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BY

ATTORNEY GENERAL ROBERT F. KENNEDY

AT THE

HERBERT H. LEHMAN HUMAN RELATIONS AWARD DINNER
OF THE AMERICAN JEWISH COMMITTEE APPEAL FOR HUMAN RELATIONS

Plaza Hotel, New York City

April 16, 1964

I met this afternoon with members of the American Society of Newspaper Editors in Washington and we got along well, perhaps because some of them realized I used to be a newspaperman myself. I don't think I can lay claim to quite as close a bond at this gathering. Nonetheless, I am pleased and honored to join with you.

I am honored because of my deep respect and admiration for Herbert Lehman and for the personal and public qualities that served his state and his nation so well. To receive an award in his name tells us a great deal about the humanity, devotion, and wisdom of the recipient. Mr. Leidesdorf, I am proud to be here to join in offering you our warmest congratulations.

For weeks now, almost every night, the light on top of the dome of the Capitol in Washington has burned late into the evening. Many of the high school students who visit Washington at this time of year know it means that the Senate is still in session. People all over the country know that the debate over the Civil Rights bill is continuing.

However tedious or extended it may appear superficially, there can be no mistaking the significance of that Great Debate. There are great wrongs in America to be righted and millions who appreciate, daily and first-hand, that civil rights are more of a goal than a reality.

The legislation now before the Senate can do a great deal toward making civil rights a reality. The Civil Rights bill can help insure equal voting rights. It can help create and extend fair educational and employment opportunities. It can help remove the insult of segregated public accommodations, so irrational that in one community a drug store allowed Negroes to be served, but required them to take Pepsi-Cola instead of Coca-Cola, to stand rather than sit, and to drink from a paper cup rather than a glass.

More generally, the Civil Rights bill can also demonstrate to all of our citizens that the Congress of the United States, like Presidents Kennedy and Johnson and like the Supreme Court, is committed to the pledge of equality on which this country is founded.

Two centuries ago, Montesquieu wrote: "In the state of nature, indeed, all men are born equal, but they cannot continue in this equality. Society makes them lose it, and they recover it only by the protection of the laws."

The Negro experience in America demonstrates the wisdom of his words and the need for the Civil Rights bill. But neither this law nor any law can be a solution. The deep social wound of segregation was cut for too long by too many knives of prejudice to be healed by a single poultice.

The Civil Rights bill, like law in general, can give us an orderly framework for the resolution of discord and dispute among men. Each new outburst of racial frustration in our cities gives evidence of how important that framework can be.

One of the principal aims of the Civil Rights bill is to elevate this conflict from the streets to the courts. We must recognize that law can only provide orderly ground rules. It cannot play the game.

Law also can offer us a moral precept. To the extent that laws are founded on morality and on logic, they can lead men's hearts and minds. But once again, this aspect of law can have meaning only to the extent that the constituents of law are moral and are rational.

You and I, reflecting on our own heritages in America, know our forebears faced obstacles of prejudice when they came to this country, whether in signs pronouncing "No Irish Need Apply" or in unexplained rejections of applications to medical schools. We know that systematic exclusion of Irish or Jews or Italians or of any ethnic group has ended not only because laws changed, but because men's minds did.

"The problems of our society," President Johnson said last week, "will not automatically disappear with the passage of (the) bill...They will still have to be dealt with by all Americans. The Civil Rights bill can only chart in law the directions that we must take as individuals."

So I come to you today, as the chief law enforcement officer of the United States, to talk not of federal enforcement of laws, but of individual obedience to their moral spirit.

Such obedience must exist at many levels, and like all responsibility in a democracy, it must begin with the individual citizen. As John D. Rockefeller, III observed in a recent speech, "America, we must remember, is no more than the sum of ourselves."

I think it is necessary for us to start by asking ourselves whether we are satisfied with the present ingredients of American social arithmetic. I am thinking of two recent examples in this state.

The first occurred only this week, in Albany. We all read about it: a distraught young man perched on a narrow 12th-floor ledge, ready to jump off, for two hours. Friends sought to coax him to safety. But the

crowd below had a different appeal. "Jump, jump, jump," it chanted. One spectator expressed the hope that the youth would jump "on this side. We couldn't see him if he jumped over there."

The other case occurred one night last month. A young woman was stabbed to death over the period of a half hour outside her apartment in Queens. Thirty-eight neighbors looked out at her during that time. None came to her rescue. None even called the police.

By way of explanation, one of the witnesses said later, "I didn't want to get involved." No further comment is possible.

Individual conscience and individual responsibility deserve better homage in a land which prizes individualism and whose greatest hero is Abraham Lincoln. Charles Morgan, Jr., the young Birmingham attorney whose own conduct is an example of the point, tells an illustrative anecdote in his new book, A Time to Speak:

"No one knows," he writes, "who will next be called to commit himself or in what way. It might be someone like the tall and lanky soldier in Jackson, Mississippi, the one with the long Southern drawl, who told a white man assaulting Negro Andrew J. Young: 'Man, if you wanta fight, fight me! I'm your size and I'm white.'"

