

THE PANTHERS AND THE POLICE  
December 18, 1969  
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themselves, yet one cannot deny a fundamental political reality in American life: namely, that the ultimate destination of black people who resort to violence as a political weapon will be jail, exile, or death. This is not a question of objectives or of ideology. It is simply a question of strategy.

With the emotionalism of all parties so intense, it is essential that there be an objective nationwide investigation into all of the clashes between the Panthers and the police. A dispassionate inquiry is exactly what one cannot expect from the F.B.I. whose director, J. Edgar Hoover, has already called the Panthers "the greatest threat to the internal security of the country." An independent commission, therefore, has been established which is headed by Roy Wilkins and Arthur Goldbert and of which I am a member. The commission will impose a degree of sanity upon this explosive situation, and it will let the public know the facts. At the moment there is a great need for sanity and objectivity.

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## NEWS RELEASE

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For Release: ~~Immediately~~  
December 31, 1969

~~Rustin Column~~  
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### DR. KING'S BIRTHDAY--A NATIONAL HOLIDAY

by Bayard Rustin

January 15th will be the anniversary of the birth of Dr. Martin Luther King, Jr. There are millions of black and white Americans who will observe Dr. King's birthday with the solemnity that is appropriate for such an important occasion. Many adults will not work, students will not attend classes, and children will stay home from school. Instead of engaging in their normal activities, they will attend meetings at which speakers will discuss the meaning of Dr. King's life and the heritage he has left us. As a result of their day's observance, these people should be wiser and more dedicated to building a just society.

It is not enough, however, that Dr. King's birthday be celebrated on such an informal basis. For a number of reasons it is essential that his birthday be made a national holiday and that it be observed by all Americans.

The most obvious reason for creating this holiday is to pay honor to Dr. King and to the principles for which he lived and died. As the leader of what has come to be called The Second American Revolution, Dr. King achieved a stature comparable to that of our Founding Fathers. More importantly, he remade the First American Revolution in its own best image. The principles of equality and liberty which were the stated goals of that revolution were marred by the inclusion of a clause in the Constitution that designated each Negro slave as three-fifths of a human being. Thus, the first revolution was incomplete, and it was almost two centuries before a movement arose demanding

the realization of the American ideals. Dr. King led that movement and articulated its most profound desires. For this reason alone he deserves to be honored by the entire nation.

Yet there are other reasons. Our county is now experiencing its most serious crisis since the Civil War. At that time the root cause of the crisis involved the position of the Negro in American society, and the same is true today. Our nation is being torn apart over the issue of whether or not there shall be equality for black people. The greatness of Dr. King was not so much that he led the struggle for equality, but that he led it in such a way that America could survive the accompanying social conflict, and in fact become a greater nation in the process. He preached equality for black people yet his message also pointed a way to salvation for white people. He understood that only by means of nonviolent protest could black people achieve their demands while at the same time preserving the society into which they were demanding entrance. He understood that integration did not mean a loss of identity for black people, but rather the recognition of their humanity by white people. He also believed that black people must recognize the humanity of whites, and his own life was a beautiful testament to the power of this belief.

If Dr. King's faith in the possibility of human reconciliation helped Americans to discover a way out of their racial dilemma, it also encouraged people all over the world to increase their efforts to end war, poverty, and human oppression. The Nobel Peace Prize, which he received in 1964, was a tribute to the international significance of the nonviolent struggle he waged here at home.

Finally, Dr. King's birthday should be made a national holiday because this would be a symbolic recognition by all Americans of the contribution of black people to American society. It would also signify to Negroes that the government and the people of the United States believe in what Dr. King stood for. At a time of severe racial division, when a growing number of black people no longer believe that they will ever find real freedom in America, the creation of a national holiday for Dr. King's birthday would

be taken by Negroes to mean that equality is still possible in America, that Martin Luther King's dream can still become a reality. If Negroes lose this faith, it will not be their tragedy alone. It will be America's tragedy.

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January 14, 1970

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Rustin Column

### NO QUALITY WITHOUT QUANTITY

by Bayard Rustin

The latest sham to come out of Washington is the President's notion of "the quality of life." By this phrase, Mr. Nixon has described the need to attack the problem of air and water pollution. I do not mean to underestimate the importance of the problem of ecology. The growing size of our society and complexity of our technology has raised the question of whether life--both human and animal--can survive in an increasingly polluted environment. President Nixon is correct in bringing the attention of his office to this problem. But it is one thing to point out a problem and an entirely different thing to solve it, and there is considerable reason to believe that the President is not thinking seriously about solutions. There are, as always, political problems of the moment to worry about.

If the President were serious about preserving a clean environment, he would not have requested almost \$600-million less than the \$800-million appropriated by Congress to fight water pollution. And now that Congress has appropriated those funds, Mr. Nixon has devised a new plan (which involves issuing bonds on which the Federal Government would pay the principal) to avoid spending the money. Moreover, "The National Environmental Policy Act of 1969" which the President sent to Congress is a tale told to the nation signifying nothing. The Act proposes no appropriations for pollution control, nor does it even suggest a solution. It merely obligates the government to spend \$1-million for a Council on Environmental Quality the sole purpose of which will be to recommend policies to the President.

The casual observer might be fooled into thinking that the President is actually doing something about pollution simply because he has expressed "concern" with the problem. But in point of fact, Mr. Nixon is doing something quite different. He is covering up for his failure to deal with any of the social and economic problems which afflict this nation. He talks about "the quality of life" while he withholds "the quantity of funds" needed to build housing for people, to employ and educate them, and to take care of their health needs.

"The quality of life" must be coupled with a second Nixon phrase if its true meaning is to be understood. That phrase is "fiscal responsibility," which means cutting funds for Model Cities, urban renewal, Federal construction projects, medical research and health care, and education. This policy can be seen most clearly in Mr. Nixon's threat to veto the \$19.7-billion Congressional appropriations bill for education and welfare. What has really aroused the President's ire is the decision by Congress to appropriate \$4.3-billion for education, which is over \$1-billion more than he requested.

There may very well not be sufficient votes in Congress to override the President's proposed veto. If this is so, it will be a terrible blow for those who want to see some progress made on our serious domestic problems. It will certainly make the claim by Attorney General Mitchell, that Negroes secretly like the Nixon Administration but don't want to admit it, seem even more ludicrous than ever before. But a presidential veto might have another effect which would work against Mr. Nixon, for it will have made our national priorities a major issue in the 1970 Congressional elections. It is hard for a do-nothing president to survive at a time when social problems are worsening. It is even harder for him to survive without a friendly Congress. If Americans vote against Mr. Nixon's policies in 1970, this would be a harbinger of things to come in 1972.

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January 29, 1970

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Rustin Colum

### TWO STEPS BACKWARD

by Bayard Rustin

Within a single week President Nixon has taken two major steps backward. His nomination to the Supreme Court of Judge G. Harrold Carswell, a man whose racial views are as questionable as his intellectual competence, was no less an insult to black Americans than to the reputation of the highest court in the nation. And his veto of the \$19.7-billion education and anti-poverty appropriations bill was an act of disregard for the welfare of millions of Americans, black and white.

