

Letter to Burke Marshall
Office Memorandum • UNITED STATES GOVERNMENT

TO : Burke Marshall, Assistant Attorney General,
Civil Rights Division

DATE: March 12, 1962

FROM : Edwin G. *W* ~~Johnson~~, Special Assistant for Public Information

SUBJECT: Louis Lomax' Article

I have the following questions or suggestions:

1. Page 5 - Line 10: The phrase "and only then."

For example, election of more democrats for the West and the North would help the Administration get its liberal legislation through. Would recommend elimination of the phrase "and only then."

2. Page 6 - Lines 9 & 10: The Attorney General's call for a "cooling-off period" was solely to prevent injury to innocent persons in the Freedom Rider dispute. I am attaching a text of the statement which shows it mentioned nothing about embarrassing the President. It would be desirable to give Lomax the background of the statement.

3. Page 9 - Line 8: I would recommend spelling out a little more detail about the nine Negro students in Little Rock. I assume that he means the nine students who attempted to enter highschool. But many of the readers might not get the connection immediately.

4. Page 14 - Lines 11 & 12: Q. The phrase "as they do everywhere."

Many Negroes work for other Negroes. I recently visited the offices of Ebony and John Johnson has a large staff of Negroes and one white employee.

5. Page 24 - Line 18 through Page 25 - Line 8:

I would like to clear this quote attributed to the Attorney General, with the Attorney General. You were there but the phrase "despite what you read in the paper about our sincerity when it comes to civil rights legislation" doesn't sound like RFK. Also, the sentence "our position is known and we plan to go all out on Capitol Hill for legislation in this area." If this is what the Attorney General actually said -- OK. If it is not, Lomax has no right to quote him. He should either paraphrase what the Attorney General said or come back for a direct quote.

John Fisher

6. Page 25 - Line 11: In connection with Senator Mansfield's introduction of the literacy test bill, I recommend changing the phrase "a bill drafted in the Justice Department" to read as follows: "A bill drafted in his office and the Justice Department."

7. Page 26 - Lines 5 through 10: This paragraph seems out of context and somewhat obscure in connection with the material immediately preceding.

8. Page 27 - Lines 2 & 3: The Leadership Conference on Civil Rights is identified as a committee composed of the heads of all civil rights organizations, Negro and Jewish. Are they only Negro or Jewish? I doubt it. Another question is - is it definite that the march on Washington, which Lomax refers to, actually will be held?

9. Pages 29 & 30 : I would like to see some mention of the fact that these men got their jobs because they were highly qualified and not because they were Negroes. As the Attorney General has pointed out, the important thing is that they were not denied their jobs because of their race. I am attaching the text of the Attorney General's speech in Cleveland last December and his appearance on the Today Show in January which have quotes Lomax might wish to use in this connection.

Attachments

HARPER'S MAGAZINE
Editorial Rooms

HARPER & BROTHERS
PUBLISHERS



40 EAST 68th STREET
NEW YORK 22, N. Y.
MURRAY HILL 9-1000

March 7, 1962

Dear Mr. Marshall:

At the suggestion of Mr. Louis Lomax, I am sending you a typescript of his article scheduled for the May issue of Harper's. We should be most grateful if you would read it, or have it read, and let us know if you find any errors of fact. Since we will be going to press within a few days, it would be helpful to have your suggestions as soon as is convenient.

Sincerely,

Catharine Meyer

Mr. Burke Marshall
Assistant Attorney General
Civil Rights Division
Department of Justice
Constitution Avenue and Tenth Street, N.W.
Washington, D. C.

Enc.

Catharine Meyer/rpw

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5 **LOUIS E. LOMAX**

6 **THE KENNEDYS**

7 **MOVE IN ON DIXIE**

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11 **A** **ALTHOUGH** the public is scarcely aware of it,
12 the Kennedy Administration is now deeply involved
13 in an unprecedented campaign to enforce the vot-
14 ing rights of Negroes in the South. If success-
15 ful, this program will also advance those very
16 civil rights which the President's critics
17 accuse him of neglecting, such as schools, hous-
18 ing, and jobs. And, not least important, it
19 will help guarantee the Negroes' loyalty to
20 the Democratic party.

