

CIVIL RIGHTS DURING THE KENNEDY ADMINISTRATION

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Carl M. Brauer, ed., *Civil Rights During the Kennedy Administration*, Part 1: *The White House Central Files and Staff Files and the President's Office Files*. (University Publications of America, an imprint of CIS). 35 mm microfilm (19 reels) with printed guide. \$1,350. Frederick, Maryland 1987.

Carl M. Brauer ed., *Civil Rights During the Kennedy Administration*, Part 2: *The Papers of Burke Marshall, Assistant Attorney General for Civil Rights*. (University Publications of America, an imprint of CIS). 35 mm microfilm (28 reels) with printed guide. \$1,900. Frederick, Maryland, 1987.

The 1960s witnessed changes in the legal framework of American race relations surpassed in magnitude and importance only by those of the Reconstruction Era a century earlier. What many now characterize as the "Second Reconstruction" reached its climax during the presidency of Lyndon Johnson. While LBJ was in the White House, Congress enacted two landmark laws, the Civil Rights Act of 1964 and the Voting Rights Act of 1965, along with other legislation intended to eradicate the housing discrimination, poverty, and violence that had long plagued black Americans.¹ Yet, the groundwork for the momentous developments of the years from 1964 through 1968 had been laid earlier, during the tenure of LBJ's assassinated predecessor, John F. Kennedy. By the time Kennedy became president, "Currents of change sweeping through the South for a generation were rendering segregation a mere anachronism" (Matusow, 1984: 60). During Kennedy's relatively brief tenure in the White House, the moment of segregation's inevitable demise arrived, "and the manner [of its passing] ultimately became his to determine" (ibid.). As Carl Brauer has pointed out, "Taken together, the various initiatives of the Kennedy Administration constituted the critical first stage of [the] Second Reconstruction" (Brauer, 1977: ix).

Filed away at the Kennedy Library in Boston are voluminous

¹ The Civil Rights Act of 1968 prohibited racial discrimination in the sale or rental of housing (although exempting dwellings of four or fewer units not sold through a broker). It also proscribed racially motivated violence and attacks on persons encouraging others to exercise their rights. The Economic Opportunity Act of 1964 funded a "war on poverty" that included job training, adult education, and a variety of other social service programs.

records that document those beginnings. Fortunately for the academic community, Brauer and University Publications of America have now put much of this archival material on microfilm, thus making it readily available to scholars throughout the country.

Their *Civil Rights During the Kennedy Administration* offers a revealing look at the federal government's reaction to the mounting pressures exerted upon it during the tumultuous years 1961–63 by an increasingly militant civil rights movement on the one hand and an increasingly resistant white South on the other. This microfilm publication chronicles the evolution of civil rights policy during the years when the Freedom Rides and Dr. Martin Luther King, Jr.'s street demonstrations in Birmingham, Alabama, triggered violent resistance by southerners, who found appalling the idea of riding a bus or drinking a cup of coffee in the company of a black person. It records the crucial events of a period during which Governor George Wallace vowed to "stand in the schoolhouse door" to prevent the integration of the University of Alabama and federal troops had to be used to quell the rioting that engulfed the University of Mississippi after a federal court ordered a black man, James Meredith, admitted to that institution. During the Kennedy years the federal government for the first time had to confront the violent consequences of a campaign to register black voters in the rural South spearheaded by young civil rights activists in the Student Nonviolent Coordinating Committee (SNCC), a crusade that reached its bloody climax during the Mississippi Freedom Summer of 1964 and the demonstrations in and around Selma, Alabama, in the spring of 1965. Most of all, though, this period is remembered for the March on Washington, for the spectacle of 200,000 peaceful protesters listening to Dr. King describe his dream of an integrated America and demonstrating their support for civil rights legislation.

During the Kennedy years the federal government found itself trapped between an impatient movement demanding immediate racial justice and an unyielding white South determined to cling to segregation forever. While civil rights advocates faulted the administration for doing too little, southerners excoriated the president and his brother, Attorney General Robert Kennedy, for doing too much. They blasted the federal government for what they insisted was its unconstitutional intervention in the internal affairs of the southern states.

Scholarly assessments of the way the Kennedy administration handled the country's escalating racial crisis are as diverse as the opinions of contemporaries. Alan Matusow has argued that President Kennedy "approached civil rights . . . as a matter of politics, not morals." Matusow criticizes him for hoping "to deflate racial passions and delay a showdown between oppressor and oppressed," and insists an uncommitted president finally moved against segregation only because "not even John Kennedy could deflect the

forces of history" (Matusow, 1984: 60). This reviewer has been critical too, faulting the Kennedy administration for its "reluctance to see the national government assume responsibility for protecting the victims of violent resistance to racial change" (Belknap, 1987: 70). On the other hand, while acknowledging that the administration's civil rights record does include some minuses, Brauer argues, "The plus side of the ledger would be considerably longer" (Brauer, 1977: 319).