These acts are reprehensible and must be strongly condemned and opposed, yet they also reveal a subtle inconsistency in Nixon's political and economic strategy which ultimately may prove to be his undoing.

All the evidence in the Carswell case points to the guilt of the defendant. The now-famous 1948 speech which Carswell delivered during a campaign for the Georgia legislature is worth quoting at length because it is such an explicit statement of the views he held at that time: "I believe that segregation of the races is proper and the only practical and correct way of life in our states. I have always so believed, and I shall always so act. I shall be the last to submit to any attempt on the part of anyone to break down and to weaken this firmly established policy of our people...I yield to no man as a fellow candidate, or as a fellow citizen, in the firm, vigorous belief in the principles of white supremacy, and I shall always be so governed."

Now those are pretty strong words, and they were not the "thoughtless, juvenile expression of the moment," as Roy Wilkins has pointed out, "but the utterance of a mature man of twenty-eight." Even if Carswell has since repudiated such racist beliefs, he did so only after his nomination. The new disclosure that he took part in 1956 in the formation of a segregated private golf club in Tallahassee to prevent its desegregation as a municipal facility hardly lends credence to his new view that racism is "obnoxious." George Meany has rightly called the Carswell nomination "a slap in the face to the nation's Negro citizens."

Aside from Carswell's racial beliefs, he has shown no distinction in the legal profession, a fact which, in itself, should disqualify him from sitting on the Supreme Court. He has written no legal articles, and according to Fred P. Graham of The New York Times, the 25 or so opinions that Carswell showed to the Justice Department read like "plumbers' manuals."

All of the foregoing was learned about Carswell during the week following his nomination, yet the Justice Department claims it thoroughly investigated his record. Either it did a terrible job, or Nixon wanted a man of precisely Carswell's character and competence.

The second possibility would make the Carswell nomination consistent with Nixon's Southern strategy and his attempt to appeal to Middle America. Yet while such a blatant affront to Negroes might win him some support from racists and right-wingers, that other aspect of his policy, the appropriations veto and the budget cuts, might undermine his appeal to "the silent majority."

There is a contradiction inherent in Nixon's policies which should receive far more attention from his liberal opposition. It is the contradiction between Nixon's racial strategy and his economic policies. By appealing to the racial fears and hostilities of white people, he will no



doubt win some followers, particularly in the South. Yet the great body of the constituency he wants to make part of a Republican majority stands to lose from the budget cuts. Middle America does not appreciate high interest rates and other economic policies which have increased unemployment, raised mortgage rates and reduced the amount of home building, and taken away vital funds from schools and hospitals that were already financially starved. We are on the verge of a recession which should make Middle America worry more about its economic interests than its racial fears. If this happens, Mr. Nixon may find his stay in the White House shorter than he had hoped.

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For Release: Immediately  
February 11, 1970

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Rustin Column

### IN SUPPORT OF CURT FLOOD

Curt Flood, the all-star outfielder for the St. Louis Cardinals, has filed an important and controversial anti-trust suit against Organized Baseball. Flood's lawyer is Arthur J. Goldberg, a former Associate Justice of the Supreme Court and former United States Ambassador to the United Nations. With the support of the Players' Association, numerous civil libertarians, and countless baseball fans, Flood may win his case to become a free agent, and in the process he may modify the reserve clause which has made baseball players--unlike boxers, football players, and other athletes--the hired serfs of the baseball monopoly.

Over 80 years ago John Montgomery Ward, a star outfielder with the New York Giants, called the reserve clause a form of "slavery." The term is still appropriate. Flood was traded to the Philadelphia Phillies last October after twelve successful years with the Cardinals. The years of work he had put into his profession, his desire to remain in St. Louis, his well-being as an employee were all irrelevant beside the wish of some top management official to send him somewhere else. He was being treated, as Flood appropriately put it, "like a slave." Out of a sense of offended pride and violated rights, he is mounting a campaign which in the end may benefit not only himself, but all of his colleagues.

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The reserve clause binds players to a particular team and gives the team the right to trade the players. This one-sided affair was upheld by the Supreme Court in 1922 and three times in the 1950's, but the picture is different today. Flood is the most prominent player ever to challenge the clause, he has the most prestigious legal counsel available, and his claim that baseball is an interstate business monopoly in violation of the Sherman Anti-Trust Act has never been more to the point. Baseball's income from television now exceeds what is taken in at the local box-office by \$10-million. In addition, the travelling and communication that are required to stage a baseball game cost over \$1-million a year. Baseball is clearly an interstate enterprize.

And it is also a monopoly. Baseball players may be paid more than the average employee, but in many cases they have fewer rights. Flood is challenging not only the reserve clause, but also, among other things, the practice of permitting only beer produced by Anheuser Busch, Inc., of which the Cardinals are a subsidiary, to be sold in their park. The result of this practice, Flood claims, is that added revenue goes to the company at the expense of the ball club and the players.

All of the points of contention in Flood's suit may not, at first, seem relevant to baseball as a sport. But it is also an enterprize and a profession, and Flood, in addition to being a player, is an employee. His suit, therefore, represents an attempt to expand the rights of a specific group of employees who are now at the mercy of their employers.

It is also an attempt to reform an institution in which black athletes have acquired prestige and wealth and have become a source of pride for other Negroes. As such, Flood stands in the tradition of such black athletes as Jackie Robinson and Muhammad Ali who, in addition to achieving great status within their professions, took courageous stands on issues of human rights. For these reasons, Curt Flood deserves our support and respect.

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Rustin Column

### THE COMPROMISE OF 1970

by Bayard Rustin

During one tragic week in February, the nation turned its back upon its black citizens. It is, of course, still too early to assess the full significance of the events of that week, but it is possible that historians may someday compare them to the Compromise of 1876 when the principle of equality was sacrificed to the economic advantage of the wealthy and the racial fears of the bigoted.

Sixteen years after the Supreme Court decision outlawing school segregation and only several months after the Supreme Court ordered the abolition of dual school systems "at once," Congress accommodated to racism and conservatism. In the House a coalition of Northern Republicans and Southern Democrats secured the passage of two anti-integration amendments to the appropriations bill. And in the Senate these conservative forces, aided and abetted by some liberal Democrats, won their greatest victory--the passage of the Stennis amendment which may cripple all integration efforts in the South.

Why was this conservative field day in Congress permitted to take place? The Northern Republican-Southern Democrat coalition has always fought against progress in civil rights, yet it has never been as successful as during the third week in February. The reason it was able to pick up two new allies--the President and a small yet decisive contingent of liberal Democrats.

President Nixon may not have been involved in the Congressional maneuvers to close the door on integration, yet

he has been an active ally of the Southern racists ever since he entered office. Time and again he has tried to slow the pace of school desegregation, to reverse the progressive direction of the Supreme Court, and to water down the 1965 Voting Rights Act. This has all been part of his insidious strategy to win the Wallace vote in the South and to organize an electoral majority on the basis of hostility to Negroes. Nixon's role in the recent debacle in Congress was dramatically emphasized on the day before the passage of the Stennis Amendment when Leon E. Panetta resigned from the civil rights office of HEW, claiming that the White House was undermining the school desegregation efforts of his office. The Administration's crowning insult to Negroes was the appointment of Robert C. Mardian as executive director of Vice President Agnew's cabinet-level desegregation panel. Mardian is a former campaign worker for Barry Goldwater, a foot-dragger on desegregation, and one of Mr. Panetta's most bitter antagonists.

