

Robert Kennedy on Civil Rights, 1963 [Abridged]

by Robert F. Kennedy

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Dear Mr. President:

For those only interested in headlines, rioting and violence at the University of Mississippi overshadowed the civil rights field and painted 1962 as a year of resistance by the South to law and the orders of our courts. The historian, however, will find, on the contrary, that 1962 was a year of great progress in civil rights, in large measure because of the responsibility and respect for law displayed by the great majority of the citizens of the South. In 1962, the United States took major steps toward equal opportunity and equal rights for all our citizens and in every area of civil rights – – whether voting, transportation, education, employment, or housing.

There were outstanding efforts throughout the Administration on behalf of the full and free exercise of civil rights. Let me take particular note of the successes of the Vice–President and your Committee on Equal Employment Opportunity; the work of the Commission on Civil Rights; the impetus provided by the Executive Order against segregation in housing; the "impact area" school efforts of the Department of Health, Education and Welfare; and improved hiring practices and other activity by all parts of the Executive Branch.

This report, however, is limited to the work of the Department of Justice and here is a summary of our efforts in this field during the past year.

VOTING

The most significant civil rights problem is voting. Each citizen's right to vote is fundamental to all the other rights of citizenship and the Civil Rights Acts of 1957 and 1960 make it the responsibility of the Department of Justice to protect that right.

[2] It has been the sustained policy of this Administration – – in all areas of civil rights – – to consult with local officials and seek voluntary, peaceful compliance with the commands of our courts and our laws. Under this policy, legal action is brought only after such efforts fail. While we have secured cooperation and compliance in all Civil Rights areas, this policy has met with particular success in the voting field.

During this Administration, officials in 29 counties in Georgia, Alabama, Mississippi, and Louisiana have voluntarily made voting records available to the Department in our investigations of voting complaints – – without the need for court action.

[...]

There have, however, been a number of areas where voluntary local compliance was not forthcoming and where we were required to bring legal action. Between the passage of the 1957 Civil Rights Act and the change of administration, 10 voting suits were filed in Southern counties and seven were tried.

[...]

Overall, the total number of counties in which the Department has taken action, ranging from records inspection to law suits, has increased from 30 at the beginning of this Administration to 115 at present.

[...]

The Department's total voting rights effort, from records inspection to law suits to followup activity, has produced significant results. In a number of counties such as East Carroll Parish, Madison Parish, Louisiana, and Clarke and Tallahatchie Counties, Mississippi where no Negroes had been registered in decades, Negroes are now beginning to be registered.

[...]

Two particularly significant voting suits were filed in the [4] past year. While our voting suits generally challenge discriminatory application of voter qualification laws in specific counties, we filed suits in both Louisiana and Mississippi challenging the constitutionality of the state voter qualification laws themselves. Both cases are in pre-trial stages.

In addition to suits challenging general discrimination against Negro registration applicants, we also have sought to guard against specific attempts to frighten, intimidate or penalize Negroes who seek to register or vote. Of the 33 voting suits filed so far, seven have been directed against such attempts at intimidation, verbal, economic and physical.

The importance of these cases exceeds their specific circumstances. Negroes' fear of attempting to register is, perhaps, as great a problem as their being prevented from registering. These suits, like our followup actions in such cases as Forrest County and East Carroll Parish, have helped eliminate the fear by making it clear that the Government will meet its responsibility to guarantee not only the right to register and vote, but also the right to do so without intimidation or coercion.

[...]

In the field of voting, then, we have been able to make [5] progress through both negotiation and litigation. The fact remains, however, that the heavy burden of effort lies ahead. Substantial numbers of American citizens are being deprived of their right to vote because of race, and we continue to believe that additional legislation in this field is necessary.

In 1962, Congress adopted the anti-poll tax Constitutional amendment, but did not enact legislation forbidding the discriminatory use of voting qualification tests. Even where we have brought suit, we often have been confronted with considerable delays between the time of filing and the time of trial.

We believe that additional legislation is necessary to insure prompt relief in such instances – – where the facts indicate that substantial numbers of Negroes are being deprived of the right to register and vote because of race.

TRANSPORTATION

As the result of action taken by the Department and the Interstate Commerce Commission last year, I can report to you that in the past year, segregation in interstate transportation has ceased to exist.

[...]

There have been isolated instances of discrimination against Negroes in this field and there will no doubt be other such instances in the future. But systematic segregation of Negroes in interstate transportation has disappeared.

Again, I would like to emphasize that in the great majority of cases, this is the result of voluntary compliance with law and [6] regulations by citizens and officials.

SCHOOLS

In the past year, the number of desegregated Southern school districts increased 60, from 912 to 972. In a number of these districts the Department continued its policy of consulting informally with school officials to help assure peaceful and orderly desegregation. As in 1961, public schools in each of these districts were desegregated without incident.

[...]

Again, we have sought abandonment of segregation through negotiation first. The Department of Justice and the Department of Health, Education and Welfare have succeeded in obtaining voluntary desegregation, without going to court, in several districts and other negotiations or field surveys are underway in approximately 120 districts. Additional inquiries are scheduled for the coming months.

Negotiating efforts failed, however, in Prince George County, Virginia, which educates children of defense personnel stationed at nearby Fort Lee, and we filed suit. Four similar suits were filed last week regarding segregation in Huntsville and Mobile, Alabama; Gulfport and Biloxi, Mississippi; and Bossier Parish, Louisiana.

[...]

EMPLOYMENT

The Department has continued its policy of seeking out qualified personnel on the basis of ability and irrespective of race. Negroes are not denied employment because of their race. Neither are they hired because of their race. They, like all our employees, are selected on the basis of ability and merit. This policy has resulted in notable gains for Negroes in the offices of United States Attorneys and Marshals in the nation's 92 judicial districts.

[...]

In summary, 1962 was a year of progress for the United States in the field of civil rights. This is not to say the problems are disappearing. They remain, and they remain difficult – not only in the South, with open discrimination, but throughout the country where Negroes are the victims of school "resegregation", bias in housing, or employment, or other facets of society. Ugly incidents like the Mississippi riot may occur again.

But we are accelerating our progress. Again, let me say this acceleration occurs in large measure because of the emerging spirit of the South. In 1962 this spirit was not the brutal one of rioting and violence at the University of Mississippi. The spirit was that exemplified in Georgia last week by Governor Carl E. Sanders, in his inaugural address.

"We revere the past," he said. "We adhere to the values of respectability and responsibility which constitute our tradition." Then he added, "We believe in law and order and in the principle that all laws apply equally to all citizens."

Sincerely,

Robert Kennedy

Attorney General

The President,
The White House,
Washington, D. C.

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