

1. A Coordinated, Comprehensive, Strategic Attack

The problems of racial discrimination are interrelated. They occur in discernible patterns. Patterns of segregation in housing are reflected in the fact that segregation in schools. Substandard education is associated with high rates of unemployment. Unemployment is associated with the opportunity for vocational advancement. In turn, restricted income and economic mobility.

A STATEMENT

ON

"NEGROES AND THE OPEN SOCIETY"

BY

EDWARD W. BROOKE
UNITED STATES SENATOR

If the nation is to deal with these problems, a coordinated, comprehensive, strategic attack. In recent years, other than civil rights legislation, the Federal Government has borne the brunt of the blame. State and local governments and the private sector have been largely unresponsive. Our labor unions, business and civic organizations must be allies. An excellent example has been Massachusetts, which has actually moved in a direction that is well beyond the scope of the Federal Government.

2. Metropolitan Planning

The problem of discrimination against the Negro is no longer a regional problem. The experiences of depression, war, and population migration have made it a problem of national scope, increasingly focused in our metropolitan centers of population.

1. A Coordinated, Comprehensive, Strategic Attack

The problems of racial discrimination are interrelated. They occur in discernible patterns. Patterns of segregation in housing are reflected in de facto segregation in schools. Substandard education is correlated with high rates of unemployment. Limitations on employment and the opportunity for vocational advancement, in turn, restrict income and economic mobility.

Discrimination is a system that will yield only to a coordinated, comprehensive, strategic attack. In recent years, other than civil rights groups, the Federal Government has borne the brunt of this attack. But state and local governments and the private sector of our nation--our universities, churches, our labor unions, businesses and civic associations--must be allies. An excellent example has been Massachusetts, which has actually moved in a direction that is well in advance of the Federal Government.

If this nation is to deal with more than the individual symptoms, a constructive partnership will be needed between the public and the private sectors at all levels.

2. Metropolitan Planning

The problem of discrimination against the Negro is no longer a regional problem. The experiences of depression, war, and population migration have made it a problem of national scope, increasingly focused in our metropolitan centers of population.

Racial discrimination has struck at the heart of the American dream--the promise of freedom and equality of opportunity--for over two hundred years. It has gnawed at the political and social fabric of America, at times threatening to overwhelm us. It has exacted high costs--in human suffering, economic loss (a loss that approached \$27 billion in 1966), inferior education, blighted neighborhoods, and infant mortality to mention only a few. Racial discrimination has been a serious handicap to our foreign policy, especially in our relations with the peoples of the developing nations of Asia, Africa, and Latin America.

As the Republican candidate for the United States Senate, I advocate a broadly-based, massive assault against all remaining forms of discrimination in American life.

I call for an Open Society--a society which extends to all Americans the freedom and opportunity to have equal justice under law, to obtain quality education, to enjoy decent housing and good health, and to gain equal access to the economic benefits available in a free enterprise system. In order to achieve an Open Society, the thinking and approach to the problem of civil rights must be redirected. There must be a major shift in emphasis in current programs. I suggest three guidelines.

Negroes who have moved to the nation's cities, have been excluded by economic and racial barriers from the predominantly white residential suburbs. The growing ghettos of our central cities, with their deteriorating housing, inferior schools and generally inadequate public facilities now stand as the greatest challenge to the achievement of an Open Society.

If the nation is to resolve the problems stemming from racial concentration in our cities it will need metropolitan-wide planning. It cannot be bound by local prejudice or by the inertia of poorly conceived governmental programs. Too many Federal programs stop with the central city when the basic problems of discrimination are much wider. Here must be a willingness to experiment with enlarged governmental districts, intergovernmental compacts, new site locations for housing, schools, and other public facilities, and programs that link two or more communities in the metropolitan area.

In substance, a new metropolitan perspective must be applied to virtually all facets of discrimination in our urban society. Without such planning, the problems of the ghetto will become insurmountable.

3. Vigorous Enforcement of the Law

Another guideline for any effective civil rights program is vigorous enforcement of the law. The national Administration's failure to enforce civil rights laws has caused great disappointment.

