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Department of Justice

ADDRESS

by

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You, as members of the labor movement, well know the power of propaganda -- it has been used against you often enough.

In 1920, the eight-hour work day was described by one of the nation's most prominent businessmen as "Systematic anti-industry campaign, waged by the insidious elements of economic suicide, both within and without the ranks of radical socialism."

In 1936 a member of Congress declared that a minimum wage proposal was "regimentation of industry and it makes the Secretary of Labor the absolute dictator of all wages in the United States."

A year later the Fair Labor Standards Act was under consideration and another member of Congress predicted: "The minute you give the Federal Government authority to set wages and hours and establish conditions of employment you destroy the labor movement."

The labor movement and the Republic have survived these dire predictions. Labor triumphed in its efforts to achieve humane hours, decent wages, and safe working conditions. The nation was not fooled, at least not for long, by fright or propaganda. Nor is it today.

Nevertheless, last spring and summer, we were treated to a new example of the same technique. In an effort to defeat the Civil Rights Act of 1964 we saw newspaper ads describing the Act, two-inch headlines,

as a "Hundred Billion Dollar Blackjack." We heard flat statements that the Act would give so-called "Federal Inspectors" the power to dictate job seniority, racial balance in labor unions, and preferential promotions for minority group members. We heard absolute declarations that the Act would make the Attorney General "a virtual dictator of America's manners and morals."

The language, like the language used to oppose earlier reform legislation, not only lacked restraint, but also lacked fact.

So much nonsense, so many untruths were uttered about the Civil Rights Act by extremists, professional haters, and desperate vote-seekers that I sometimes wondered if they were talking about the same Act that Congress was considering.

This propaganda barrage, in the end, failed in its effort to block passage of the Civil Rights Act. But it nevertheless succeeded in raising some enduring doubts in the minds of many people.

In our efforts to set the record straight, we have been greatly helped by the AFL-CIO and particularly by its president, George Meany, who has stated unequivocally "The AFL-CIO is for civil rights -- without reservation and without delay."

In view of all the smokescreens that have been raised around the Act, I do not think it is redundant to state again for the record some of the things it does and does not do.

It does <u>not</u> require or authorize the bussing of school children.

It does <u>not</u> affect the sale of homes or apartments.

It does <u>not</u> prevent any retailer from refusing to serve a person who is drunk, disorderly, or unkempt -- white or Negro. All that is prohibited is discrimination because of race, religion, or national origin.

It does <u>not</u> affect social security or veterans' pensions or bank deposit insurance.

It does <u>not</u> permit massive or wholesale cutoffs of federal assistance.

It does <u>not</u> give dictatorial powers to the Federal Government. Federal action is authorized only where State or local authorities are unable or unwilling to solve the problem, and Federal action is limited to the courts or under court supervision.

And here also are some things that Title VII, the section of the Act on Equal Employment Opportunity, does not do:

It does not affect union seniority which is free of discrimination.

It does not create any racial hiring quotas, or require any employer to hire any specified percentage of Negroes or any other group.

It does not require the firing of whites to hire Negroes -- or anyone else.

It does not tell unions who they must admit to membership, or tell employers who they must hire.

The question that remains is, just what does this legislation do? How could it have created such concern in some quarters?

The Civil Rights Act of 1964 protects the basic rights of citizenship. The right to vote. The right to attend a movie -- and to get a hamburger afterwards. The right to attend public schools. The right to use the public library. The right to be judged on ability when seeking a job.

Let us look closely at the equal employment opportunity section.

The purpose of this section is to make discrimination on the basis of race, religion, sex, or national origin illegal, whether by an employer discriminating in his hiring or promotion practices, or a union excluding or expelling someone from membership on discriminatory grounds.

In other words, this section says that the working man, black or white, Protestant or Jew, Irish-American or Latin-American, has a right to be judged on his individual merit as a worker.

The Act specifically states that it does not require any employer or labor organization to grant preferential treatment to any person because of his race, religion or color. In fact, the Act forbids such preferential treatment.

This section sets up an Equal Employment Opportunity Commission which can investigate charges of discrimination and seek to end discriminatory practices by negotiation, persuasion, and informal conferences.

If the Commission cannot obtain voluntary compliance with the law, the person discriminated against can bring suit. In cases where there is a pattern of illegal discrimination, the Attorney General may bring suit.

AFL-CIO Counsel J. Albert Woll summed up this Title of the bill very well when he said:

"Title VII would not apply retroactively. . . .Mathematical equality is not the goal of the law. Neither is the righting of old wrongs by the process of perpetrating new ones. The law looks to the future, not the past and does not endeavor to discriminate against whites tomorrow because Negroes were discriminated against yesterday."

