the truth once stated by Mr. Justice Cardozo:

"There is education in books but education in life also; education in solitude, but education also in the crowd; education in study, but education even greater in the contagion of example."