While Nixon's behavior has been reprehensible, it comes as no surprise, but this cannot be said for the liberal Democrats who supported the Stennis amendment. Does Senator Ribicoff, who has been an ally of the Negro in the past, really think that he has done a service to the Negro cause by confusing de facto and de jure segregation, opposing the former in such a way that he makes it impossible for the government to attack the latter. Do not he and Senators Mansfield, Gore, and Yarborough (who also voted for the Stannis Amendment) realize that de jure segregation is segregation sanctioned by government and subject, therefore, to legal redress, while de facto segregation is the result of economic factors and residential patterns which can be altered only with major social programs, and that to confuse the two is to play into the hands of Southern segregationists? Do they not see that by requiring the government to do what it cannot do in the absence of an economic program, they are directing its attention away from what it can

do now, namely, to abolish dual school systems in the South. The political intelligence of these men seems to have become the victim of their guilty consciences, all to the detriment of the Southern black.

But perhaps guilt is not the only emotion which is motivating these and other liberals today. For the past four years, a major ideological shift has been taking place in the liberal community which can best be described as an accommodation to localism of every kind, particularly racial separatism. Many liberals have come out against a stronger integration effort since they feel that it would be futile and counter-productive. Yet the week that Congress retrenched on integration, white students at Wade Hampton High School in Greenville, S.C. welcomed 300 Negro students who had been assigned to the school under a court order. The potential for integration is there, but it can only be realized if moderates feel that they have the power of the federal government and the authority of the law on their side. But the President and Congress now threaten to put the bigots in command and the moderates on the defensive. The same thing happened in 1876, and it was over three quarters of a century before the nation remembered what the Constitution is all about.

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*Immediately*  
*March 12, 1970*

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### THE RATIONALIZATION OF NEGLECT

*We now have a new phrase in our national vocabulary--benign neglect. Daniel P. Moynihan, the President's adviser, has dredged it up out of nineteenth century British colonialist history and has applied it to contemporary American race relations. It has caught on immediately for a very simple reason. Unlike phrases such as "The New Federalism" or "The Southern Strategy," benign neglect seems to capture the full meaning of the Nixon Administration's civil rights policies--their combination of blunt appeals to the racial backlash with sophisticated rationalizations for measures that undermine the Negro's social and economic gains of the last decade.*

*We have seen how benign neglect works in numerous areas of social policy. If funds are cut for Model Cities or for education, or if unemployment increases as a result of an economic "slowdown", this is all justified as "fiscal responsibility." No thought is given to the injustice of making black and other poor people bear the full burden of a modest reduction in the rate of inflation. If conservatives and, in the case of Carswell, outright racists, are appointed to the Supreme Court, it is all done in the name of "strict construction of the Constitution." No thought is given to the constitutional decree that all men are created equal, so it is easily forgotten that a white supremacist or a conservative who does not believe in full equality is hardly a strict constructionist.*

*The sophistry of the Nixon Administration has been most evident in the area of education and school integration. There*

have been two main approaches proposed for the improvement of the educational performance of black children: integration and compensatory education. The Nixon Administration has generally been identified with those in opposition to both strategies. It has given in to Southern pressure to halt integration, and the President vetoed the Congressional appropriations bill because it proposed "excessive" expenditures for education.

The rationalizations for these policies are interesting, and no doubt we will be hearing them more and more often as time goes on. For example, John D. Ehrlichman, the President's chief assistant for domestic affairs, has said that he is against school integration for purely "social", as opposed to educational purposes. Then there is Mr. Nixon's use of the 1966 Coleman Report to show that expenditures to establish low pupil-teacher ratios and improve school plants may be wasted since they bear little relation to pupil achievement. Little did Mr. Nixon know that in basing his argument on the Coleman Report he was refuting Mr. Ehrlichman and casting serious doubt on his own position as well.

The basic finding of the Coleman study was that integration could do more to advance the educational achievement of lower class black children than any other strategy. So much for Mr. Ehrlichman. As for Mr. Nixon's contention that we are not getting our educational dollar's worth, this is at best a half-truth and at worst a dangerously conservative argument to cut school appropriations. It is true that many compensatory educational programs (with the exception of such programs as the More Effective Schools) have not been successful. But the reason is not that there is no relationship between expenditure and achievement, but that the appropriations to date have been far below what is needed to make a real impact, that a good part of them have been misused, and that even when properly used, they have been applied to segregated schools where the problems could not be solved only by money. As was pointed



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out in Racial Isolation in the Public Schools, a report of the U.S. Commission on Civil Rights which was based on the Coleman study, compensatory education programs "appear to suffer from the defect inherent in attempting to solve problems stemming in part from racial and social class isolation in schools which themselves are isolated by race and social class."

Thus, there cannot be quality education without desegregation, something which the President recognized in his recent message to Congress. The problem is that Mr. Nixon wants to have his cake and eat it too. Not wanting to spend money on education, he mentions that need for desegregation. But in his policies and programs, he has done nothing to advance desegregation and everything to obstruct it. His sophisticated references to government studies might sound good in some people's ears, but in the context of his actions they are meaningless. Mr. Nixon's policies speak for themselves and they know but one word--NEGLECT.

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### THE PRESIDENT v. DESEGREGATION

BY Bayard Rustin

"Words often ring empty without deeds," said President Nixon in his message on school desegregation. The statement was a remarkable, if unintentional, bit of candid self-criticism, for no president in recent memory has been more "deedless" in that particular area of social policy. But it is not necessary to point to Mr. Nixon's Southern strategy to prove the emptiness of his words. If one can penetrate the veil of rhetoric he has cast over the subject of school integration (take, for example, his use of such civil rights phrases as "we can overcome"), it is not difficult to see that his words are themselves just one more attempt to woo the Wallace vote.

"In devising local compliance plans," said Mr. Nixon, "primary weight should be given to the considered judgment of local boards--provided they act in good faith and within constitutional limits." This statement represents Mr. Nixon's clear intent to reverse the policies of the last six years which, in accordance with the 1964 Civil Rights Act, required Southern school districts to meet strict federal "guidelines" for school desegregation. Such guidelines were deemed necessary at that time precisely because "good faith" efforts by local school districts did not bring about desegregation, and there is no reason to think that they will today. Mr. Nixon's return to the principle of "good faith" (something be underlined in the most succinct and emphatic paragraph in his entire 8,000 word message-- "This matter of good faith is critical") is an abdication of the federal government's responsibility to integrate Southern schools.

Then there is Mr. Nixon's unequivocal endorsement of the "neighborhood school" concept and his equally unequivocal repudiation of busing "for the purpose of achieving racial balance."

The neighborhood school and opposition to busing to achieve integration have been the rallying cries of segregationist forces throughout the country. What is shocking about Mr. Nixon's position is that as President of the United States, he is firmly identifying himself with political elements that have consistently opposed the 1954 Supreme Court decision and subsequent civil rights legislation relating to school integration. It would be unusual for any president to identify himself with such political elements, let alone one who has so frequently spoken of the need for "law and order."

