



# Department of Justice

PS  
668  
K25

ADDRESS

BY

ACTING ATTORNEY GENERAL NICHOLAS deB. KATZENBACH

TO THE ASSOCIATED STUDENTS OF U.C.L.A.

UNIVERSITY OF SOUTHERN CALIFORNIA AT LOS ANGELES

Noon (PDT), Tuesday, October 20, 1964

It is a great pleasure for me to come meet with you here at UCLA today. I say that quite sincerely for today, unlike the last time I visited a state university, there was no one standing in the schoolhouse door to bar the way.

There is, however, one parallel between our meeting today and the visiting lecture I was called on to make at the University of Alabama -- the subject once again is civil rights. I had no choice over my subject in Tuscaloosa; today, I choose it consciously because I believe we have turned an important corner in the course of our long search for equal rights.

After decades of struggle, we have in the last three years put the full force and will of the federal government behind our pledges of equal justice and equal opportunity. We now have laws dealing with every form of official discrimination and compulsory segregation.

The American public and the Congress have decided that it is no longer permissible, as an example, for a lunch counter to agree to serve Negroes, but then to require them to take Pepsi-Cola instead of Coca-Cola, to stand rather than to sit, to drink from a paper cup rather than a glass -- and, finally to pay seven cents, rather than five, for the privilege.

The public and Congress have decided it is no longer tolerable for there to be more motels between Washington and Miami willing to accept travelers with dogs than there are motels willing to accept travelers who happen to be Negroes.

The public and Congress have decided it is no longer permissible to exclude Negroes from libraries or schools, or department stores, or voting booths, or other aspects of citizenship because of race.

In short, because of the accomplishments of the past three years, official discrimination -- systematic, overt deprivation of rights -- is now dead, or at least dying.

I do not mean to sound sanguine. I do not underestimate the difficulties that lie ahead in enforcing the legal guarantees of equal rights, the further acts of white terrorism and Negro anguish with which we will have to cope. What I am saying, however, is that the principle has now been established. The system of segregation is now illegal. And the end is in sight. Because of the great advances our nation has now made, we can turn our attention to far more fundamental concerns.

Heretofore, we have been concerned over the plight of Negroes because they are Negroes. The very phrase "civil rights" has come popularly to signify "Negro rights." We must now broaden our concern.

We must be concerned over the plight of Americans -- Negro and white -- forced to live in rat-infested slums. We must be concerned with adequate education for all our citizens -- Negro and white. We must be concerned over full employment for every worker -- Negro and white. The test of our future in civil rights is not how compassionately we treat some Americans because they are Negro. The test, rather, is how well we can respond to the problems of Negroes -- and whites -- because they are Americans.

This is why I say we have turned a corner in our civil rights history. We have reached the point where we can now focus on basic problems of human dignity, which are common to all races. To understand how sharp a corner this is, it is necessary only to look back three-and-a-half years and see how wide was the sweep of compulsory racial segregation.

There is, for example, no more indisputable civil rights than the right to vote. Yet in January 1961, there was widespread denial of this right in most Southern states, and the Department of Justice had brought only 10 law suits against such discrimination -- none of them in Mississippi. The total now has swelled to 67 law suits -- 24 of them in Mississippi. Voting records have been analyzed in another 130 Southern counties and voting inspections have taken place in 40 more.

Each case involves immense statistical and legal preparation, but this effort has brought results. For example, in Macon County, Alabama, it was almost impossible in 1960 for a Negro to register to vote. Yet last month, in the wake of federal voting action, two Negroes were elected to the county council -- the first members of their race to hold such office in Alabama since Reconstruction.

There are numerous other such examples, involving the election of Negroes and moderate whites as the direct result of Negro suffrage. Suffice it to say that in the past 30 months, nearly 600,000 Negro voters have been added to the rolls in Southern states -- an increase of almost 30 percent.

A second right, equally basic, is the right to travel anywhere in the country without interference. The Freedom Riders of May 1961, dramatically helped demonstrate that segregation in bus, rail, and air terminals existed throughout the South.

By the end of 1961, the Department of Justice secured desegregation regulations from the Interstate Commerce Commission and brought a number of suits against non-compliance.

By the end of 1962, all segregation in interstate transportation had been successfully eliminated. For the first time in history, it was possible to travel from Seattle to Savannah without encountering a single washroom labeled "white only" or "colored only."

Third, in the area of education, schools in five states were still completely segregated at the end of 1960. Robert Kennedy made it plain, soon after becoming Attorney General, that the federal government would tolerate no interference with court desegregation orders.