He emphasizes "President Kennedy's proposal of a broad civil rights bill in 1963 and his preliminary success in getting that bill through Congress" (ibid.: 320). As Brauer points out, the Kennedy administration could also claim credit for increasing the employment of blacks by the federal government, for filing scores of voting rights suits, and for successfully promoting voluntary desegregation of some public accommodations in the South (ibid.). It also sent federal marshals to protect the Freedom Riders and dispatched troops to the University of Mississippi during the Meredith rioting. While perhaps guilty of doing less than it could have to advance the cause of civil rights, and of responding more slowly than it should have to a deepening crisis in the South, the Kennedy administration clearly played a crucial role in the movement for racial justice during the early 1960s.

To gain a full understanding of that role, one must explore not only government records but also the archives of the major civil rights organizations. Particularly informative are the collections at the Martin Luther King, Jr. Center for Nonviolent Social Change in Atlanta. These include the papers of Dr. King himself,² of his Southern Christian Leadership Conference (SCLC), and of the Student Nonviolent Coordinating Committee. The King Center also holds some archival material from the Congress of Racial Equality (CORE), although the bulk of that organization's papers are deposited at the Wisconsin State Historical Society in Madison, along with some SNCC material. The Manuscript Division of the Library of Congress houses the records of the National Association for the Advancement of Colored People, which now include the archives of the NAACP Legal Defense and Education Fund that were formerly located in New York. Also valuable to scholars interested in race relations during the early 1960s are the Leadership Conference on Civil Rights Papers at the Library of Congress. Fortunately for researchers, some of these collections are now available on microfilm.³

² The King papers from the 1960s are housed at the King Center, but those from King's early career (including the period of the Montgomery bus boycott) are housed in Boston University's Mugar Library.

³ University Publications of America has produced microfilm editions of the *Congress of Racial Equality (CORE) Papers* (1983) and the *Papers of the NAACP* (1982, Supp. 1987). Both are part of its Black Studies Research Sources series, which is under the general editorship of Elliott Rudwick and August Meier. University Microfilms has a microfilm edition of the *SNCC Pa-*

Also available are a great many of the files in the Lyndon Baines Johnson Presidential Library that relate to civil rights.⁴ This is fortunate, for the division of material between the Kennedy and Johnson libraries is awkward and can be something of an annoyance to researchers. In terms of politics and personnel, the Kennedy and Johnson presidencies were in many respects one administration. Yet, some of the records of that administration are in Boston and the rest are in Austin, Texas. Thus, more than a thousand miles separates the beginning from the end of the paper trail that documents the White House's role in the development and passage of the Civil Rights Act of 1964. To examine all of the office files of Lee C. White, the presidential aide who had the most significant responsibilities in the race relations field during the mid-1960s, it is likewise necessary to visit both the Kennedy and Johnson libraries. By microfilming the civil rights material in both of those repositories, University Publications of America has eased the travel burden imposed upon researchers by the creation of separate archival facilities to honor each recent president and house the papers of his administration.

While historians studying race relations in the early 1960s must consult the holdings of the Johnson Library, the King Center, the Library of Congress, and other manuscript repositories, there can be no doubt about the central importance of the collections at the Kennedy Library, particularly for those scholars whose primary interest is public policy. They contain documents that are essential to any scholar who is trying to gain an understanding of the federal government's approach to civil rights problems during this era or to trace a major racial issue through a period of time that includes the years 1961–63. The large number of books already in print that draw heavily upon the civil rights holdings of the Kennedy Library is proof of their significance.⁵

pers., which was originally published by the Microfilming Corporation of America. These microfilm collections will be joined eventually by a hard-copy edition of the papers of Dr. Martin Luther King, Jr., to be published by the University of California Press under the editorship of Claybourne Carson. The first volume of this twelve-volume publication will appear in 1990. The last is not expected to be ready for at least fifteen years.

⁴ The University Publications of America microfilm collection, *Civil Rights during the Johnson Administration*, edited by Steven F. Lawson, includes relevant White House Central Files, White House aides' files, and oral histories, as well as the Equal Employment Opportunity Commission Administrative history and the papers of the White House Conference on Civil Rights.

⁵ Those that focus on civil rights include Catherine Barnes, *Journey from Jim Crow: The Desegregation of Southern Transit* (New York: Columbia University Press, 1983); Michal R. Belknap, *Federal Law and Southern Order: Racial Violence and Constitutional Conflict in the Post-Brown South* (Athens: University of Georgia Press, 1987); Carl M. Brauer, *John F. Kennedy and the Second Reconstruction* (New York: Columbia University Press, 1977); David J. Garrow, *Bearing the Cross: Martin Luther King, Jr. and the Southern Christian Leadership Conference* (New York: William Morrow, 1986); Steven F. Lawson, *Black Ballots: Voting Rights in the South, 1944–1969* (New York: Columbia University Press, 1976); and Kenneth O'Reilly, *Racial Matters: The*

University Publications of America deserves the applause of historians for making this vital material more readily accessible to researchers by putting it on microfilm. Also commendable is UPA's selection of Carl M. Brauer to edit *Civil Rights During the Kennedy Administration*. Brauer's *John F. Kennedy and the Second Reconstruction* (1977), although perhaps a bit too laudatory, is nevertheless by far the best overview of federal civil rights policy during the early 1960s. The publisher could not have picked a more appropriate or better qualified editor for this collection.

