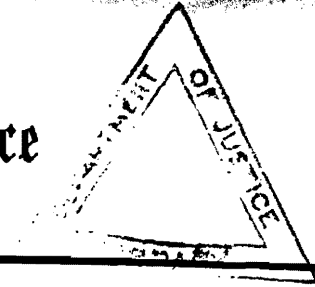




Department of Justice



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ADDRESS

BY

HONORABLE ROBERT F. KENNEDY

ATTORNEY GENERAL OF THE UNITED STATES

to the

AMERICAN JEWISH CONGRESS

Waldorf-Astoria Hotel

New York, New York

October 28, 1962

Dr. Prinz, Dr. Marrow, Mr. Richmond, Mr. Polier and distinguished guests:

It is an honor and pleasure for me to accept the Stephen S. Wise Award for advancing human freedom. I am deeply grateful to you for choosing me to join so distinguished a list of recipients as President Truman, Prime Minister Ben Gurion and Senator Lehman.

Let me say to Dr. Marrow and his selection committee that I am pleased, also, to accept this award because it typifies a different kind of brotherhood than that occasionally attributed to me -- and my brothers.

The significance of this award perhaps, can be measured best by the very association of the name of Stephen Wise in the title with the phrase "Advancing Human Freedom." There is little need for me to recall to this body -- which he helped found -- the lasting accomplishments of Rabbi Wise.

I would like to think however that some of this accomplishment stemmed from the fact that he was born on St. Patrick's Day. What is more certain is that it stemmed from a consuming love of freedom and justice and great courage in fighting for both. These are qualities characteristic not only of St. Patrick but of Jews throughout history.

"Throughout My Life," Rabbi Wise wrote in his autobiography, "It seemed to me that all ministers of religion were for justice in principle, but too ready to be silent about injustice in practice. One of the dangers of all of us is that we are willing to fight for justice for ourselves alone, forgetting that justice will be for all or none."

Rabbi Wise lived according to that declaration, and concerned himself intensely with the welfare of the Jew, the Negro and the Catholic; the unemployed, the ill and the aged, to the honor of his religion and to the progress of his country. Because of the courage, the concern, and the conscience of Rabbi Wise and others like him, our country has made progress toward fulfillment of our ideal of equal rights for all citizens.

In earlier generations, the struggle was against those who insisted that "no Irish need apply" or who crudely typed all Jews as predators of the marketplace. Today, members of all minority groups sit in the highest councils of our land. A Roman Catholic has been elected President of the United States -- something which was not possible during Rabbi Wise's life.

True as this progress has been, we cannot pay satisfactory tribute either to our ideals or to the work of Rabbi Wise simply by praising them. Persisting passion and prejudice do not surrender to efforts of the past; continuing and unremitting effort is required.

Such effort has been the policy of this Government for many years and of this Administration since its start. Over the past 21 months, we have made great progress but we still have a very long way to go. However, I think it is important, as a measure of what can be done, to review briefly what has been done.

At the first Cabinet meeting, President Kennedy issued orders that positive action be taken immediately to insure and promote equal opportunity for all persons employed by the Federal Government. Yet in the Department of Justice -- the Agency charged with seeing that others comply with the Civil Rights Laws -- I found, for example that out of 900 lawyers in Washington, D. C. only 10 were Negroes. That situation has been changed. There are now six or seven times that many.

The United States attorneys in two of our largest cities are Negroes. For the first time Negroes are serving as District Judges in the Continental United States. A Negro lawyer of great ability was sworn in recently as a member of the Federal Trade Commission. And, as you know, Thurgood Marshall was appointed by the President to the Federal Court of Appeals for the Second Circuit.

All of these men were chosen for ability and integrity, not color, and they are a great asset to the Nation.

The record also shows real progress in many other areas. We are making a widespread effort to end voting discrimination against Negroes in the South. This is the right from which all other rights flow.

The Department of Justice now has brought 32 cases to uphold this right. Ten of these have been filed in Mississippi, where no action had been taken before.

In addition, voting records in some 70 counties in the South are being analyzed for evidence of violations and the FBI has been directed to make investigations in a large number of other counties.

All this activity is bringing results. For example, in Bullock County, Alabama, five Negroes were registered last September. Now there are over a thousand. In neighboring Macon County at the beginning of 1961 only a handful of Negroes were being allowed to register. Today more than 2,800 are registered to vote and they have made their influence felt.

In the last year, virtually every bus station, every railroad station, and every airport in the South has been desegregated as a result of action by the Federal Government. There are many towns throughout the South where these are the first and still the only facilities which Negroes can use without discrimination.

This summer, for the first time, the Department entered a case seeking to forbid hospitals which were built with Federal funds to discriminate racially against doctors and patients. We believe it is unconscionable for any hospital -- and certainly one built with tax money -- to bring color barriers into questions of health and safety.