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1 The campaign in the South, which is now quietly
 2 growing in its second year, is actually a piners
 3 movement; ^{consists of} of which one jaw is the Justice Depart-
 4 ment's legal action in cases of infringement of
 5 voting rights, and the other is a mass drive to
 6 ~~get~~ ^{to get} Negroes to register ^{and vote} a drive led
 7 by the ~~the~~ major Negro civil rights organizations
 8 and financed by ^{to be} ~~half million dollar~~ ^{substantial grants} grant from
 9 private foundations in the North, ~~sympathetic to~~
 10 This emphasis on the right to vote may come
 11 ~~the Kennedy view~~ as a surprise to some civil rights enthusiasts, but
 12 Early in his Administration the President let
 13 it be known that he considered disfranchisement
 14 the crux of the Negro's affliction. Starting its
 15 attack on this evil, the Justice Department filed
 16 fourteen new cases charging racial discrimination
 17 by various county registrars in five states of
 18 the Deep South, and by December 1961 it was mak-
 19 ing investigations in sixty-one other counties.
 20 These cases were passetters, pleadings which, when
 they are settled, will admit thousands of Negroes

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1 to the polls. And to protect these potential
 2 Negro voters, the Justice Department has suc-
 3 cessfully prosecuted two suits which affirmed the
 4 government's right to act swiftly, and on its
 5 own motion, in behalf of Negro voters facing econ-
 6 omic or physical reprisals.

7 The private civil rights organizations' in-
 8 volvement with the voter program began during
 9 the spring of 1961. Negro leaders were approached
 10 individually by white liberals who assured them
 11 that money could be raised if the various civil
 12 rights organizations would work together. The
 13 program's chief advocate was the prominent New
 14 York lawyer, Lloyd Garrison, a Democrat and a
 15 ~~member of the Board of Education.~~ Listening to
 16 the proposal, the Negro leaders became convinced
 17 that the sponsors were unofficial emissaries from
 18 the White House. After several rounds of indi-
 19 vidual talks, when a consensus seemed to be
 20 reached, the Negro leaders were invited to a

~~_____~~
~~_____~~
~~_____~~

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1 ~~joint meeting at the Economic Foundation offices~~
 2 ~~where~~
 3 ~~Mr. Garrison, who is also attorney for the Economic~~
 4 ~~Foundation, made the presentation; the core of his~~
 5 ~~argument was that voter registration is the one~~
 6 ~~area where substantial Negro gains can be made~~
 7 ~~with bold government support. This, of course,~~
 8 ~~is the Kennedy Administration's position, and the~~
 9 ~~reasoning supporting it is cold political facts~~
 10 (1) Voter registration is the area where the
 11 Justice Department has the most power; it can move
 12 swiftly, and, if need be, on its own motion. (This
 13 power was guaranteed by the Civil Rights bill passed
 14 in 1958.)
 15 (2) Voter registration is the one civil rights
 16 item white supremacists cannot afford to oppose
 17 publicly, ^{for} the right to vote is ~~the~~ basis to the
 18 American system of government, ~~that even extreme~~
 19 ~~segregationists shy away from a challenge on the~~
 20 ~~issue.~~
 (3) Negroes have the most difficulty in areas

~~The Economic Foundation is a Delaware corporation with offices in New York, a two-year-old philanthropic agency that gives grants for educational, civic, scientific, and literary purposes. It is headed by Stephen R. Currier, and Mrs. Mary Jane Eddy is the executive secretary. Foundation officials refuse to say just where their money comes from.~~

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1 where their numerical strength poses a political
 2 threat. If these Negroes voted, ^{they} they could help
 3 to elect decent local officials. This, in the
 4 Administration view, would be the critical step
 5 toward general civil rights advancement.

6 (4) A major increase in the number of Southern
 7 Negro voters would not only change things at home
 8 but change the complexion of Congress; Southern
 9 reactionaries would either mend their ways or *run the risk of being*
 10 be voted out of office. Then, and only then,
 11 could the Administration get its liberal legisla-
 12 tion, including civil rights, through Congress.

13 (5) Finally, the program is the Administration's
 14 most convincing answer to those critics who charge
 15 that the President is falling down on his 1960
 16 pledges.

17 (6) The civil rights leaders with whom this program
 18 was discussed were Roy Wilkins of the NAACP,
 19 Thurgood Marshall of the NAACP Legal Defense and
 20 Education Fund, Whitney Young, the new executive

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1 director of the Urban League, Edward King of the
 2 Student Nonviolent Coordinating Committee, Dr.
 3 Martin Luther King of the Southern Christian
 4 Leadership Conference, and Leslie Dunbar of the
 5 Southern Regional Council. Some were suspicious
 6 that the move was an attempt to siphon off support
 7 for the sit-ins and freedom rides, and this fear
 8 *increased* was enhanced when Attorney General Robert Kennedy
 9 called for a "cooling off" period last ~~summer~~ ^{May} last *They*
 10 ~~they~~ ^{disembarrass} embarrass the President who was then on an
 11 overseas mission. But friends of the President
 12 pointed out that the voter-registration program
 13 would, in fact, aid these civil rights demonstrations
 14 by making it possible for the money then being
 15 spent for voter registration to be used for other
 16 purposes such as mass demonstrations at restaurants
 17 and bus terminals
 18 The next hurdle ^{is} disagreement among the leadership
 19 groups on just who would do what, who would get
 20 how much, and how they would arrange to stay out of

chk name.

where was this?