In drawing a clear distinction between de jure and de facto segregation, Mr. Nixon played upon the confusion that was created during the recent fight over the Stennis Amendment. The amendment, which was supported by the South, would have blurred that distinction in order to weaken the fight against de jure segregation. But now the amendment has been virtually killed in Senate-House conference committee, and Mr. Nixon has found another way to satisfy the South. He has accepted the de jure- de facto distinction but has restricted the definition of de jure to "deliberated racial segregation of pupils by official action." This would apply only to rural Southern districts. Accordingly, all other forms of segregation would be de facto and would be totally outside the province of federal action. Mr. Nixon made sure to point out that de facto segregation "exists in the South as well as the North." This was a clear message to Southerners that they can expect no federal action taken against segregation in the urban South.

Mr. Nixon's decision to spend \$1.5-billion over two years to improve segregated education as well as to desegregate is to be welcomed, but he indicated that these funds would be procured by diverting funds from other domestic programs. Thus, the only bright spot in the President's message may end up simply as a budgetary reshuffling that will divert scarce resources from other vital areas.

Finally, Mr. Nixon has once again used the Coleman Report to confuse rather than to enlighten. Following Coleman, Mr. Nixon tells us that "in educational terms, the significant factor is not race but rather the educational environment in the home." "Students learn from students" was another idea that Mr. Nixon borrowed from the

Coleman Report. Taken together, these statements mean that students from a high socio-economic background tend to perform better in school than students from a low socio-economic background, and that the latter will learn more if they are integrated into classes with the former. Mr. Nixon is correct as far as he goes. The key educational factor is not racial integration so much as class integration. But he does not carry this point to its ultimate conclusion--namely, that in a society where there are so few middle class blacks, class integration necessarily involves racial integration. Rather, immediately following this part of his message, he launches into a below-the-belt criticism of white integrationists by saying that their attitudes are characterized by "smug paternalism," "racist overtones," and "hypocrisy." This is nothing more than an appeal to black separatists and to their allies in the white liberal community. As such, it shows that Mr. Nixon is sophisticated enough to understand how the confusion among these groups can benefit himself and his conservative allies, but his attempt to exploit this confusion is unprincipled, and it is certainly not worthy of the President of the United States.

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April 9, 1970

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### WHY CARSWELL LOST

By Bayard Rustin

The Senate's rejection of G. Harrold Carswell's nomination to the Supreme Court is a resounding victory for the liberal forces of this country and a stunning defeat for President Nixon's Southern Strategy. In the history of the United States, perhaps no nominee to the Court has been more lacking in the moral and legal qualifications for that position than Carswell, and his defeat is a source of tremendous relief and joy to all citizens of good will. Only a few months ago, the thought of this triumph seemed to some an idle fantasy, but to others it was a real possibility and they tirelessly devoted themselves to bringing it about. These people are the heroes of the moment.

Who are they? Those who led the fight within the Senate--Senators Birch Bayh, Edward Kennedy, Joseph Tydings, Edward Brooke, and others--are among them. They deserve and have been given the great credit that is their due. And there are others who played a less prominent but equally significant role. They did the hard back-up work of lobbying, pin-pointing and convincing wavering senators, and mobilizing national opposition to Carswell. It is likely that when history is written, the real credit for the victory will go to these people and to the organization through which they worked, the Leadership Conference on Civil Rights.

The Leadership Conference is really more than a single organization. It is the coordinating agency for

over one hundred and ten civil rights, labor, liberal, and religious bodies. It is, in fact, the organizational embodiment of the liberal coalition. With Roy Wilkins as Chairman and Arnold Aronson as Secretary, it has been largely responsible for the great legislative victories in civil rights, especially the civil rights bills of 1964 and 1965. Since Nixon has been in office, its role has been primarily to resist the Southern Strategy. It saved the Voting Rights Act, crippled the Stennis Amendment, and defeated Haynsworth. And now it can add the rejection of Carswell to its impressive list of accomplishments.

The principal actors in the struggle against Carswell reflect the coalition of forces which make up the Leadership Conference. Clarence Mitchell, the Conference's Legislative Chairman, is also the Director of the Washington Bureau of the N.A.A.C.P. and probably the most skilled civil rights lobbyist in the country. Joseph L. Rauh, Jr., the Counsel for the Conference, is Vice-Chairman of the Americans for Democratic Action and a leading spokesman for the liberal community. The AFL-CIO's Legislative Director Andrew J. Biemiller is on the Executive Committee of the Leadership Conference and works closely with it on many crucial issues. The actions of these men demonstrate the importance and influence of the civil rights-liberal-labor coalition. This is the coalition that is preserving the gains that were made in the past and upon which we must depend for progress in the future.

An additional word should be mentioned about one element of that coalition, the labor movement. Many people who were quick to credit labor with an important role in defeating Haynsworth have been under the impression that it fought half-heartedly, if at all, in the struggle against Carswell. The reason for this, they say, is that Haynsworth



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For Release: **Immediately**  
April 23, 1970

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### VIOLENCE AND THE SOUTHERN STRATEGY

By Bayard Rustin

Much of the social turmoil which our society experienced in the 1960's can be attributed to what sociologists and political scientists have called the revolution of rising expectations. This means that for an upwardly mobile group, the achievement of social progress is far more likely to stimulate demands for change than to satisfy them. This is certainly one of the important factors that added momentum to the Negro protest movement.

The sword, however, cuts both ways. In a conservative period we are likely to see a counter-revolution of rising expectations. The moment it becomes clear that a reaction has set in against further change, the progressive forces are put on the defensive while the reactionaries, who were held at bay during the liberal years, sense that their time has come. They now come out from hiding, flex their muscles, and boldly prepare to attack the agents of progress as well as progress itself. It is at this point that the floodgates of hatred and racism are opened, and society enters a very dismal and dangerous period.

Something like this counter-revolution is occurring in the South today. During the past fifteen years, the South underwent a tremendous social transformation as a result of the civil rights movement. The period was traumatic for many Southerners, but there have been indications that the region as a whole has been adjusting to the new situation. School integration was proceeding slowly, but it was proceeding, and it was becoming an accepted fact of life for a growing number of white Southerners.



But now this positive trend has been reversed. Segregationism is regaining its respectability, and even more ominous, the bombings, the burnings and the physical attacks upon blacks which some had thought to be relics of Southern history are taking place with greater and greater frequency.

If we are to find the cause of these developments, we need look no further than the President's Southern strategy. More than any single factor, it has been a signal to Southern reactionaries that the tide has turned in their favor. The Southern strategy has both stimulated and sanctioned opposition to court orders and federal laws that require integration. As such, it is responsible for transforming reluctant acceptance of change into violent resistance.

For ~~example~~, when Governor Claude Kirk of Florida dramatically refused to comply with a school integration plan imposed by a Federal district court, the Justice Department did not oppose him and <sup>even</sup> went so far as to join with him in trying to have the plan changed in an appeals court. This outrageous defiance of the law by both a governor and the Justice Department was a clear message to other Southern governors that they are under no pressure by the Nixon Administration to comply with any court integration orders.

