

• **Program for**

• **Civil**

• **Rights**

—1960

PREAMBLE

In 1960, the spirit of the times is unmistakable from one end of the world to the other: the days of infringement upon human freedom everywhere are clearly numbered. The United States of America, in pronouncement and deed from its earliest days, has cherished the freedom principle and has inspired other peoples to invoke it. It has recognized that its own performance in this respect is still far from perfect, but it has sought to demonstrate good faith by steady movement in the right direction.

The students of the nation, Negro and white alike, have given all Americans a sharp reminder that the pace toward true equality has been much too slow. The students' sit-ins, carried on as a peaceful exercise of the historic right of protest, have evidenced the deep yearning for equal and dignified treatment. By dramatizing the refusal to serve Negroes on the same basis as other citizens, the sit-ins have brought home to every American the inadequacy of our efforts toward equality and the realization that time alone will not end discrimination. We are firmly committed to continuous positive employment of the powers of government in the interest of equal opportunity and justice for all Americans, in every aspect of American life.

The courts of the United States, in a long series of decisions culminating in the public school decision of May 17, 1954, have made it clear that governmentally-enforced racial segregation and other forms of discrimination are prohibited by the Constitution. These decisions have banned segregation in public schools, in publicly-supported colleges and universities, in interstate and intrastate transportation, in governmentally-aided airports and terminals, in public parks and recreational facilities, and in private facilities and accommodations in the District of Columbia. They have enjoined governmental participation in the enforcement of private discrimination in housing and education.

The judicial indictment of segregation has been unequivocal and has expressed the universal condemnation of the affront to personal dignity which segregation represents.

Program for Civil Rights — 1960 has been prepared by the organizations designated for submission to the Democratic and Republican parties as a proposed platform for adoption at the 1960 National Conventions. We believe that this program provides the basis for immediate governmental action to bring to fruition for all Americans the goals of equal justice under law.

The responsibilities of government in these matters are comprehensive: they are not the province of the judiciary alone, nor of the executive alone, nor of the legislature alone. The protection of the constitutional rights of citizens cannot be relegated to chance, nor to the uncertainty of private resources. The public interest is poorly served if private citizens and organizations are required to vindicate constitutional rights of national significance through litigation in the federal courts. The development of public law should not be left primarily to private litigation. In sum, the legislative power of enactment and the purse must join with the administrative and enforcement power of the executive in thoroughgoing support of the constitutional interpretations of the judiciary.

There are three broad lines of attack along which this responsibility of government should be exercised.

First, government as protector must act continuously to prevent or eliminate infringements of the civil rights of its citizens, whether these infringements arise from private or from governmental sources.

Second, government must cease subsidizing racial segregation and other kinds of discrimination. Federal funds should not finance segregated schools or segregated housing, or in any other way aid the continuation or expansion of racial discrimination.

Third, in addition to its protective and preventive actions, government has a positive function to perform through the active promotion and stimulation of progress toward equality.

Only by the fullest exercise of the powers of government, united in service to the highest aspirations of its people, can all Americans be given the equal opportunity to be educated to the full extent of their human talents; equal opportunity to work to the fullness of their potential contribution to our society; equal access to housing and neighborhoods as befits their means and social development; and equal opportunity to participate in the body politic through the free and universal exercise of the franchise. Only thus can the promise of American democracy achieve genuine fruition.

VOTING

The right to vote is a fundamental right of every citizen in a democracy. Upon this right, perhaps more than any other, all other constitutional rights depend for their effective protection.

The 14th and 15th Amendments to the Constitution were intended to protect that right against discrimination on grounds of race or color. Yet today, more than 90 years later, only one Negro in four of voting age in the South is registered to vote; and in 65 counties where Negroes constitute a majority of the voting age population, none or only a handful are registered.

No one openly defends this discrimination against our Negro citizens. No one openly denies that the 14th and 15th Amendments forbid this discrimination. Yet all steps by the Executive, Legislative and Judicial branches of our government to eliminate this indefensible and undefended discrimination have been continually sabotaged, through the creation of legal impediments, administrative obstacles, intimidation, economic reprisals and physical harm.

The wholesale denial of the right to vote in our own country, so shockingly documented in the report of the Commission on Civil Rights, makes a mockery of our advocacy of free and unfettered elections in other parts of the globe. We can no longer permit this intolerable blot upon our democratic system. Accordingly, we pledge:

- **Vigorous enforcement of existing statutes**

Twice during the past three years the Congress has enacted legislation designed to safeguard the right to vote. A vigorous program of enforcement utilizing the powers for self-initiated action conferred upon the Justice Department is needed to test the efficacy of these statutes for the accomplishment of their stated purpose and to give evidence of the federal government's determination to enforce the Constitution.