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each other's hair ^{was} ~~was~~ overcome by a proposal
 that the Southern Regional Council act as repository for the money. This is an organization based in the South that relies upon moral suasion and accurate research to bring an racial harmony and thus is not involved in the fierce competition that has enveloped Negro leadership organizations since the sit-ins. The Urban League, much to the surprise of all concerned, was the first to agree to the plan. (The Urban League, which considered itself a "social agency," has been in eclipse for the past several years because it refused to enter into any kind of controversial activity. Its "new image" is due to the appointment of Whitney Young, a militant liberal and former Dean of the School of Social Work at Atlanta University, as executive secretary.)

After the Urban League came the Congress on Racial Equality (CORE), Dr. Martin Luther King's Southern Christian Leadership Conference, the student organiza-

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1 organization, and, after a long delay that al-
 2 most wrecked the program, the NAACP. (Thurgood
 3 Marshall and the NAACP Legal Defense and Educa-
 4 tional Fund could not participate because they
 5 are restricted to legal activity.)

6 As of this writing, the status of the founda-
 7 tions' grants is still uncertain, but there is
 8 hope that some of a half-million dollars or
 9 more may become available for the educational
 10 purposes of the drive. The mechanics of the
 11 program are complex, but in essence they

12 *6 pts*

13 The names of the interested foundations cannot
 14 be disclosed at this time.

Fortune
9 or 10 Parker
18 picas

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1 bill down to this: The Southern Regional Council
 2 will act as general supervisor, but the grant will
 3 go to the Veter Education Program, a newly formed
 4 agency with offices a few feet down the hall from
 5 the Southern Regional Council on Forsyth Street
 6 in Atlanta. The Negro lawyer, Wiley Branton of
 7 Pine Bluff, Arkansas (the man who made headlines
 8 as lawyer for the nine Negro students in Little
 9 Rock), has moved to Atlanta to head the project.

A SCRIPT FOR JACKSON

13 THE stage is set for President Kennedy to fight
 14 the civil rights battle of his preference on
 15 grounds on his own choosing. Although the
 16 Justice Department has appeared as a friend of the
 17 court in behalf of the freedom riders and sit-in
 18 demonstrators, these are not the things the
 19 Administration feels are of basic importance.
 20 Five hundred Negroes going to jail for the right

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1 to sit in a Jackson, Mississippi, airport res-

2 taurant is more than a dramatic gesture, and

3 the Administration is willing to help them. But

4 this is not the script of a Kennedy civil rights

5 drama.

6 [The civil rights drama according to the Kennedy

7 Administration—if I may take the liberty of a

8 fantasy—would open with five thousand Negroes

9 singing and praying as they march toward the voter

10 registration office in Jackson, Mississippi. Martin

11 Luther King, Roy Wilkins, James Farmer, and Whitney

12 Young would march, pray, and sing with them as

13 they round the bend from "colored town" and head

14 down Jackson's main street toward City Hall. At

15 the registration office, we see the white officials

16 peeping horrified out of the windows, allowing

17 shut the door, and hanging up a sign reading

18 "Closed until further notice, which won't be

19 no time soon."

20 [As the curtain descends, the Negro marchers

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1 kneels; some prays while the multitude sing softly.

2 "like a tree planted by the waters, I shall not
3 be moved."

4 [My script of Act II calls for Attorney General
5 Robert Kennedy to speed to City Hall by limousine
6 from the Jackson ^a airport, to persuade the white
7 officials into their senses by argument and
8 federal injunction, and to deputize his assist-
9 ant for civil rights, Burke Marshall, to restrain
A

10 local segregationists (like the Ku Klux Klan
11 and White Citizens Council). As the curtain de-
12 scends, the Negroes are parading to the polls.

13 [Act II is rather hard to stage, but Act III is
14 a simple dialogue between two Southern Senators
15 on Capitol Hill:

16 [First Senator: "By God, niggers are voting in
17 my state."

18 [Second Senator: "Hell, they are a-voting in
19 mine too; and furthermore, they ain't niggers,
20 they are colored citizens."