We can reflect as well on the individual responsibility demonstrated by 200,000 Negroes and whites in the March on Washington last summer. There were dire prophecies of angry crowds, of violence and of riot. All of us saw what happened instead. A London newspaper called it the Gentle Flood.

Individuals can, at another level, help to flesh out the bare framework established by statutes. Consider the example of leadership established by the hundreds of Southern businessmen who have acted to desegregate their establishments in the past year.

Last spring and summer, President Kennedy, then Vice-President Johnson and other Administration leaders met with almost 1,500 businessmen, ministers, attorneys and other leaders from all over the country. The purpose of the meeting was to seek voluntary abandonment of discriminatory practices. The response demonstrates that racial attitudes in many parts of the South are not committed to monolithic irrationality.

A recent survey of 566 cities in southern and border states shows that significant progress has taken place in the past few months in the desegregation of such facilities as theaters, restaurants, hotels, motels and lunch counters. There now has been at least some desegregation in nearly 70 percent of these cities and almost two-thirds of that progress has come since last May.

It is easy for us in the North to patronize the South. It is so very much easier to see the morality of problems in Birmingham when you are sitting in Boston. What these Southern businessmen have done can serve as

an example for us in the North in coming to grips with problems that are different only because they are our own.

The desegregation of these public accommodations in the South comes because their owners plainly acknowledge the economic dangers of inaction. But they also have recognized the moral need for action. When viewed in context, their action becomes even more significant.

For half a century, the doctrine of "separate but equal" was perverted by citizens, communities, and local governments into a license not for simple racial segregation, but for racial degradation. For example, although the number of white and Negro students in Mississippi is approximately equal, in a recent year the state spent more than \$46,000,000 for white schools and \$26,000,000 for Negro schools. And this is the case despite the fact that "separate but equal" has been discredited for a decade.

The lesson is plain. Law is not enough.

How can it be when it requires that Negroes and whites not be served in the same room without a solid, seven-foot partition between them? How can it be when it requires a motel to turn away a weary motorist or a hospital to reject an injured child?

Whatever law is debated, whatever statute is enacted, without public understanding it is mere piety. Neither sober statutes nor individual responsibility alone are enough; men and their laws must march together.

What happens when they do not is evident from the experience of the past ten years. The cost of defiance touches every aspect of community and national life. Five years ago, rural Prince Edward County, Virginia closed its public schools rather than desegregate them. How can we measure the cost of that defiance?

How did it affect the Negro children whose futures have been permanently crippled because they could not learn to read? How did it affect the white children, sent to makeshift -- but segregated -- private schools? How did it affect the citizens of the city, who have walked past the vacant public school buildings while children were left to linger in the streets and fields? And how did it affect Virginia, whose leadership helped create this republic?

The point is that the costs of defiance are beyond measure. They touch generations yet unborn. They destroy possibilities for progress in the present. They scar our history.

The lesson of Prince Edward County is the lesson of the entire country. Where were we after the 1954 school decision? Where were the pulpit, the press, the public officials? The answer is that there was a vacuum of leadership, -- until it was filled, finally, by demagogues with strident slogans of "segregation forever" and "massive resistance."

When a whole generation and a whole region is told by its leaders that a Supreme Court decision is an unconstitutional nullity, how can it be expected that the mortar of public respect will be added to the bricks of law?

Rarely in history are nations presented with a second chance to atone for fundamental failures. I wonder, however, if that isn't exactly the opportunity America has today.

When the Civil Rights bill passes this year, ten years after the Brown decision, we can have a new leadership, of the kind Southern businessmen and public officials, newspapers and clergymen have already demonstrated. And we can have a new slogan, -- not "massive resistance" in the manner of an anarchy, but "massive compliance," in the spirit of a nation governed by God, law, and men of understanding.

The Prince Edward County school case is still in the courts and public schools are still closed. But Negro children are being educated, in a free private school system which resulted from the efforts of President Kennedy, private foundations, and leaders and citizens of Virginia.

Not long ago, one of the teachers in the free school system was asked how her students responded. It reminded her, she said, of her childhood on the farm. When you set a chicken on the ground after holding it in your hands, it sits, motionless. Only after it is sure of its freedom does it dash away. Her students were like that for the first month, she said -- not moving, insecure in their freedom. When it sank in, they leaped ahead in their desire and their capacity to learn.

The freedom of those students and the spirit of the establishment of their school can be the freedom and the spirit of our time. We cannot solve our problems with a law or in an instant, but we can begin to weld laws and men together in an effort to provide fulfillment of the pledge America makes to all men.

Benjamin Muse, a Virginia writer, says in his new book about integration in the past decade: "The unrest will end sometime because it is inevitable that in America, justice and humanity in time will prevail."

Let us join today not only in his sentiment but in his certainty. Let us join in the faith in man and law President Kennedy expressed last June when he said:

"I ask you to look into your hearts -- not in search of charity, for the Negro neither wants nor needs condescension -- but for the one plain, proud and priceless quality that unites us all as Americans; a sense of justice. In this year of the Emancipation Centennial, justice requires us to insure the blessings of liberty for all Americans and their posterity -- not merely for reasons of economic efficiency, world diplomacy and domestic tranquility -- but, above all, because it is right."

Thank you.