- **Needed new legislation to guarantee the right to vote**

The Congress, by its action in establishing a system of voting referees under the Civil Rights Act of 1960, has explicitly recognized the right of the federal government to intervene in the conduct of elections in order to guarantee the right to vote to all qualified citizens. Should existing laws prove inadequate for the accomplishment of this purpose, the full resources of the federal government should be utilized including, if necessary, direct federal control and operation of registration and elections.

- **A Constitutional Amendment to establish universal suffrage**

Discriminatory application and administration of voter qualification laws, including tests of literacy, education and "interpretation" continue to afford a ready means of arbitrarily denying the right to vote to qualified citizens. Illiteracy is close to being eliminated in our country. Only 19 states still require a literacy test. Adoption of a Constitutional Amendment, as proposed by the Commission on Civil Rights, giving the right to vote to every citizen who meets his State age and residence requirements would establish simple and objective standards which could easily be enforced.

- **A campaign designed to educate citizens in their voting rights and encourage them to exercise those rights**

The responsibility of the federal government in the enfranchisement of qualified citizens denied the right to vote goes beyond the mere enforcement of the law. Government should undertake a positive educational campaign to familiarize all citizens with their rights under the Constitution and existing statutes and with the procedures available to them for the protection of these rights. This should include the posting of notices on court houses, post offices, and other federal buildings, and utilization of all the media of communication. Above all, Negro citizens should be given such assurances as will overcome the fears bred of terror, reprisal and violence. If necessary, we will

press for new legislation designed to implement these assurances.

Nothing would be more conducive to this end than a declaration by the President that their government desires all citizens to vote and guarantees to protect them in their exercise of their right to do so.

- **Home Rule for the District of Columbia**

The disfranchisement of residents of the District of Columbia besmirches the symbol of democracy which our nation's capital should portray. It is essential that residents of the District be granted suffrage and the same measure of self-government possessed by other communities throughout the country.

EDUCATION

It is more than six years since the Supreme Court, in the proper exercise of its role as interpreter of the Constitution, declared racial segregation in public education to be unconstitutional. Commendable progress in implementing the decision has been made by most of the border states affected, thus demonstrating that given good faith, the transition can be effected in an orderly and harmonious manner.

Unfortunately, in many other states, the Negro children seeking access to that equal educational opportunity to which they are constitutionally entitled, have encountered not occasional denial of their rights by individual schools and school districts, but a massive rebuff by those very governments, state and local, whose constitutional duty it is to protect them in the enjoyment of their rights.

In these circumstances it is not the rights of individuals alone that are impaired or denied; the very processes of orderly government are challenged and flouted. The government of the United States cannot assume a posture of neutrality toward compliance with its Constitution. It cannot continue to view the nullification of law by recalcitrant States, the evasion of court orders, the closing of public schools, and the enactment of obstructive State legislation as matters to be left to private litigation.

Accordingly, we pledge the full resources of the federal government to secure the constitutional right of all children to equality of educational opportunity, including action to:

- **Empower the Attorney General to file civil injunction suits in cases involving denials of the right to equal educational opportunity**

Negro children denied their rights are indeed injured parties, but to require them to bear the whole burden of seeking redress of their injury through costly and prolonged litigation, to compete against the massive weight of official state opposition, is to deny justice. Recourse to injunctive relief is provided for in many statutes, including those protecting the right to vote. Similar authority should be provided in the case of all civil rights, including the right to equal educational opportunity.

- **Require every school district affected by the Supreme Court's School Desegregation Decision to submit a plan for compliance no later than the close of the 1961-62 school term**

In five states, not a single Negro child is as yet receiving the kind of education to which the Constitution entitles him; in five others, the total numbers but a handful. After six years, even under the most liberal interpretation, this can hardly be deemed to meet the test of "deliberate speed." To require school districts after eight full years to submit a plan for desegregation would seem to represent a minimum evidence of the "prompt," "reasonable" and "good faith" start towards compliance demanded by the Court's ruling. The Department of Health, Education and Welfare should be authorized to promulgate a desegregation plan, which shall be enforceable in the Courts for any school district which fails to submit its own plan within the time prescribed by the Congress.

- **Deny Federal funds and subsidies to any school which refuses to admit students because of their race, religion, color or national origin**

More than two billion dollars a year of federal funds go for educational purposes and to educational institutions. No proof of non-discrimination is required in the administration of any of these programs. The federal government cannot in good conscience continue to grant public funds for the perpetuation of discriminatory and unconstitutional practices. All departments and agencies administering federal educational assistance programs should be directed to make federal grants conditional upon proof of compliance with the equal protection clause of the 14th Amendment.