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1 The fantasy is mine, but it by no means exagger-
2 ates the results which the Kennedy Administra-
3 tion hopes to attain. I believe the hope is
4 a practical one, for this reason: If the
5 present pincers movement were an entirely out-
6 side affair, I am sure it would fail. It happens
7 however, to coincide with spontaneous local politi-
8 cal action by Negroes in the South. Brave and
9 resourceful men and women are already planting
10 essential grass-roots support. For example,
11 this is what is actually going on in Mississippi:

12 [For the first time since Reconstruction, two
13 Negroes are making a serious bid for Congres-
14 sional seats. One of them is Reverend R.L.T.
15 Smith of Jackson, who seeks to defeat the incum-
16 bent, arch-segregationist John Bell Williams;
17 the other is ~~the~~ Reverend Theodore Trammell, of
18 Clarksdale. Trammell's district is, by popula-
19 tion, predominantly Negro, yet it includes such
20 counties as Walthall and Tallahatchie where no

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Negroes have voted since the turn of the century.

It also includes Coahoma County (Clarksdale) where race relations are excellent, by Mississippi standards. The Reverend Smith's district was almost 50 per cent Negro when he announced. It has since been enlarged to include the "white" suburbs of Jackson thus reducing the Negro voter potential to about 35 per cent.

When the Reverends Smith and Trammell announced their candidacies—Trammell is Methodist, Smith is Baptist—their prospects were so slim as to make the attempt almost bizarre. This is why:

To vote in Mississippi one must prove he has paid his poll tax—two dollars in Smith's district, three dollars in Trammell's—two years in a row unless he has just reached the voting eligibility age of twenty-one, in which case he must present one poll-tax receipt and an exemption certificate.

After he pays his poll tax, he must pass an examination of twenty-one questions, one of which

(Four other Southern states have poll taxes.)

"Likens of test as consisting of"

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1 requires that the potential voter interpret any
2 section or all of the thirty-page Mississippi
3 constitution.

4 *L* Although Mississippi has almost a million Negroes
5 only 60,000 are registered voters.

6 *L* The Mississippi Negro intellectuals who would
7 organize a Negro voter registration program are
8 sidelined because the bulk of them work for the
9 state as schoolteachers and would risk their jobs
10 by getting involved.

11 *L* The Negro masses in Mississippi, as they do
12 everywhere, work for white people. And, according
13 to the legend, they are afraid to register and vote.

14 *L* Even putting aside the social and psychological
15 factors, Negro candidates are doomed ~~until~~ until
16 Congress passes *legislation regulating* ~~poll taxes and~~ ~~and~~
17 literacy tests. Yet, like the bumble bee who flies
18 in ignorance of the laws of aerodynamics which say
19 his wingspread is too short, Smith and Trammell have
20 taken to the stump in the bayous, with amazing

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results.

By early March, they had raised a \$25,000 campaign kitty, some of it from "private" white audiences who invited them to speak. Reverend Smith has bought time on one of Jackson's TV stations and stated his campaign platform. The other station refused and he is now asking the Federal Communications Commission to force it to sell him time. Neither candidate has been pressured. Both told me they have received crank calls but neither took them seriously. Both said that federal legal actions to protect voting rights have shaken white Mississippians into some hesitancy about their usual capers at the voting booth, for fear, in Reverend Smith's words, "that the Justice Department will come down upon them as the plagues of God did upon the Egyptians."

~~Another courageous Negro, Dr. Reginald A. Young, a Ph.D. from the University of Pennsylvania and now a professor of ecology at Jackson State College,~~

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1 These three individuals are an embodiment of
 2 the new grass-roots sense of militancy among
 3 Mississippi Negroes.
 4 "I am not an outsider," Reverend Smith told me.
 5 "I was born, reared, and educated not only in
 6 Mississippi, but in this county. I fear nothing
 7 but God and I disbelieve in any kind of human
 8 supremacy, be it white or black. And you can tell
 9 the folks up North I'm ready to die by my convictions."

10 The odds are still against the Reverends Smith
 11 ~~and Trammell~~ and Trammell. Their first goal is to get on the
 12 ballot for the "white" Democratic primary now
 13 scheduled for early June. (It is a measure of
 14 their power that efforts are being made by the
 15 state both to delay the primary several weeks and
 16 to reshape all of its Congressional districts before
 17 the November elections.) But the Negro candidates'
 18 battle plan is chiefly to draw enough primary votes
 19 to force a runoff.

20 "If we can do that," Dr. Aaron Henry, campaign

Nevertheless, the

1. manager for Reverend Trammell told me, "we will
 2. either elect our man or have a big say about who
 3. will be elected. This is not primarily a cam-
 4. paign to elect a Negro to Congress; our basic
 5. hope is to elect a Congressman, white or Negro,
 6. who will be fair to Negroes. If we do no more
 7. than cast the decisive bloc of votes for the
 8. white winner we will consider that a victory.

JUSTICE DEPT'S STAND

11. ~~THESE~~ ~~THESE~~ courageous few, acting on their own, and
 12. with only silent and scattered support from
 13. local white sympathizers, have set modest goals.
 14. But their action, as seen from Washington, is
 15. much more important than electing one or two good
 16. Congressmen—refreshing as that outcome might be.
 17. The Department of Justice is not blind in this
 18. field; it has ^{is gathering} information on the potential
 19. Negro vote throughout the South and practical
 20.