The new mood of resistance to integration by federal and state officials has encouraged violent acts by local Southerners. In a report in THE WALL STREET JOURNAL (April 17, 1970) Neil Maxwell gives a detailed account of the numerous bombings and burnings of black churches, schools, and community centers which have resulted from Nixon's Southern strategy. As Paul Anthony, the director of the Southern Regional Council, told Maxwell, "All the things coming out of Washington these days and the new defiance by leaders just can't help but encourage a greater degree of white resistance--and the only way some people know how to respond is with violence."

Mr. Nixon talks of law and order and points an accusing finger at black America. But he would do better to examine his own policies

which have caused a revival of violence and lawlessness in the South. By placing politics above law, the Nixon Administration has set in motion a series of events which might well end with a racial war that would be a tragedy for the South and for the entire nation.

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## NEWS RELEASE

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For Release: **Immediately**  
May 9, 1970

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### THE FIGHT AGAINST CAPITAL PUNISHMENT

by Bayard Rustin

Last week lawyers for the NAACP Legal Defense and Educational Fund (LDF) argued the case of Maxwell v. Bishop before the Supreme Court, and in so doing took one more step in their five-year fight to abolish the death penalty in America. The momentous decision in this case, when it is handed down, is likely to determine the fate of 500 persons now on death rows across the nation. Their executions have been stayed by the courts since June 2, 1967 pending the outcome of the Maxwell case which could make capital punishment illegal. If the LDF loses its fight, however, the gas chambers, electric chairs, gallows, or firing squads will be reactivated in those 39 states where the death penalty is still legal. (In 3 of these states, New Mexico, New York, and Vermont, capital punishment is sanctioned only in special cases such as the murder of a prison guard.)

What is at stake in the Maxwell case is more than the lives of these men. According to LDF director-counsel Jack Greenberg, if the goal of the litigation is achieved, it "will perhaps make it possible, in some cases, for men whose innocence is established years from now to go free. Most important of all, we may make a small contribution to advancing the day when man's problems are dealt with by reason and persuasion and not by brute force."

In addition to the broad humanistic reasons for opposing the death penalty, there is the specific reason that it discriminates against Negroes. Anthony G. Amsterdam, an LDF

representative who is on the law faculty of Stanford University, has reported that a study of 2,500 rape cases in 11 Southern States showed that "if the defendant was Negro and the victim was white, the chance of a death penalty proved high; in all other rape cases, the chance of a death penalty was remote." On the basis of this and other evidence about the death penalty, Amsterdam concluded "that a man is seldom sentenced to death because of the crime he's committed. He's usually been selected from among a large number of equally guilty men on grounds of race or poverty or physical ugliness or any fluke random capricious factor."

Despite the many humanitarian arguments that can be made against capital punishment, the LDF is basing its case more on complex legal issues. It is unlikely that the Supreme Court will act favorably on the alleged discrimination argument, and it has rarely listened to any cases based on the Eighth Amendment's injunction against "cruel and unusual punishment."

The LDF will make the above arguments, but it is challenging capital punishment primarily on the grounds that a) The Arkansas jury which convicted Maxwell had no legal standard in passing the death sentence rather than another penalty, thus leaving the judgment up to the jury's "unfettered and arbitrary discretion;" b) Maxwell was denied due process in that the jury determined both his guilt and his punishment at the same time. He could not have produced evidence for the mitigation of his sentence, therefore, without giving up his privilege against self-incrimination on the guilt issue; c) persons opposed to capital punishment (about half the population) are not permitted to serve on capital juries, thus leaving the determination of both guilt and punishment up to the more vindictive and less enlightened elements of the population; and d) The condemned man does not now have the right to legal representation for all critical procedures available to him beyond the routine state appeal.

The United States is far less advanced than many other countries in the area of capital punishment. Every nation in Western Europe, except France has abolished the death penalty, and in India, the Philippines, and other countries, the number of executions is declining. The Supreme Court now has before it a wonderful opportunity to raise to a higher level the moral character of American society. The abolition of the death penalty will erase an area of terrible racial discrimination, it will guarantee that a man may be proven innocent even after he is judged guilty, and it will establish the principle, at a time when it is sorely needed in America, that society should take the life of no man, <sup>not</sup> even of one who has taken life. And not least, it will further the cause of man's humanity to man.

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Immediately  
May 21, 1970

Rustin column

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DEATH IN BLACK AND WHITE

by Bayard Rustin

No recent event has more clearly underlined the persisting racial division in American society than the killing of four Kent State students by the Ohio National Guard. The deaths of these students represent a tragedy which must be mourned by all decent Americans. But what concerns me here is not the deaths themselves, but how we as a nation have reacted to them. We reacted not as one nation, but as two--one white and the other black.

The predominant reaction among white Americans was shock and disbelief. The picture of the young girl kneeling beside the body of a dead student with a look of fear, grief, and helplessness on her face became a symbol of the national mood. No doubt the mass media encouraged this mood as much as they responded to it, and for more than a week the killings rivalled the American intervention in Cambodia as the major news story. And no doubt also there were many white Americans who did not share in this mood and who even felt that the students deserved their terrible fate. But though there were conflicting reactions, it seems clear that the killings assumed a central place in the nation's consciousness to the degree that few events have in recent memory.

The reaction of black America was considerably different. Though blacks also grieved over the students' deaths, they could not help feel that far more attention was being paid to the Kent killings than had ever been paid to young Negroes who died under similar circumstances. And to explain this discrepancy, most blacks could only conclude that the Kent students were mourned with such tremendous emotion because they were white.

Most white Americans probably do not recall that only two years ago three black students from <sup>Orangeburg's</sup> South Carolina State College who were demonstrating to integrate a bowling alley were killed by highway patrolmen. These students were entirely innocent; one had even been shot in the back. Moreover, the demonstration was largely peaceful, while the Kent killings had been preceded by the burning of an ROTC center, looting and window-breaking, and rock-throwing at the National Guard. Yet somehow the horrible injustice of the Orangeburg killings has never penetrated our national consciousness.

I am reminded of the brutal killing of three civil rights workers in 1964. Two of them were white, and for that reason alone most Americans were outraged. The hundreds of black deaths in Mississippi which preceded those killings never received more than a tiny news story.<sup>TP</sup> In the last few weeks we have been provided with fresh examples of American hypocrisy. In Augusta, Georgia six blacks were killed in racial violence that followed a protest against the inhuman conditions in the local jail. All of those killed were shot in the back, some of them were shot as many as nine times, and possibly four of them were bystanders. At Jackson State College in Mississippi, highway police fired into a crowd of students killing two and wounding nine. There is no evidence to prove the police claim that they were being fired on by snipers, but there is evidence which indicates that the police fired on the students with automatic weapons. And finally, there is the report from the Chicago grand jury that the killing of two Black Panthers last December did not result from a "shoot-out" between the Panthers and the police, as the police

had claimed. All the evidence available points to a police ambush in which the Panthers were murdered.