The Civil Rights Act was -- and is -- controversial. No act was more thoroughly debated. No act was introduced with deeper conviction or opposed with deeper passion. That the Congress could have so reasonably and dispassionately debated such an emotional issue was surely a great tribute to our legislative process. And it was a tribute to the labor movement, which had such an important role in securing its passage.

This Act symbolizes something even larger than the realization of ideals of equality -- the strength of our entire political system. I think that, granting some tragic exceptions, the response of the South has been commendable.

When Senator Richard Russell, the leader of opposition to the Act, called upon the people of Georgia to observe the Act once it had been passed, he was following in the great tradition of Robert E. Lee at the end of the Civil War, and in the tradition of Andrew Jackson who, when fined for contempt of court, once said:

"Obedience to the laws....is the first duty of a citizen and I do not hesitate to comply with the sentence you have heard pronounced."

Yet, despite the background of popular support, legislative consensus, and Southern acceptance of the Civil Rights Act, we still hear voices which say that this Act has not helped to further racial harmony but has fostered racial strife.

There are voices which say the Negroes are not American citizens seeking equal opportunity but are racial agitators seeking preferential treatment.

There are voices which speak with that special insight into poverty that comes from inheriting wealth.

But to you of the labor movement, these voices must seem echoes of the past.

"The rights and interests of laboring man," a mine owner said 60 years ago, "will be protected and cared for not by the labor agitators, but by the Christian men to whom God in his infinite wisdon has given the control of the property interests of the country."

The voices from the past we are now hearing, the voices of doubt and division, are not dealing in the realities that honest men must confront. They only serve to divert us from the problems of the real world.

I believe we have reached the time when we cannot simply talk about the "civil rights problem." Equal opportunity is no more a Negro problem alone than fair wages are a concern of the workingman alone.

Our great economic and social concerns are not issues of black and white. They are human issues. No American -- black or white -- should live in a rat-infested slum. No American -- black or white -- should attend a second-rate school. No American -- black or white -- should be without work if he is willing and able to work. And no American -- black or white -- should have to work for a wage that is not a decent, living wage.

It is these realistic, human problems that the administrations of President Kennedy and President Johnson have worked to solve.. There are many examples of these honest attempts to cope with real problems.

President Johnson's war against poverty is a symbol of our determination to build a better America. It is the stated policy of this Administration neither to tolerate poverty, or to make poverty tolerable, but to eliminate it.

Another example is the program started by President Kennedy to prevent juvenile delinquency by offering new opportunities to young people in the slums. Pilot projects in more than a dozen communities have given new schooling and job training to thousands of boys and girls and have opened the way to new techniques to be used by many other communities.

Third, the Administration recognizes the effect that slum living has on people of all ages, and is conducting the most extensive program of slum clearance and housing assistance in history.

Fourth, the Department of Justice, under Attorney General Kennedy, initiated an unprecedented campaign against crime. In his administration of the Department, convictions of racketeers rose from 18 in fiscal 1961 to 354 in fiscal 1964.

Many of these were the gray-flannel racketeers who deal in corruption and who, with a public official in their pocket, are infinitely more dangerous than the old-style mobster with a gun in his hand.

Where such official corruption exists -- or even where it is thought to exist -- we cannot maintain respect for the law. How can young people in a slum community obey and respect the law if they know the policeman on the beat is on the "take"?

Fifth, this Administration enacted a tax cut that will mean more spending money for the working man and continued growth to the economy -- an economy that has never been more healthy.

These matters are not propaganda. These are real efforts to make a great nation greater.

Throughout its history, American labor has worked to solve the same problems. Samuel Gompers once declared that the mission of unions was to secure for all workers "the right to be full sharers in the abundance which is the result of their brains and brawn."

It is because the labor movement has fought and won great battles in the past that it can so selflessly help others fight their battles today, knowing that the victories of one group are the victories of all. There is a saying that President Kennedy sometimes quoted: "A rising tide lifts all the boats."

It is to continue America's rising tide that we -- you in the labor movement and the Administration -- are committed. We go forward not with fear and confusion, but with fact and confidence.

"There are two courses open to us," President Johnson observed recently. "We can meet the challenge or we can turn away from it. We can master the problem, or we can leave it to master us. Well, we have made our decision. We have chosen to meet it by the answer of law."

The true measure of any movement is not what it has accomplished for its members, but what it has accomplished for America. From Samuel Gompers to George Meany and Walter Reuther, and local union leaders here and throughout the country, labor has accepted and met this test.

It will meet it once again at the polls in November.

It will meet it again and again as it makes its voice heard in support of Medicare, Appalachia, poverty programs, higher minimum wage laws, increased social security coverage and the efforts to legislate decently and wisely.

And it will meet the test by reaffirming time and time again, whenever the issue of prejudice arises, that the opportunities of America are the opportunities of <u>all</u> Americans.