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Another Mississippi Negro working effectively

to educate Negroes for registration is Dr. Young

Arlene Young, a Ph.D. from the University of

Pennsylvania who is now a professor of zoology

at Jackson State College. She has put her job

on the chopping block by organizing voter registra-

tion schools in Jackson, but so far she has

neither been threatened by state officials nor ~~been~~

rebuked by the Negro president of the state

supported college.

"Reverend Smith has worked wonders here," Dr.

Young told me. "Even if we don't win, he has

shaken both professional and mass Negroes out of

their lethargy. Now they are parading to the polls."

On the day Dr. Young talked to me she had to

cut the conversation short. Four of her voter

registration pupils—all Negro women over forty

had attempted to register but were turned back

when the registrar politely explained, "We ran

out of registration forms and had to order new

Is this right?
Y. Young

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1 ones. They have just come in but the ink on them
 2 is not dry yet." Mr. Young was on her way to the
 3 registration office with the four women and was
 4 confident that "the ink will be dry by the time
 5 I get there."

7 JUSTICE ~~ARRIVES~~ KEEPS TRACK

9 THESE courageous few, acting on their own, and
 10 with only silent and scattered support from
 11 local white sympathizers, have set modest goals.
 12 But their action, as seen from Washington, is
 13 much more important than electing one or two good
 14 Congressmen—refreshing as that outcome might
 15 be. The Department of Justice is not blind in this
 16 field; it is gathering information on the potential
 17 Negro vote throughout the South and it has practical

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1 plans to make ^{that vote} a reality. The following ~~sample~~

2 of statistics gathered and now being used by the

3 Department suggest the political scope of the

4 Negro registration drive. (The percentages refer

5 to adults of voting age, Negro or white.)

6 Negroes comprise 40 per cent of the voting po-

7 tential in seven of Alabama's nine Congressional

8 Districts.

9 Among Mississippi's six Congressional districts,

10 Negroes are 50 per cent in four districts; 32

11 per cent in one; 23 per cent in one.

12 South Carolina has six Congressional Districts:

13 Negroes are more than 40 per cent in two of them,

14 35 per cent in two others, and more than 20 per

15 cent in the remaining two.

16 Negroes are 33 per cent of the potential voters

17 in six of Georgia's ten Congressional Districts.

18 They are at least 25 per cent in all eight of

19 Louisiana's Congressional Districts, and are

20 more than 40 per cent in one.

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1 When these Congressional District figures are
2 broken down to city and country levels, the balance,
3 in favor of Negroes, is even more impressive.
4 Mississippi, for example, has eighty-two counties:
5 among adults, Negroes predominate in eighteen of
6 these counties; five counties are about evenly balanced.

7 Marengo County, Alabama, is a striking—though not
8 ^{unique} remarkable case of Negro voter potential: it has
9 8,000 voting-age Negroes, ^{7,000 adult} ~~adult~~ white people.
10 But 5,000 white adults are registered voters as
11 against only 139 Negroes.

12 So, throughout the deep South, the story runs.
13 And it is the theory of the Kennedy Administration
14 that once these Negroes gain the franchise they can
15 change conditions at home and in Washington. But
16 how will the scheme which looks so good on paper
17 work out in practice?

18 "It's already working," ~~Justice Marshall, the~~
19 ^{Marshall} Assistant Attorney General ~~in charge of civil rights,~~
20 told me. "We have been working closely with the

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1 Negroes in Macon County [Alabama] and Fayette and
2 Haywood Counties [Tennessee] and changes are al-
3 ready in the making. We have gone to court to
4 see to it that these Negroes are allowed to reg-
5 ister without reprisals. We won and they are reg-
6 istering."

7 I reminded ^{Burke} ~~xxx~~ Marshall that Negroes in the
8 South hesitate to run the risk of voting when the
9 choice is between two equally abusive white candidates.

10 "We expect our voter registration efforts not
11 only to produce better white candidates for Negroes
12 to choose from," ^{he} Marshall replied, "but we fully
13 expect to have Negro candidates emerge, ⁱⁿ particu-
14 larly in Macon County."