What are black Americans to think when such events are forgotten almost as soon as they happen, while the death of young white students is made into a national tragedy? The answer is obvious and, sadly, it is one that we have known all along: that in America the life of a white person is considered to be more valuable than the life of a black person; that the killing of a white student thrusts a lance of grief through the heart of white America, while the killing of a black is condoned or rationalized on the grounds that blacks are violent and thus deserve to be killed, or that they have been persecuted for so long that somehow they have become "used to" death. My own feeling is that the word "racism" is thrown about too loosely these days, but considering what has happened in the last few weeks, I think it accurately describes much of what goes on "in white America."

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June 4, 1970

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Rustin Column

### THE MOST CRUCIAL VOTE OF ALL

by Bayard Rustin

The recent primary and run-off elections have stirred great interest, and for good reason. The races portend the outcome of the 1970 elections, and George Wallace's victory in Alabama will have a strong influence on the presidential election in 1972. But in the midst of all the excitement over the primaries, very little attention has been paid to a vote which may be the most crucial of all--the vote in the House of Representatives over whether the 1965 Voting Rights Act will live or die.

The virtues of the 1965 Voting Rights Act are well known. It has been responsible for the registration of over one million<sup>black</sup> voters in the South, and this in turn has led to an increase of more than 700 percent in the number of Southern black elected officials. Yet the Act is due to expire on August 6th, and it must be renewed before that date if it is not to disappear from our statute books.

The procedures for voting on the renewal of the Act are complicated, but the alignment of pro-black against anti-black forces is the same as it has always been on civil rights legislation. The key issue in the current debate is whether the House will accept all of the Senate's amendments to the Voting Rights Act, particularly the one which lowers the legal voting age to eighteen. Questions have been raised as to the constitutionality of lowering the voting age through legislation rather than by amending the Constitution. These are legitimate questions, but in some cases they are being raised simply to block passage of the entire Act.

This would be possible since if the House does not accept the 18-year old amendment, the bill would either go back to the Senate or would be sent to a Senate-House conference committee where differences between the two legislative bodies could be resolved. Even if the conference committee could issue its report before August 6th, the Act would have to be debated in the Senate once again, thus guaranteeing a Southern filibuster. (The Southerners didn't filibuster the last time around because that would have delayed the vote on the Carswell confirmation.) Without the President's support, it would be impossible to obtain the two-thirds Senate vote that would be required to cut off the filibuster.

President Nixon has already shown that he is not enthusiastic about the extension of the 1965 Voting Rights Act. Last year he offered some amendments that would have made it ineffective, and more recently he addressed a letter to House members questioning the constitutionality of lowering the voting age through legislation. In this instance Mr. Nixon is not motivated by constitutional considerations, but rather by his Southern Strategy. Even if the House passed the 18-year old provision, the Supreme Court could determine its constitutionality before it would become effective on January 1, 1971. The real issue, and Nixon knows it, is whether or not the voting rights of Southern Negroes will continue to be protected by the Federal Government.

The need to lower the voting age, it must be emphasized, is not a matter of contention. The senate passed this amendment by 64 to 17, and even President Nixon has supported it in

principle, arguing only that it should be done through an amendment to the Constitution. The question is whether a procedural issue, which is ultimately subject to judicial review, shall be permitted to stand in the way of Negro voting rights. For anyone who cares about racial justice in America, the answer must obviously be No. Therefore, it is essential that the House pass the entire Voting Rights Act as amended by the Senate. For it to do otherwise would not only be a tremendous setback in the struggle for black equality, but it would also be a tragic violation of the democratic philosophy upon which, it is professed, our nation rests.

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For Release: Immediately  
June 18, 1970

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### "TO BUILD A NEW CITY"

By Bayard Rustin

Ken Gibson's victory in the Newark mayoralty race is one of the most encouraging developments to have taken place in American politics in recent years. In addition to being a personal triumph for Gibson who is now the first black mayor of a major Northeastern city, the victory represents a repudiation by the majority of Newark's voters of Mayor Hugh J. Addonizio's unprincipled appeal to fear and racial antagonism. "We must begin to reconcile the community at this moment," Gibson said after the election, as he called on the "energies of all the people here--black and white--to build a new city."

Gibson ran the kind of campaign which should enable him to fulfill his pledge that Newark "will no longer be a place of fear." Unlike Addonizio and his Police Director, Dominick A. Spina, who called the election a "black-versus-white situation," Gibson appealed to all the people, black and white, by proposing creative new programs for Newark. He talked of more jobs and housing and promised better schools and health care. As a result, he won 20 percent of the white vote which was his margin of victory.

Gibson's strategy was patterned after the successful campaigns of Carl Stokes in Cleveland, Charles Evers in Fayette, Mississippi, and Richard Hatcher in Gary, Indiana. In each of these campaigns, the victorious black candidate ran on a program of coalition between the Negro community and progressive elements in the white community. The success of this strategy reveals the extreme danger of black nationalist rhetoric which can only divide blacks from their white allies, thereby leading to the victory of

reactionary, anti-black candidates. In this regard one of the most hopeful aspects of the Newark election was the constructive contribution of Leroi Jones who thoroughly understood that political power depends upon coalition.

Gibson's triumph has created a feeling of elation in the black ghettos of Newark. But we should be very careful to distinguish between the symbolic importance of the victory and the effect it will have on finding a solution to the city's staggering problems. Ken Gibson is a highly competent and humane individual, but he is not a miracle worker, and in the absence of fundamental social reforms, only a miracle could bring social justice to all of Newark's citizens. The years of neglect and decay that have preceded him, the lack of sufficient resources, and the conservative administration in Washington are just a few of the disadvantages that will confront him in his capacity as mayor.

Ken Gibson has few illusions about the magnitude of the problem he must now deal with. "The task before us will not be easy," he told his supporters at a victory celebration. "Our national priorities must be changed, our tax structure must be revised. Our cities must become as important to America as a trip to the moon." Unless the Federal government provides hundreds of millions of dollars in aid, the finest mayor in the world could not begin to cure the underlying social ills that plague Newark.

If Gibson can get Federal aid for Newark, he has already shown signs that he will use it effectively. He has appointed a task force headed by Paul N. Ylvisaker, an eminent urban specialist and the former Commissioner of New Jersey's Department of Community Affairs. The task force will report on what specifically must be done to solve the problems of employment, education, housing, and wealfare that were the basic causes of the 1967 violence in which 26 blacks were killed.

With Gibson's victory, all the factors necessary for Newark's regeneration are present but one. The city will now have a fine Mayor who can unify the people and mobilize their creative energies appoint capable administrators, and plan intelligant social program But "to build a new city" in Newark will require a new social commitment in Washington, and that, unfortunately, does not yet exist.

The effect on national politics of such a development would be tremendous. The Democratic Party would have the strength of a majority behind it, and at the same time it would not be retarded in its efforts to achieve social reform by powerful conservative elements. The fact that Negroes have already played a central role in moving this development along is just one more indication of how effective they can be in the political process, and of how vital they are to the future of liberalism in America.

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For Release: Immediately  
July 2, 1970

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### A WEST SIDE STORY

by Bayard Rustin

Since the passage of the 1968 Housing Act which called for the annual construction of 2.6 million homes, more than twice the present rate, the housing situation in the United States has steadily deteriorated. High interest rates, the rising cost of land, materials, and labor, and most critically, the failure of the Nixon Administration to commit itself to the goal of securing for every American a decent home, have produced one of the worst housing shortages in our nation's history. Nowhere is that shortage more evident than in New York City. In one neighborhood in particular, the lack of adequate housing has led to a series of unfortunate events which are probably not uncharacteristic of what has taken place elsewhere in New York City and in other cities as well.