That pledge was upheld at the University of Mississippi, the University of Alabama, and elsewhere. Now there is at least some school desegregation in every state, following the admission -- the orderly and peaceful admission -- of Negroes to schools last month in three districts in Mississippi. The backbone of massive resistance has been broken.

Fourth, in the area of employment, the President's Committee on Equal Employment Opportunity has made great progress under the leadership of Lyndon B. Johnson. In one year, the Committee processed many times the number of complaints handled during the entire period of 1953 to 1960. It now has developed equal hiring opportunity programs involving more than 270 of the nation's major employers, as well as a number of unions.

In the area of Government service, more than 50 of the high appointments made in the first year of President Kennedy's administration were Negroes. Judge Thurgood Marshall of the Court of Appeals and Robert Weaver, head of the Housing and Home Finance Agency, are only two of the most distinguished. Cecil Poole of San Francisco is the first Negro ever to serve as a United States Attorney. The first Negroes ever to serve as federal district judges were appointed in 1961.

None of these men were appointed because of their race. They were appointed because of their ability, without regard to their race.

Fifth, there have been extensive advances in the field of federal programs. The Administration acted against discrimination in housing and hospitals built with federal funds, as well as impact-area schools.

Finally, the most significant advance of all came this summer, after a full year of intensive effort by the Administration, by public and private interest groups, and by Congressional leaders of both parties. I am speaking of the Civil Rights Act of 1964, an incomparable achievement of law.

Until its enactment, the only federal civil rights laws passed since 1875 dealt with voting. Now, for the first time, segregation as an official system has been outlawed. This is true not just in part, not just with respect to a seat on a bus or a space at the polling place. It is outlawed in every form that can be reached by law, whether in a lunch counter or a library, whether in schools or night clubs, whether in federal programs or in equal employment opportunity.

There is one subject of substantial concern remaining. In some areas, as the wall of official segregation cracks, the rabid, the witless, and the cruel seek to shore it up with acts of violence. The present, sharply accelerating number of arrests and prosecutions, both by the Federal government and by local officials, will continue until this terrorism is eliminated. The drive for equal rights will not be stopped by the bomb, the bullet, or the burning cross.

And we will continue to work, in each of these other fields, to insure that the legal gains so far accomplished will continue to be translated into actual gains for citizens so long deprived.

But now, with the legal principles established, our larger task must be to concentrate on the deeper, nationwide problems which affect Negroes and whites. Law has now conquered official discrimination. But law cannot grant job skills to the unskilled. It cannot give the slum dweller the means with which to buy a home. It cannot, unaided, conquer the hopelessness that afflicts millions of Americans, of whatever color.

The problem of poverty, for example, is not racial; eighty percent of the poor families in this country are white. But poverty strikes hardest at the non-white population. Unemployment rates for non-whites are twice as high as for whites. About a million of our unemployed--25 percent of the total--are non-white.

In Los Angeles, the Negro population is growing at more than twice the rate of the white population. In the 1950's, it rose 112 percent compared with 46 percent for whites. And the last census here showed an unemployment rate among non-whites of 9.4 percent--nearly twice that of whites--5.6 percent. Similar figures can be found throughout the nation.

The cause of these disparities is not race. The problem is far more complicated than that. Let me give you an example. The highest unemployment rate in any census tract in Chicago in 1960 was 35 percent, seven times the national rate of about 5 percent. This area was 97 percent Negro.

But in the same city, in the same year, and in another census tract which was 96 percent Negro, the unemployment rate was only 2 percent. The difference, plainly, is not race, but education. The median educational level in the first district was 8.5 years. The median in the second district was 12.2 years.

Even insuring that students stay in school is only a partial answer if the schools are of inferior quality--and they often are in non-white areas. In Harlem, for example, recent studies show that the average I.Q. drops 10 points between the third and sixth grade.

These are the kinds of problems that lie ahead in the field of civil rights and the ultimate victories will be won on many fronts. We have made it unlawful to deny a man his civil rights on the basis of race, and we will enforce that law. In the years ahead, we must combat--as this Administration is combatting--the other forces that deny Americans the full measure of citizenship--ill health, substandard housing, ignorance, and poverty.

In these larger terms, the tax cut stimulated the economy, improved employment, and was thus an equal opportunity law. President Johnson's Anti-Poverty Program is thus an equal opportunity law. The Manpower Retraining Act, the Juvenile Delinquency Control Act, and other such measures, are equal opportunity laws. And such pending matters as medical care for the aged can be viewed as equal opportunity proposals.

This, I think, is the future of the civil rights movement. The cause of civil rights and equal opportunity now will advance only as America advances. The opportunities of America are the opportunities of all Americans.