15 Only time can say how all this will work out, but
16 the Administration is fully convinced that it is
17 on the right track. What the ^{it} Kennedy Administra-
18 tion fears most at this juncture ^{and} I think, ^{correctly} they
19 are right ^{is} that the Negro leadership organizations,
20 either because of bickering among themselves or

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1 lack of contact with the Negro masses, will fail
2 to draw out large number of potential Negro voters.
3 For this reason the voter registration grant by
4 the foundations is not limited to the established
5 Negro organizations. Any group interested in
6 *education* voter registration may apply, and I predict that
7 if the established organizations seem to be
8 falling short, a number of local organizations
9 such as the Montgomery, Alabama, and Albany,
10 Georgia, *M* Movements will obtain grants from the
11 *As* Voter Education Program for the specific purpose
12 of carrying out voter registration drives. The
13 promising groups are the citizens in Clarksdale,
14 Mississippi, who have put several thousand Negroes
15 on the registration books in the last twelve
16 months and the Coordinating Voters Committee in
17 Jackson, Mississippi, which Dr. Young heads.
18 These are grass-roots movements and they seem
19 to be closer to the Kennedy view than the over-
20 structured Negro leadership organizations are.

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1 For example, I interviewed Attorney General Robert
2 Kennedy and Dr. Arline Young in February. Here
3 is what each one said:

4 [Dr. Young: "We have three problems down here:
5 Many Negroes are lethargic about voting but the
6 appearance of two Negroes as Congressional candi-
7 dates has done a good deal to help eliminate that.
8 The other two problems we face are the poll tax
9 and the literacy tests. We can raise the money
10 and help Negroes pay the poll tax but the liter-
11 acy test is beyond us. Many of the students who
12 come to my voter registration schools fail the
13 registration test because they cannot interpret
14 the Mississippi State Constitution to suit the
15 white registration officials. ~~They say~~ if
16 we could just get rid of that literacy test we
17 could really do wonders down here."

18 [Attorney General Robert Kennedy: "Despite what
19 you read in the press about our sincerity when
20 it comes to civil rights legislation, I can say

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1 to you that we are quite determined about getting

2 legislation that will eliminate the poll tax and

3 literacy tests as prerequisites for voting. We

4 have already moved through the courts to strike

5 down literacy tests in Louisiana and we are now

6 preparing a case that will raise the same question

7 in Mississippi. Our position is known, ~~that~~

8 ~~is known~~, and we plan to go all out on

9 Capitol Hill for legislation in this area."

10 *in January of this year,*

11 *A week later Majority Leader Mike Mansfield*

12 *introduced a bill drafted in the Justice Department*

13 *in the Senate that would stan-*

14 *dardize voting literacy tests. Based upon the*

15 *report of the President's Commission on Civil*

16 *Rights, the bill would admit any citizen who has*

17 *completed sixth grade, in English or Spanish,*

18 *to the polls. Minority Leader Everett Dirksen*

19 *cut short a speaking tour in Illinois and re-*

20 *turned to Washington to act as co-sponsor of the*

21 *bill. The measure is now before the Senate Ju-*

22 *diciary Committee headed by Mississippi Senator*

intro - wgs

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1 James Eastland the unfortunate father of civil
 2 rights bills. However Mansfield has given notice
 3 that he will move to bring the bill out of com-
 4 mittee if the group has not acted by the first.
 5 *One great hope in*
 6 *some* *A* *L* The joining of the pinners movement is that one
 7 day soon as Dr. Young and Robert Kennedy may get
 8 to know each other. Brought together by the Ad-
 9 ministration's voter registration program these
 10 two strangers will sit down, compare notes, and
 11 discover how much they have in common.

The Administration also wants a bill prohibiting poll taxes in elections of federal officials.

WHAT THE PRESIDENT COUNTS ON

15 **W HATEVER** the merits and success of the President's
 16 voting scheme, the Administration will continue
 17 to be under attack from Negro leaders for its
 18 failure to take certain Executive action and
 19 support a variety of civil rights bills. The criti-
 20 cism of the President will become a national issue

A
Has such a bill been introduced?

1 when the Leadership Conference on Civil Rights
 2 (a committee composed of the heads of all civil
 3 rights organizations, Negro and Jewish) stages a
 4 march on Washington late this spring to protest
 5 against what they call "a retreat from the civil
 6 rights plank in the 1960 Democratic platform."

7 The Negro leaders want the President to go all
 8 out for legislation that would establish a Per-
 9 manent Fair Employment Practice Committee; they
 10 want an act of Congress making school desegregation
 11 the law of the land; they want the restoration of
 12 Part III of the 1958 Civil Rights bill. (This
 13 section of the bill was deleted because of Southern
 14 opposition; ^{it} would ^{empower} the Attorney General
 15 to move on all civil rights issues, and on his
 16 own motion, ~~to desegregate all public facilities~~
 17 ~~at once.~~ This would remove the onus from embattled
 18 Southern Negroes, many of whom are afraid to file
 19 complaints against white persons who abuse them.)

20 In terms of Executive action, the Negro leaders

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1 went mainly (1) an order striking down segrega-
2 tion in federally aided housing and (2) enforce-
3 ment of an existing order calling for the end of
4 discrimination by private companies handling gov-
5 ernment contracts.