For over a decade now a section of the upper West Side of Manhattan, consisting of 20 square blocks, has been undergoing urban renewal and rehabilitation. The goal of the renewal project is to create a stable community with a population that is mixed both economically and racially. About one-third of the homes have been set aside for poor families whose rent would be subsidized with public funds. Such a project could become the prototype for a solution to our urban crisis since it tries to avoid the disastrous consequences of racial and economic ghettos. We are too familiar with such consequences: crime, inferior schools, terrible housing, and a tax base that is too depleted to provide funds for adequate social services.

Two stages of the project have now been completed, but the third stage has been held up due to bureaucratic delays, insufficient funds, and the need to relocate displaced families.

A community group has been formed called CONTINUE which has pledged itself toward the fulfillment of the renewal project. Represented in the group are churches, block clubs, businesses and other organizations in the community.

Some other people, however, have concluded that the renewal project is dead. Chief among these are Father Henry J. Brown, the head of the Stryckers Bay Neighborhood Council, and William Price, the director of Community Action, Inc. which operates in the neighborhood. These men have spearheaded what has become known as "Operation Move In," a program that "liberates" boarded-up dwellings in the rehabilitation area by illegally moving poor families into them. The "move in" began in May and there are now about 135 "squatter" families living in the renewal area.

The families already living in the neighborhood have reacted with alarm and concern to the "move in" for two reasons. First, if it continues the whole renewal project will be finished, and second, because the boarded-up apartments have no plumbing, heating, or fire-escapes and thus represent a health hazard to their inhabitants and a fire hazard to them and to the rest of the community.

In order to find out whether the city was planning to go through with the renewal project, the block association held a meeting on June 18th to which they invited several city officials. The meeting was held at the home of Dr. and Mrs. Arthur Logan, two of the outstanding fighters for justice in the black community. They were close friends of Dr. Martin Luther King and raised substantial funds for him. In addition, Dr. Logan was formerly the director of Hairyon Act and the President of the city's anti-poverty program, and Mrs. Logan has worked endlessly to improve their local neighborhood. For example, she was primarily responsible for the construction of a beautiful park which is used by hundreds of neighborhood children.

When people arrived at the meeting, however, their way was blocked by a group of demonstrators who claimed that the purpose of the meeting was to remove the "squatters." They also claimed



to represent "the people," of the community even though they arrived in cars and the large majority of them were white and middle class. After shouting insults at the Logans, Borough President Percy Sutton, and others, three of them--Father Brown and two women--agreed to participate in the meeting and the demonstration was called off.

The following day Mrs. Logan was visited by one of the women who said she had come to apologize. She said that it was only at the meeting that she realized the Logan's and the other neighborhood people were not "their enemies," as she had been told they were by some of the leaders of "Operation Move In," but that they were really interested in the welfare of the entire community, including the poor. She added that at the demonstration she had been handed a mimeographed sheet of paper on which were written the insults she was to shout at the Logan's. She said that she "had been used" by the leaders of "Move In" and now wished to write a document in both English and Spanish which she would circulate to all of the poor in the area to explain to them what the real situation was. Both she and Mrs. Logan agreed upon the need to form a coalition of community people and "squatters" to fight "the real enemy."

Who is this enemy? In the immediate sense it is those people who call themselves the champions of the poor but who actually exploit the poor for whatever reasons they may have. Certainly the poor people who were "moved in" to the community were misinformed as to the nature of the situation and cannot hope to benefit from the whole misguided operation. But in a larger sense the enemy is the city officials who have not fulfilled their promises and the Nixon Administration which has been so irresponsible in the area of housing construction, not to speak of employment, education, and health care. They have created the context in which the poor can be used and in which communities can be destroyed. It is this larger social crisis which must be solved if we are ever to live in peace with one another.

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July 16, 1970

Rustin Column

### CAN DEMOCRACY PREVAIL?

by Bayard Rustin

Recent events in Ocean Hill-Brownsville, the focal point of the school strikes of 1968, raise fundamental questions about the democratic process which are of vital interest to all Americans. Black Americans should be particularly concerned with the conflicts taking place in Ocean Hill since the potential exists for similar conflicts in other black communities.

Last March elections were held in Ocean Hill-Brownsville to elect a new community school board. The election was won by Assemblyman Samuel D. Wright and other candidates on his "slate," all of whom were critics of the out-going Ocean Hill-Brownsville local board. The leaders of the old board denounced the election, urging that it be boycotted since they disagreed with the decision of the Board of Education to absorb the Ocean Hill-Brownsville district (it had been set up three years earlier as an experiment in community control) into a larger district.

The conflict between the new board and its opposition, led by Rev. Herbert C. Oliver, the chairman of the old board, and Rhody McCoy, the former administrator of the experimental district, has continued since the election. On July 7th, following the new board's announcement of the appointment of a district superintendent, a group of about 75 people entered Wright's office, overturned chairs, scattered papers, and left about \$1500 in damage. Following this incident, Wright's opponents sent a letter to Mayor Lindsay and other city officials which read in part: "The sentiments of the people is as follows: Get Sam out of Ocean Hill-Brownsville by August 1, 1970, we'll burn down Ocean Hill-

Brownsville and make it a Burnsville--we'd rather see Ocean Hill-Brownsville leveled than to have Sam and his stugges (stooges) destroy and degrade this community further." The letter was signed "Community of Ocean Hill-Brownsville."

I think that the most misused words in our vocabulary are "the community" and "the people." Who is the community in Ocean Hill-Brownsville? Those people who signed the letter certainly do not represent the entire community since I strongly doubt that Wright and his supporters would agree with the sentiments expressed in it. Are we to define community as "only those who agree with me?" I doubt it, since that would hardly be fair to those who do not agree with me.

A community consists of many different groups holding different opinions on any number of issues. Finding a way for these groups to live in peace with one another is the ultimate goal of a democratic system which is based upon two principles--majority rule and minority rights. Majority rule is determined through open and free elections. Wright won the election in Ocean<sup>Hill-Brownsville</sup>, and this gave him the right to make decisions relating to community educational issues. If the Oliver-McCoy group really represents the community, as it is claimed, then they should have participated in the elections. The fact that they avoided this test of strength makes one doubt whether they, in fact, do speak for the community.

The point is that Wright should be permitted to serve in the capacity to which he was elected. Confrontations which threaten him and try to force him to resign are fundamentally in violation of democratic principles. They are also a threat to everybody in the community since they establish the precedent that any minority can forcefully impose its will on the majority. This is not democratic community control but dictatorial control of the community by a minority. I should think that the black community has enough problems without having to be burdened with this new injustice.

In the past several years violent confrontationism has become a popular form of protest. In many cases the confrontations between blacks and whites, and where there have been violations of democratic procedures, they have been either obscured by the controversial racial issues involved or, in some cases, justified by the claim that they were furthering the cause of racial justice. In Ocean Hill-Brownsville, however, both sides are black, so the issue is not racial justice but democracy. There will no doubt be other black communities where similar disputes will take place. If these disputes are not resolved peacefully and democratically, then all blacks will suffer, particularly the children who cannot afford to have their schools destroyed by the political pranks of some of their elders.