Tax exemption represents a form of government subsidy. State or municipal bonds designed to raise funds for the construction, maintenance or operation of a segregated school system in defiance of a court order should not be subsidized by a grant of federal tax exempt status.

- **Grant technical and financial assistance to facilitate orderly compliance**

The public interest in orderly compliance places a responsibility upon the government to lend assistance to those communities that seek to fulfill their constitutional obligations so as to enable them to make the transition as easy, as harmonious, and as rapid as possible.

The compilation and dissemination of information, the making of surveys, the arrangement of conferences, the provision of specialists' services, grants for the employment of additional teachers and for teacher training courses all can contribute significantly toward this objective. The United States office of Education should be given authority and sufficient funds to provide such services.

- **Authorize the Commissioner of Education to operate schools for children of Federal personnel, where local schools are shut down because of failure to comply with a Court desegregation order. Such schools to be open on a non-discriminatory basis to all children in the area**

Hundreds of millions of dollars of federal funds have been appropriated for school construction under the impacted areas program.

Any such school which is closed in order to evade compliance with the law should be repossessed and operated by the federal government for the benefit of all children in the area. Education is the foundation of good citizenship and our system of free public education the mainstay of our democracy. The government of the United States can neither permit that system to be impaired nor allow any child to be deprived of its benefits.

HOUSING

It is the public policy of the United States, declared by the Congress and the President, and in accord with the declared purposes of the Constitution, that every American family shall have equal opportunity to secure a decent home in a good neighborhood. Genuine equality of opportunity in housing means that a family should not be restricted by considerations of race or religion when it seeks to find a home. Only personal choice, availability and the free exchange of the market place should prevail.

In spite of this, it is accurate to say that housing is the one commodity in the American market that is not freely available on equal terms to everyone who can afford to pay. Minority group Americans everywhere find their opportunity curtailed and hindered, if it exists at all, for artificial reasons based upon racial, religious or nationality prejudice. Restriction of choice leads to crowding of available housing beyond endurance, with the concomitants of high rates of disease, fire, delinquency and crime, and inevitably spurs the growth of frustration and community demoralization. A nation dedicated to respect for the human dignity of every individual should not permit such conditions to continue.

The federal government has become the single most important factor in the national housing picture. It is encouraging and financing the rebuilding and redevelopment of vast areas of our cities and the construction of tremendous new suburban communities. Federal housing programs are made possible by federal funds drawn from taxes imposed on all Americans

alike. Segregation or other forms of discrimination in any of them makes government a partner in the extension and perpetuation of segregated housing, thus negating the nation's basic principles of freedom and equality. The federal government should act now to eliminate discrimination from all aspects of its own housing programs.

Equal access to decent housing without restriction as to race, color, religion, national origin or ancestry is basic to the enjoyment of full citizenship. We therefore pledge the issuance of:

- **An Executive Order forbidding segregation or other forms of discrimination based on race, religion or national origin in all federal or federally-aided housing programs**

The order should include slum clearance, urban renewal, relocation, public housing, and the insuring and lending functions related to housing. It should provide for the establishment of an executive commission to implement this order.

EMPLOYMENT

Every American is entitled to an equal chance to obtain, to hold and to advance on a job in accordance with his ability. For in our economic order, the opportunity to make a living is basic to making a life; without it many other rights and opportunities become impossible of realization. Discrimination in employment breeds poverty, disease, slums and crime. It depresses wages, curtails purchasing power, limits production and retards economic growth. The United States can no longer afford this wasteful drain on our human and economic resources.

Equality of economic opportunity is the declared public policy of the United States. To further that policy we pledge:

- **Equal job opportunity in all employment in the federal establishment**

The federal government is the largest single employer in the country. Its employment policies should serve as a model to other employers.

To advance the attainment of non-discrimination in federal employment requires an increase in the staff of the Committee on Government Employment Policy, systematic and intensive in-service training for supervisory personnel in all federal agencies, and vigorous administration of existing executive orders and laws.

- **Equal job opportunity in all employment performed under government contract**

More than one fourth of all goods produced in the country are produced under contract with the federal government. Employers who are privileged to receive government contracts have a responsibility to comply with the non-discrimination policy ordered by three successive Presidents. To this end, the Committee on Government Contracts should be given statutory status, including authority to require proof of non-discrimination as a precondition to contract awards. It should be empowered to enforce compliance through contract termination, injunction and disqualification from future contract awards.

- **Equal job opportunity in all employment resulting from federal grant-in-aid and loan programs**

Employment resulting from federal funds paid for by all taxpayers should be equally available to all citizens. Federal funds expended as loans or grants for construction, vocational education, apprenticeship and public employment services should be conditioned upon assurance that they will be utilized in accordance with the national policy of non-discrimination.