6 L These are the same demands the civil rights leaders
7 made of the President early in the summer of 1961.
8 The President gave them a cordial audience at
9 that time; he told them he understood that their
10 very nature of their jobs made it necessary that
11 they keep him under continuing pressure. But
12 his reply to their demands was "no, not now." Then
13 the President went on to state his conviction that
14 voter registration was the better civil rights
15 course for him to follow.

16 L Despite the mounting criticisms from liberals,
17 the President's civil rights position has not
18 shifted. Mr. Kennedy is even more certain now
19 than he was last year that by election time ¹1962
20 and 1964 ²he will have more sway with the liberal

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~~he will have more say with the liberal voters,~~

1 including Negroes, than his critics will. There
2 are several reasons for confidence:
3

4 [First, Kennedy has appointed more Negroes to
5 top federal jobs than any president in history.

6 The Assistant White House Press Officer is a
7 Negro; so is an Assistant Secretary of State and
8 an Assistant Secretary of Labor. The nation's
9 housing boss not only is a Negro but is a former
10 chairman of the executive board of the NAACP.

11 This Administration has appointed two Negroes as
12 United States Attorneys, the first in history,

13 and has broken precedent again by naming two
14 Negroes to federal district judgeships. The

15 number of Negro attorneys in the Department of
16 Justice has increased fivefold—¹from ten to fifty

17 ¹since Mr. Kennedy took office and his brother
18 took over the Justice Department.

19 [All this didn't "just grow." The Deans of
20 fifty law schools are now on the scout for prom-

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1 using Negro students, at the request of the Admin-

2 istration. The Department of Justice will have a

3 ^A ~~number of~~ ^{Negro law} number of applicants on file for jobs, ~~at the~~

4 ~~Department~~ for the first time in his-

5 tory,

6 L Second, Southern rural Negroes are now leav-

7 ing the South and so are voting with their feet.

8 Upwards of a million Negroes went North in the

9 decade of the fifties. Less than 20 per cent of

10 the nation's nineteen million Negroes now live

11 in rural areas, and, as of 1960, over 50 per cent

12 were living outside the Southeastern states.

13 L This Negro migration, ^{the} the greatest going on

14 anywhere in the world, ^{works} works for the Kennedy Ad-

15 ministration. ~~in the~~ Once Negroes move to

16 urban areas, even in the South, they have less

17 difficulty at the polls, ^{and} and, on the whole, vote

18 Democratic (68 per cent of the Negro voters

19 voted for Mr. Kennedy in 1960 while ^{as against only} 51 ~~per cent~~

20 ⁴⁹ per cent of the white voters) ~~deserted him~~

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1. ~~Some~~ the Negro voter - job discrimination
 2. being what it is - embraces a political philan-
 3. phy which meshes precisely with the legislative
 4. program Kennedy is attempting to get through Con-
 5. gress over the opposition of Southern reaction-
 6. aries and conservative Republicans. Needless to
 7. say, urban and non-Southern Negroes will be deep-
 8. ly impressed by the Kennedy voter registration
 9. drive once it gets under way. The plan will
 10. not make much of a dent upon the South for another
 11. year or two, but the publicity that is sure to
 12. arise from the registration of thousands of
 13. Southern Negroes will cause their Northern bro-
 14. thers to vote Democratic in larger numbers than
 15. ever.

16. **L** Third, there is not a Republican on the horiz-
 17. son who can match the Administration's civil
 18. rights record. Governor Rockefeller has an emo-
 19. tional appeal to many middle-class Negroes who
 20. have graduated from Negro colleges supported by

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1 Rockefeller money, but his civil rights record
2 in New York has been without luster. Hence his
3 denunciation of Kennedy's "record of broken pro-
4 mises" is relatively ineffective. Richard Nixon
5 ~~has~~ ^{is} yet to explain why he didn't try to get Mar-
6 tin Luther King out of jail on the eve of the
7 1960 elections (Kennedy did intervene, and, accord-
8 ing to his biographers, the phone call in Dr.
9 King's behalf swayed the nation's Negro voters
10 and, thus, the election). Senator Barry Gold-
11 water has openly advised his party to forget
12 about the Negro vote. That means that Negroes
13 will forget about him should he get the GOP nom-
14 ination. And if the Republicans hitch their
15 wagon to George Romney's rising political star
16 they are indeed in for a shock. For Romney, now
17 a candidate for the Michigan GOP gubernatorial
18 nomination, is an elder ⁱⁿ ~~of~~ the Mormon Church and
19 must somehow explain to Negro voters how he can
20 embrace a faith that bars Negroes from its priest-

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"A STROKE OF THE PEN"

1 hood.