Title VI of the Civil Rights Act of 1964 bans discrimination in all Federally assisted programs. But not until May of 1966 did the Secretary of Health, Education and Welfare announce that Federal funds would be withheld from school districts that practice discrimination. One year after passage of the Civil Rights Act, the United States Commission on Civil Rights found that there were discernible patterns of noncompliance in nearly two-thirds of the hospitals surveyed--despite the fact that each hospital had received financial assistance from the Federal Government. And to date, the Justice Department has failed to appoint any Federal registrars to Georgia under provisions of the Voting Rights Act of 1965, even though that state has the largest number of unregistered Negroes of voting age. These are only the most blatant examples of executive inaction.

Weak enforcement can be traced in other areas to inadequate planning and staffing. Moreover, some enforcement procedures have proved to be ineffective tools in rooting out discrimination. The complaint system, for example, has generally proved useless because the burden of filing court suits has been placed on the victims of discrimination.

Existing civil rights law must be a more potent weapon in the war against segregation and discrimination.

Legislation must be vigorously enforced. Enforcement agencies must be provided with adequate staffs to provide the necessary leadership. And those laws which contain inadequate enforcement procedures must be amended.

These principles should guide our attack in the following major areas of discrimination in American society.

I. EDUCATION

Twelve years after the Supreme Court decision on school segregation, virtually no progress has been made in desegregating our schools. Only about 6 percent of Southern Negro children attend school with white children.

In both the North and South Negro schools are almost always inferior in quality to white schools; and both Negro and white school children now receive an inferior education to the extent that they are not being prepared to live in a pluralistic society. The elimination of segregation from the schools is the most critical issue facing American education today.

The United States Office of Education sets the guidelines under which school systems must desegregate. The most recent guidelines of March 1966 are considerably stronger than those issued in the past. However, despite the May deadline for filing compliance agreements for the 1966-1967 school year, by mid July, 78 school systems in the South had failed to submit plans for desegregation as a first step for meeting government demands.

Close to 90 more school districts had submitted agreements but attached conditions that may prove unacceptable upon review.

In the face of this open defiance of the Civil Rights Act of 1964, no Federal funds were withdrawn from school districts that discriminate until May of this year and only 12 districts were affected at the time.

Whereas segregation in the South has traditionally been supported by law, Northern style segregation, commonly referred to as de facto segregation, has risen primarily from community custom and indifference, segregated patterns of housing and gerrymandered school districts.

In Philadelphia, 58 percent of the pupils enrolled in public schools are Negro; in Manhattan, 75 percent of the children are nonwhite; in Washington, D.C., 89 percent of the pupils in public schools are Negro. And the percentages are increasing.

The tragedy of the ghetto, however, involves more than the racial concentration of our schools. As psychologist Dr. Kenneth Clark states, "segregation and inferior education reinforce each other." The quality of education invariably suffers.

The Federal Government has taken no action in the North in the mistaken belief that the mere threat of withholding funds would force school districts to take steps toward ending de facto segregation.

But even this threat has been removed with the recent announcement by Secretary of Health, Education, and Welfare John Gardner that Title VI of the Civil Rights Act of 1964 did not apply to de facto segregation.

Recommendations

To meet the crisis in education faced in the North and South alike, I strongly urge that the following steps be taken:

1. Action on School Desegregation

*Prompt and vigorous enforcement of Title VI of the Rights Act of 1964 (banning discrimination in all Federally assisted programs) is required. The Federal Government must not hesitate to cut off funds from school districts which fail to meet the Government's standard. To assure this end:

*Congress should provide adequate staff and funding for the enforcement operation of the Office of Education and should increase its initial appropriation of \$3 million to desegregating school districts.

*Congress should enact Title III of the Administration's Civil Rights Bill of 1966 which would strengthen the Office of the Attorney General in desegregation suits. This section would allow the Attorney General to file desegregation suits, even if he did not have a written complaint and local residents were financially able to sue on their own behalf.

2. Reducing Racial Concentration

Short-term measures such as the pairing of schools, busing (for example, the Metropolitan Council for Educational Opportunities--better known as METCO--in Massachu-

An adequate solution will require metropolitan area planning.

*Congress should move to clarify the ambiguities contained in Title VI of the Civil Rights Act of 1964 by enacting legislation which makes de facto segregation of schools illegal and provides for the withholding of funds from school districts which practice de facto segregation. The Federal courts should be given the authority to enforce the provisions of the law. At present, Massachusetts is faced with an anomalous situation in which state funds have been withheld because of de facto segregation in the Boston school system, while millions of dollars are poured into the City by the Federal Government.