- **Equal job opportunity in all employment in or affecting interstate commerce**

Eighteen states and approximately fifty municipalities have enacted legislation prohibiting discrimination in employment. Fifteen years of experience have demonstrated the efficacy of such legislation. Unfortunately, the areas in which discrimination is most widespread are those in which no such legislation exists. We favor the enactment of a federal fair employment practice law establishing a

commission with authority to receive and investigate complaints, to attempt to eliminate discrimination by conference, conciliation and persuasion and, if unsuccessful, to issue cease and desist orders which shall be reviewable and enforceable in the courts.

PERMANENT COMMISSION ON CIVIL RIGHTS

We pledge to establish the *Commission on Civil Rights on a permanent basis*, to clothe it with sufficient authority to investigate all areas of civil rights and intergroup tension, and to provide it with sufficient funds and staff to become a central clearing house for information, for research and for technical assistance to federal, state, municipal and private organizations concerned with advancing the national policy of full equality.

PRESERVING THE INTEGRITY OF AMERICAN CITIZENSHIP

The protection of the rights of United States citizens to travel, to pursue lawful trade, and to engage in other activities abroad without distinction as to race or religion is a cardinal function of United States sovereignty. Nevertheless, American citizens are being excluded from service in military, diplomatic and civilian capacities abroad solely because of their race or religion. Certain foreign governments, which receive United States economic aid, are maintaining a boycott against Americans and refuse to honor United States passports carried by United States citizens solely because of the religious faith of such citizens. These practices are incompatible with the constitutional principle of equality of citizenship. Accordingly, we pledge to:

- **Implement the repeatedly expressed opposition of the Congress to the imposition by foreign governments of discriminations against United States citizens on grounds of race or religion.**
- **Oppose any international agreement or treaty which by its terms or practices differentiates among U.S. citizens on grounds of race or religion.**

CONGRESSIONAL PROCEDURES

At a time when free institutions are exposed to world wide attack from without, the operations of our governmental machinery must be made as efficient and as effective as possible. This is essential not only to meet the awesome foreign and domestic problems that confront us but also to demonstrate the efficacy of responsible representative government.

Under the Constitution, legislative power has been vested in the Congress. The purpose of Congressional rules and procedures is to facilitate the wise and judicious exercise of that power. Three rules in particular, however, appear to frustrate that purpose.

Through the restrictions imposed by Senate Rule 22, filibusters, or the threat of filibusters, have time and again been used to prevent legislation from being brought to a vote in the Senate. The House Rules Committee, which was designed to facilitate the orderly flow of legislation in that body, has instead too often become a vehicle for preventing legislation from reaching the floor. Committee chairmen in both the House and Senate, assured of their position through the operations of the automatic seniority rule, have frequently used their power to pigeonhole legislation in disregard of party commitments.

As a result of these rules and procedures, essential measures are delayed again and again; others are watered down to meet minority interests at the expense of the national popular majority; still others are shelved or wholly cast aside. There is a considerable and increasing danger that perpetuation of these inefficient and undemocratic procedures will lead to public cynicism and apathy towards the Congress and governmental processes.

Accordingly, in order that the policies and programs set forth in this platform may be realized, we pledge to take action at the beginning of the 87th Congress to:

- **Improve Congressional procedures so that the majority will prevail, at each stage of the legislative process and the Congress thus may be a more effective and responsible instrument of our National purposes.**

American Civil Liberties Union
American Jewish Committee
American Jewish Congress
American Veterans Committee
Americans for Democratic Action
Brotherhood of Sleeping Car Porters, AFL-CIO
Catholic Council on Working Rights
Catholic Interracial Council
Congregational Christian Churches, Race Relations Dept.
Congress of Racial Equality
Delta Sigma Theta Sorority
Friends Committee on National Legislation
Improved Benevolent and Protective Order of Elks of the World
Industrial Union Department, AFL-CIO
Internat'l Union of Electrical, Radio and Machine Workers, AFL-CIO
Japanese American Citizens League
Jewish Labor Committee
National Alliance of Postal Employees
National Association for the Advancement of Colored People
National Bar Association
National Council of Negro Women
Nat'l Council of Prot. Episcopal Churches, Div. of Christian Citizenship
National Newspaper Publishers Association
National Sharecroppers Fund, Inc.
Southern Christian Leadership Conference
Transport Workers Union of America, AFL-CIO
Union of American Hebrew Congregations
Union of Orthodox Jewish Congregations of America
United Automobile Workers of America, AFL-CIO
United Steelworkers of America, AFL-CIO
United Synagogues of America
Women's International League for Peace and Freedom
Workers Defense League

LEADERSHIP CONFERENCE ON CIVIL RIGHTS
20 West 40th Street, New York 18, N. Y.