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3

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5 No doubt, John F. Kennedy stands well with the

6 Negro voters. Even so the President must answer

7 to the people and to his own sense of commit-

8 ment, as his biographer James ^{Mac}Gregor Burns calls

9 it, for his failure to issue the much discussed

10 executive order ending discrimination in feder-

11 ally aided housing. Mr. Kennedy himself helped

12 heat the coals that are now being heaped upon

13 his head when in 1960 he said the Republicans ³

14 were insincere about civil rights because they

15 refused to issue such an order. "This," said

16 the then Senator Kennedy, "the President [Mr.

17 Eisenhower] could do with a stroke of his pen."

18 The order has been on Mr. Kennedy's desk for over

19 a year ¹/_{now}, and he has yet to make that critical

20 stroke with his pen.

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1 L The argument is not over if we are going to
 2 issue the order," Louis E. Martin of the Demo-
 3 cratic National Committee, and a Negro, told me,
 4 "the question is when we are going to do it."
 5 L Behind this delay lies a typical Kennedy sper-
 6 ation. The Administration had hoped to have the
 7 confirmation of Dr. Robert C. Weaver, a Negro,
 8 as head of the proposed new Urban ~~Affairs~~ ~~De-~~
 9 partment signed and delivered before the order
 10 was issued. (This would allow the South time to
 11 swallow one pill before another was offered.)
 12 When the agency was defeated in Congress this
 13 February, the question of a Negro in the Cabinet
 14 was no longer a factor affecting the housing or-
 15 der. (However, the Weaver affair did win the
 16 President additional favor with Negro voters;
 17 Every major Negro newspaper praised the Presi-
 18 dent for the attempt.) The Administration's
 19 stated reason for the ~~delay~~ ^{delay,} as of now, is to
 20 give the Administration time to do some house

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1 cleaning in the housing bureau itself.

2 ["We would rather face the voters in 1964 and
3 have the liberals say we didn't issue the order,"
4 one of the President's advisers told me, "than
5 to say we issued it and couldn't make our own
6 people carry it out." To protect themselves a-
7 gainst just this, the Administration has organ-
8 ized a number of pressure moves, mostly political
9 and in both the South and the North, to propel
10 reluctant local housing officials in the right
11 direction once the order is given. Undoubtedly,
12 also, the Administration is giving prior consid-
13 eration to passage of its tariff legislation.

14 [As for the order itself, it will be issued
15 possibly by summer, almost certainly by the
16 November elections. It will probably contain a
17 Kennedy twist: a provision to strike down dis-
18 crimination in the unions supplying workers on
19 such housing. (The construction crafts unions
20 are still a lily-white operation even in the North.)

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1 Thus the order, as now envisioned, will not
2 only make open all federally aided housing to
3 Negroes but will provide some of them with jobs
4 so that they can pay their rent.

5 L Clearly, then, much of the liberal criticism
6 of the President can be reduced to a matter of
7 timing. As the full implications of the Kennedy
8 drive to register Negro voters in the South and
9 other civil rights moves become clear, the ques-
10 tion to be argued will be why he took so long.
11 And once again it will be Mr. Kennedy's own words
12 by which he will be weighed. He was a candidate
13 on September 9, 1960, in Los Angeles, when he
14 said: The President "cannot wait for others to
15 act. He himself must draft the programs, trans-
16 mit them to Congress and fight for their enact-
17 ment, taking his case to the people if the Con-
18 gress is slow."

19 L This the President has not done. His delay,
20 I am convinced, is a necessary concomitant of

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1 political mechanics: the awesome task of moving

2 Congress (a Congress where ^{he} has no real major-

3 ity backing), of rallying private support, of

4 changing, legally, the political and economic

5 situation of the Negroes in the South and wherever

6 they are discriminated against. He got into the

7 Presidency by political maneuvering--^{the only}

8 way he could have ~~got~~ got there--and he cannot

9 afford an absolutely moralistic attitude on any

10 single issue, particularly one so explosive as

11 civil rights. It is true: he has not kept all

12 of his promises by time clock. But he has a de-

13 fense--part of which is the massive and necessar-

14 ily slow voter-registration drive which I have

15 described here. If it works as the planners

16 think it will, this defense will be hard to de-

17 stroy.

18 ^L There are of course, some men who, like Isaiah,

19 would thunder for all to hear and, they hope,

20 tremble. But in practical terms--^{the things men}

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| 1 | eat, vote, and pay rent by - would these moral- | | | | | | | | | | | | | | | | |
| 2 | ists accomplish as much as the complex and bur- | | | | | | | | | | | | | | | | |
| 3 | ed man from Boston is now achieving? | | | | | | | | | | | | | | | | |
| 4 | Frankly. I doubt it. | | | | | | | | | | | | | | | | |
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