Last month -- again for the first time -- the Department brought suit to require desegregation of a school district financed with Federal impacted area funds. It made no sense for the United States to ask its citizens to serve their country in the Armed Forces and then to put them in a place where their children are discriminated against in school because of their race.

And finally, just last week, we filed briefs with the Supreme Court of the United States on behalf of students who had been convicted in New Orleans and Birmingham, Durham and Greenville, for participating in sit-in demonstrations.

You should be fully aware that in these 21 months the officials and citizens of many Southern communities have moved to end segregation. We make continuing efforts to consult local officials and to persuade them to correct injustices themselves. In many cases this has been done and this has been a major development in advancing civil rights within the framework of law.

We have taken action not only in the field of civil rights, but also in the field of civil liberties. The President recently signed a measure permitting 30,000 residents of countries whose immigration quotas are heavily oversubscribed to come into the United States.

Last week, the President vetoed a bill which would have provided police in the District of Columbia with broad -- but probably unconstitutional -- powers to seize indecent literature and close stores.

The President after a long struggle going back to the years when he was a Senator also sought and secured repeal of the loyalty oath requirement for teachers or students seeking assistance under the National Science Foundation and National Defense Education Acts. The President said in approving this legislation:

"It is highly unlikely that the affidavit requirement kept any Communist out of the programs. It did, however, keep out those who considered the disclaimer affidavit a bridle upon freedom of thought."

I am firmly convinced, on the basis of my experience of the last 21 months, that the vast majority of the American people in the South, as well as in the North, East and West, want to make progress and are not satisfied with the status quo.

This progress has been made and is significant because it is right. It is dictated not only by our consciences and our ideals, but also by

our laws. The unhappy fact, however, is that neither our progress nor our laws are universally respected.

There are now, as there were during the life of Stephen Wise, Phillistines of bigotry and disobedience. In recent weeks, the Nation and the world, have seen a great tragedy visited on one of our States because State officials refused to obey court orders and accept their responsibilities of leadership.

The President was obliged to act in Oxford, Mississippi, to protect the orders of the Federal courts. When the United States marshals went to Mississippi, it was not to enforce the law for the benefit of a single Negro student, but to enforce the law on behalf of every American citizen, and to make it clear that this is a country which lives by law.

While we must enforce the law with vigor, we must respond to the broader problem of desegregation with understanding. The path of progress in civil rights is both steep and narrow.

Your organization has made a great contribution. In the words of your President, Dr. Prinz: "We do -- and must -- join forces with many groups in the community in the battle for full equality in a free society for all Americans."

But you -- and all of us -- must do more. We meet tonight in a time of grave crisis with our attention fixed on the waters of the Caribbean and the once peaceful hills and fields of Cuba.

The confrontation between the United States and the Soviet Union is in reality a confrontation of all people who believe in human dignity and freedom with those who believe the State is Supreme. It is that fact, not the drama of the particular moment, which is of real significance.

In our society, laws are administered to protect and expand individual freedom, not to compel individuals to follow the logic other men impose on them.

The tyranny of Communism is as old as the Pharaohs and the Pyramids -- that the State stands above all men and their individual aspirations. And this is why we oppose it, because by force and subversion it seeks to impose its tyranny all around the world.

We will not win this struggle merely by confronting the enemy. What we do at home, in the final analysis, is just as important.

Thus, we all must accelerate our efforts to banish religious prejudice, racial discrimination, and any intolerance which denies to any Americans the rights guaranteed them by the Declaration of Independence and the Constitution.

That is what this crisis is all about; that is why our ships are on station in the Caribbean and why American soldiers are on duty tonight in West Berlin, South Viet Nam and South Korea.

They are there for the same reason the Maccabees stood their ground against Antiochus -- for human dignity and freedom. It has been said that each generation must win its own struggle to be free.

In our generation, thermonuclear war has made the risks of such struggles greater than ever. But the stakes are the same: the right to live in dignity according to the dictates of conscience and not according to the will of the State.

As the President said Monday night:

"The cost of freedom is always high -- but Americans have always paid it. And one path we shall never choose, and that is the path of surrender or submission. Our goal is not the victory of might, but the vindication of right -- not peace at the expense of freedom, but both peace and freedom, here in this hemisphere, and, we hope, around the world. God willing, that goal will be achieved."

It is the ideal of freedom which underlies our great concern for civil rights. Nations around the world look to us for leadership -- not merely by strength of arms but by the strength of our convictions.

"Discrimination," Stephen Wise once wrote, "dams the man who discriminates and it dams the man discriminated against."

This is not the kind of injury our nation can afford. We not only want, but we need, the free exercise of rights by every American. We need the strength and talent of every American.

We need, in short, to set an example of freedom for the world -- and for ourselves.