*Federal grants issued under Title I of the Elementary and Secondary School Act should be used as incentives to metropolitan planning. Federal funds issued for school construction should be used to break up, rather than strengthen the patterns of segregation.

*The states, in cooperation with the Federal government, localities, and private sector, should implement effective metropolitan planning in education. Such planning should include the enlargement of school districts, new transportation patterns, and the construction of new schools aimed at reducing racial concentration.

*Educational parks, in particular represent a promising, bold approach to the problem of achieving quality education and more racially balanced schools. These school complexes would assemble on a single large campus children from an attendance area broad enough to include both majority and minority children. The concentration of students, teachers and resources would result in richer programs and more services than any individual school could provide. Their strategic location would help alleviate the problem of racial imbalance as well.

3. Teachers and Curriculum

Teachers can play a vital role in upgrading the quality of education and in school integration.

*Where practice teaching is done on a segregated basis, the Federal Government should take action under Title VI of the Civil Rights Act of 1964.

*State Departments of Education and local Boards of Education should actively recruit and train qualified teachers who are Negro.

*Congress should provide adequate funding for the National Teacher Corps, an imaginative effort aimed at breaking down the vicious cycle of poverty and ignorance in rural and urban slums.

*A comprehensive system of pre-school centers for underprivileged children operating both during the school year and during the summer months is required. The highly successful Operation Headstart program should be expanded, systemized, and imaginatively administered.

*Finally, new methods of curriculum should be devised. Textbooks should reflect a more realistic view of the role of minority groups in our history.

II. HOUSING

For millions of Negroes, housing means the lack of free choice in selecting a place to live, and congested ghettos that breed broken homes, delinquency, illegitimacy, drug addiction and crime. Since World War II, the pattern in housing has been new homes in the suburbs for white families with rising incomes and old homes in central

3. Teachers and Curriculum

Teachers can play a vital role in upgrading the quality of education and in school integration.

*Where practice teaching is done on a segregated basis, the Federal Government should take action under Title VI of the Civil Rights Act of 1964.

*State Departments of Education and local Boards of Education should actively recruit and train qualified teachers who are Negro.

*Congress should provide adequate funding for the National Teacher Corps, an imaginative effort aimed at breaking down the vicious cycle of poverty and ignorance in rural and urban slums.

*A comprehensive system of pre-school centers for underprivileged children operating both during the school year and during the summer months is required. The highly successful Operation Headstart program should be expanded, systemized, and imaginatively administered.

*Finally, new methods of curriculum should be devised. Textbooks should reflect a more realistic view of the role of minority groups in our history.

II. HOUSING

For millions of Negroes, housing means the lack of free choice in selecting a place to live, and congested ghettos that breed broken homes, delinquency, illegitimacy, drug addiction and crime. Since World War II, the pattern in housing has been new homes in the suburbs for white families with rising incomes and old homes in central cities for Negroes. Indeed, the trend in recent years has been accelerating.

Because I believe the situation in housing has reached crisis proportions, I strongly urge that the following steps be taken:

1. Banning Housing Discrimination

The Administration's housing bill banning racial discrimination in the sale, rental or financing of all types of housing, represents a potentially important advance in assuring freedom of choice in the open market. This legislation is a significant step toward achieving the promise and spirit of the Constitution and the Declaration of Independence. Nevertheless, the Administration's method of attacking discrimination in housing ignores a more potent instrument.

*The president could deal with the problem of discrimination in housing more effectively by issuing an appropriate executive order. President Kennedy's Executive Order No. 11063 banning discrimination in FHA and VA-financed housing, covered 20 percent of the total housing supply. By extending the Executive Order to all housing financed through banks and savings and loan institutions whose deposits are guaranteed by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC), more than 80 percent of the housing supply could be covered.

*In the absence of an executive order, the Administration's Bill should be supported. However, it should be strengthened in its proposed methods of enforcement. The concept of a Federal Fair Housing Board with effective enforcement powers--adopted as an amendment in the House Judiciary Committee--has sound precedent in numerous state open housing laws.