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URGENCY OF PASSAGE OF CIVIL RIGHTS BILL

Mr. MONDALE. Mr. President, it is essential that the civil rights bill pass the Senate at this session. We are not dealing with some distant goal which can be achieved as well next year as this. The passage of the bill is a matter of prime national urgency.

If there is to be any hope of moderation in the solution of our racial problems, we must prove that Government can move effectively to close the gap between the goal of equal rights for all and the reality of discrimination. The bill contains practical measures toward providing equality in the administration of justice and in the opportunity for obtaining good housing. The passage of the bill would strengthen the hands of those who claim that the democratic and peaceful processes of our Government are able to cope with the pressing need for action in civil rights. Failure to pass the bill will only play into the hands of those who are preaching that nonviolent processes cannot do the job. Such a failure will cause good men to lose faith in their Government.

The denial of equal justice is one of the areas where the Nation most shockingly falls short of its promise of equality and fairness. It is also one of the most frustrating and dangerous areas of all. Our Constitution, which leaves many rights to implication, is specific in guaranteeing due process of law and equal protection of the laws. It does this in recognition of the fact that injustice must be corrected at law; otherwise, the victim is left to seek revenge by force. Equal justice is central to a peaceful and ordered society.

We have seen enough of unequal justice in our society. Murderers of civil rights workers or Negroes are tried by all-white juries and go free. Negroes tried for crime face equally all-white juries, and conviction follows, especially if the crime has any racial connotations. If we are shocked by this sordid spectacle, think how it must grind away, day and night, at the Negro for whom the law becomes a threat rather than a protection.

Titles I and II of the bill would effectively end jury discrimination in Federal and State courts. Title V would make it a Federal crime, with appropriate penalties, to intimidate or harm persons in the exercise of their civil rights. These provisions would redeem the word of our Government that all men are entitled to receive equal justice. We cannot afford to leave that pledge unfulfilled.

The other area of pressing need is in housing. The pressures mounting in our segregated ghettos need no illustration; they are all too apparent to anyone who reads the newspapers.

Title IV of the civil rights bill is a moderate measure indeed. My own State of Minnesota, like several others, has an open housing law which is broader in its application than title IV. Experience with Minnesota's law shows that it certainly does not revolutionize housing patterns, and title IV would not either. But it would at least offer a glimmer of hope to Negroes who now have no escape

at all from the ghetto—and a glimmer of hope, however faint, is badly needed in the steaming pressures of our slums.

To turn our backs on title IV, a measure which covers less than half of the Nation's housing, is to say an unqualified "no" to the problems of the ghetto. But the problems will not go away merely because we refuse to act upon them. If we simply preach peace and pass the buck, our failure will pursue us all.

The proposed Civil Rights Act of 1966 must become law if we are to answer the demands of the day, and of many days to come.

THE ARMS RACE

Mr. McGOVERN. Mr. President, the distinguished editor of the Saturday Review of Literature, Mr. Norman Cousins, has written a most significant editorial which appears in the September 10 issue of the Saturday Review.

The article spotlights the barrier to further progress on disarmament and nuclear controls. I think it should be read by every Member of the Congress and by those in policymaking positions in the executive branch.

I ask unanimous consent that Mr. Cousins' editorial be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Saturday Review, Sept. 10, 1966]

THE PRESIDENT AND THE ARMS RACE

For almost nine months, delegates from eighteen nations met in Geneva under the auspices of the United Nations to try to find a way of giving reality to a proposition that all believed to be essential. The proposition was that the spread of nuclear weapons must be stopped. Yet the common purpose that brought these delegates together was not accomplished. They adjourned last week without the agreement that all had declared to be in their own stark self-interest.

One of the difficulties was that the nations with a potential nuclear capacity did not think it fair to be asked to forgo making nuclear weapons unless the nations already making them would agree to stop doing so and would start to cut back.

This particular problem, however, was not the major sticking point at Geneva. The major sticking point was that the United States and the Soviet Union were deadlocked on the question of West Germany. The United States insisted that any treaty limiting the spread of nuclear weapons had to take into account existing U.S. commitments to its military alliances. The USSR interpreted this position to mean that the U.S. wanted a non-proliferation treaty that would make an exception for Germany.

As the Geneva deadlock continued month after month, the terrifying possibility of a world nuclear arms race became increasingly close. Finally, a possible compromise was advanced—not in the Palais des Nations at Geneva but in the United States. Secretary of Defense Robert S. McNamara acknowledged, tacitly at least, that the concern over West Germany's access to nuclear force had to be met. He proposed a consultation procedure inside NATO which would give West Germany a voice in nuclear decisions but which would keep nuclear weapons out of German hands.

Many of the delegates at Geneva were encouraged by this proposal. They felt it represented a good test of Soviet sincerity; if the Russians really wanted to stop nuclear diffusion in the world, the McNamara formula

offered a reasonable and workable way of getting on with the job.

But the Soviet position was never put to the test. Incredibly and inexplicably, the United States made no attempt at Geneva to put forward the McNamara compromise proposal. An apparent division among U.S. policy-makers had come to the surface. Confronted with an opportunity to break the deadlock, the United States backed away. The Geneva conference ended without the agreement that all agreed was imperative.

Why? Why did the United States shun the formula on West Germany that might have produced a treaty? A possible clue came last week when a U.S. State Department disarmament consultant, on a television program, asserted that the State Department didn't go along with the McNamara proposal because it would encourage the Russians to believe that they could vibrate American policy and impair our freedom of decision. That is, we should not give weight to Russian objections just to obtain agreement. With equal emphasis, he declared that the McNamara formula would offend West Germany.

The same day this interpretation of U.S. policy was being advanced, President Lyndon B. Johnson, speaking at Idaho Falls, made an eloquent and striking plea to the world's nations to stop the spread of nuclear weapons. He called statesmen to rise above narrow, irrational approaches to world problems. He defined a larger interest than the old and cramped national ones. He urged the Soviet Union in particular to put aside the "dogmas and the vocabularies of the Cold War."

"While differing principles and differing values may always divide us," the President said, referring to the United States and the Soviet Union, "they must not deter us from rational acts of common endeavor."

The juxtaposition of the record at the Geneva Conference with the remarks of the State Department consultant and the President's talk at Idaho Falls raises somber and disquieting questions. Is the consultant's interpretation correct? For if it is, then the nation is faced with something far more serious than the matter of tactics in negotiating with the Soviet Union; it is faced with an issue bearing on the integrity of the Presidency. Nothing could undermine the President's position more than a situation in which he calls upon other nations to take action which the United States has actually rejected for itself in advance. Cynicism is not among the values that give distinction to American history.

The first essential both of policy at home and policy abroad is the total credibility of the President. Nothing could be more vital in the present situation than for the President himself to dispel any doubts that may have been raised by the record at Geneva or by official or semi-official spokesmen. The President can best do this by taking part in the effort to obtain vital agreement in the field of arms control, whether with respect to non-proliferation of nuclear weapons or a comprehensive ban on nuclear testing. He can eliminate existing confusion by putting into action the policies he has declared to be essential. If the McNamara proposal has virtue as a means of breaking the deadlock, he should say so.

Recent history has demonstrated it is only when the President himself takes direct part in negotiations that important breakthroughs and results are likely to be achieved. What happens otherwise is that the President's own announced purposes stand in danger of being nibbled to death by naysayers and cramped strategists in the operational branches.

The needs described by the President at Idaho Falls are the dominant needs affecting the safety and security of the American people. If we are to make substantial progress in meeting these needs, the President's role must be decisive.