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July 30, 1970

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Rustin Column

### THE STORY OF A BLACK YOUTH

by Bayard Rustin

If we are to believe what we read in most newspapers and magazines, poor black youths who grow up in the ghetto end up as social outcasts of one form or another. They become, or so we are often told, either criminals or violent revolutionaries, wanting only to destroy the society which has inflicted so much hardship upon them. No doubt in many cases these stories are true in addition to being newsworthy, but the difficulty is that the stories of other youths who have also been brutalized by society but whose lives have taken a different course are left untold.

Victor Rivera is one such youth. He was born 26 years ago in New York City, attended the city's schools, but like so many other youths he dropped out before completing high school. He took a job so that he could have the money to buy fancy clothes and other things that would give him status in the ghetto. Eventually he began selling dope and stealing, even though this made him feel guilty since he was violating what his parents had taught him.

Victor embraced the ghetto ideology which was then developing in order, as he said, to justify the wrong he was doing. He was "misusing a truth" since he was using the assertion of black pride to "rationalize" his rebellion and to justify his apathy. But he continued to be troubled by vague feelings of guilt and uncertainty. Knowing that what he was doing was wrong and sensing in the back of his mind that he deserved punishment, he began doing irrational things which ultimately led to his arrest for armed robbery.

He decided not even to fight his case. He willingly accepted his 4 1/2 year prison sentence as a period during which he could get himself together. "The hardship of the bust forced me to mature, to face reality," he said. "I had no more facades to hang on to. I had to deal with myself, my raw self."

He learned many things in prison. He joined the Black Muslims who stressed the need for blacks to better themselves. "In order for a black man to really come into his own, to understand himself as a person and as part of an ethnic group, he may have to go through the Muslim stage. It's a vehicle, a means toward an end." The most profound influence on him was Collins Hinton, a teacher who was crippled by the loss of his hands. "I have my blackness and my books," Hinton told him, "and I made it. You've got your health, so I know that you'll make it too." Every free moment Victor had he studied economics, math, science, and literature. He began to develop a new conception of what society is--an evolving organism which in many ways is wrong and unjust, but which is subject to change through peaceful means. He came to see that in order to change the institutions of the society, one must be part of those institutions; that repudiation of the society is only an escape from its problems, not a solution to them.

On his release from prison Victor saw that society had not changed but that he himself had. He applied for a job as a tutor with the Joint Apprenticeship Program which gets jobs for young blacks in the building trades. The hardships he had lived through, especially his prison experience, were an asset to him in his new job since he could communicate with the ghetto youths recruited by the JAP. Though he has not yet completed his first year on the job, Victor has already become one of the JAP's best tutors. Normally about 40% of the tutees, black or white, will pass an entrance examination for the building trades. Recently Victor tutored 95 carpenters and 86 of them passed the test, and many of them were among the highest scorers.

Victor's range of activities has expanded in the last year. He speaks frequently at high schools where he represents the JAP. He recently returned from a three week stay in Washington where he studied economics and labor history at the AFL-CIO's Labor Studies Center. He's a member of the Board of Directors of the East Harlem Environmental Extension Service which is designed to improve the living conditions in poor neighborhoods. And he is now enrolled at Pratt Institute from which he hopes to get a B.S. degree in science and engineering.

What enabled Victor to "get himself together?" It was probably a combination of strong character, inner resources imparted to him from his parents, and a certain degree of good fortune. Whatever it was, Victor is now part of the institutions of this society and is struggling every day to change them. It is doubtful that these institutions, being what they are, will change quickly, but certainly there would be no hope at all were there not young people like Victor Rivera who are capable of rising above the brutal conditions of their lives and making a contribution toward the advancement of society.

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Immediately  
August 13, 1970

Rustin Column

### THE TRIUMPH OF THE PARAPROFESSIONALS

By Bayard Rustin

When I spoke before the convention of the American Federation of Teachers in 1964, I said that the best way to upgrade and protect the poor would be to write upward mobility into their union contract. This is precisely what has been done by the new three-year contract negotiated by the United Federation of Teachers which covers paraprofessionals in New York City's public schools.

The settlement, which came after months of intensive negotiations with the Board of Education as well as a threat to shut down the city school system, will bring important benefits to 4000 paraprofessionals, most of whom are black and Puerto-Rican. They will receive (retroactive to January 1, 1970) a 140% increase in wages and fringe benefits, thereby bringing to an end the unseemly practice of paying paraprofessionals well under the government-set poverty level. In addition, they will receive paid vacations, sick leave, health and dental coverage, and better welfare benefits.

As important as the immediate economic gains is the career ladder program that was written into the contract. Through this program, the paraprofessionals will have the opportunity to obtain the additional education which will enable them to qualify for advanced professional positions. They will be given 2 1/2 hours a week of released time with pay in order to attend high school or college, and beginning with the summer of 1971, a 4-week college career training program will be established which will be open to all paraprofessionals with a high school diploma or its equivalency. Such a program is clearly of benefit not only to the paraprofessionals but also the entire society.



The paraprofessionals will receive the educational tools which will enable them to secure dignified and remunerative professional jobs. At the same time, thousands of people, many of them former welfare recipients, will be making a constructive and vital contribution to the society's well-being.

The importance of this contract was summed up by Velma Hill, the chairman of the paraprofessional steering committee and a long-time activist in the struggle for civil rights: "With this agreement, paraprofessionals who have already demonstrated that they can contribute greatly to the education of children now are guaranteed the opportunity to make an even greater contribution. This was made possible by the unity of all UFT paraprofessionals and the success of the collective bargaining process."

Of the many lessons that can be drawn from the struggle of the paraprofessionals, two stand out as most worthy of mention. The first is that the union which the paraprofessionals elected to represent them, the UFT, is frequently portrayed in the press as the "enemy" of black community, and the president of that union, Albert Shanker, has been called a racist by numerous people in the black and liberal communities. That the press and the name-callers are grievously mistaken is demonstrated by the UFT paraprofessional contract which Shanker helped negotiate, and they can also be sure that the UFT will now protect the paraprofessionals as vigorously as it has protected the teachers. What should be remembered is that the fundamental issue which precipitated the 1968 strikes was not racial animosity but union rights, and a side benefit of the new contract is that it will help bring together the UFT and minority groups around the common struggle for better schools.

The second lesson has to do with the way poverty can be eliminated. During the past six years, countless small programs have been started which have tried to deal with various aspects of poverty. The difficulty with these programs has been that they were too limited and treated only the effects of poverty, not its cause. The new contract, which puts millions of dollars into the pockets of the poor, does more to combat poverty than all of these other programs.

Moreover, it does not fight poverty in a patronizing way by administering to the poor. On the contrary, the contract is the result of the poor's own struggle to create a decent and dignified life for themselves. In this sense, the new UFT paraprofessional contract is one of the finest examples of self-determination by the poor, and it is likely to be repeated in other cities as part of a nationwide struggle by low-income workers to achieve equality.

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