Brauer has gathered together for microfilming documents contained in several different collections at the Kennedy Library. Part 1 of *Civil Rights During the Kennedy Administration* (which is nineteen reels in length) includes items drawn from the White House Central Files (especially their subject file), the White House Staff Files, and the President's Office Files. The White House Central files contain correspondence to and from federal departments and agencies, members of Congress, civil rights activists, and the public, as well as memoranda and other documents acted upon or brought to the attention of President Kennedy and his key aides. They are divided into sixty-two subject categories. From these Brauer selected for microfilming the ones that seemed to him to emphasize civil rights.⁶ He dealt with the President's Office Files in a similar fashion. These are a set of working files that Kennedy's personal secretary maintained for the president's convenience. From the seventy-three linear feet of material that they contain, Brauer has selected items in the Speech Files, Legislative Files, and Subject Series having particular relevance to civil rights. Likewise, rather than reproducing all of the Staff Files, he designated for microfilming only the papers of White House staff members who had key positions in counseling the president on civil rights issues. These included Claude Desautels (congressional liaison staff), Myer Feldman (special assistant to the president for legislation), Charles Hersky (presidential adviser on national capital affairs), Lee C. White (assistant special counsel to the president),

FBI's Secret File on Black America, 1960-1972 (Boston: Free Press, 1989). More general works that make use of the Kennedy Library's civil rights holdings include Arthur M. Schlesinger, Jr., *Robert Kennedy and His Times* (Boston: Houghton Mifflin, 1978) and Allen J. Matusow, *The Unraveling of America: A History of Liberalism in the 1960s* (New York: Harper & Row, 1984).

⁶ The subject categories he selected include HU (Human Rights); HU2 (Equality of the Races); HU2/ST (Human Rights: Equality of the Races/Activities in States); HU2-1 (Human Rights: Equality of the Races/Employment); HU2-2 (Human Rights: Equality of the Races/Housing); HU2-5 (Human Rights: Equality of the Races/Education and Schooling); HU2-7 (Human Rights: Equality of the Races/Voting); LE/HU2 (Legislation: Human Rights/Equality of the Races); SP/HU (Speeches: Human Rights); SP 2-3/HU (Special Messages: Human Rights); FG 634 (Federal Government: Commission on Civil Rights); and IT 47-9 (International Organizations: UN Commission on Human Rights).

and Harris L. Wofford, Jr. (special assistant to the president for civil rights).

The Wofford and White files are particularly rich. It took four reels of microfilm to reproduce the former and four and one-half to copy the latter. Neither of these collections is anywhere near as valuable, however, as are the papers of Burke Marshall, the man who served as assistant attorney general in charge of the Justice Department's Civil Rights Division throughout the Kennedy administration and for more than a year after assassination elevated Lyndon Johnson to the presidency. Part 2 of *Civil Rights During the Kennedy Administration* (which is twenty-eight reels long) consists entirely of documents from that collection.

The 30,000 pages of the Burke Marshall Papers include correspondence with Presidents Kennedy and Johnson, Attorney General Kennedy, Dr. King, and John Doar, as well as with numerous members of Congress, governors, business and union leaders, and heads of organizations supporting and opposing integration. Among the treasures researchers will find in this invaluable collection are numerous documents relating to Justice Department efforts to advance school desegregation in the South, voting rights litigation, the enactment of the Civil Rights Act of 1964, racial violence, and Marshall's important work as a mediator in various southern trouble spots. The Burke Marshall collection is by far the most important documentary source from which to obtain information about the relationship between the federal government and the civil rights movement during the crucial years 1961-64. Microfilm publication of Part 2, *The Papers of Burke Marshall, Assistant Attorney General for Civil Rights*, should be a major boon to research in this field.

Unfortunately, UPA has not included in *Civil Rights During the Kennedy Administration* any material from two other collections that are also of great importance to scholars working on this subject. One of these is the Papers of Robert F. Kennedy. As attorney general and principal adviser to his brother, "Bobby" dealt extensively with other matters, ranging from organized crime to the Cuban Missile Crisis, but no problem occupied more of his attention than did civil rights. His papers contain a wealth of valuable information on certain aspects of this subject, such as the Freedom Rides and the University of Mississippi crisis. Particularly significant are transcripts of the telephone conversations that the attorney general and the president had with Mississippi's Governor Ross Barnett during the Ole Miss affair.⁷

Brauer would have performed an important service for researchers had he included these and other documents from the Robert Kennedy collection in *Civil Rights During the Kennedy*

⁷ Victor Navasky's *Kennedy Justice* (New York: Atheneum, 1971) contains excerpts from these transcripts.

Administration. He could also have greatly assisted his fellow historians by adding to his publication relevant material from the Kennedy Library's holdings of microfilmed Department of Justice records. This film is subject to a fifty-year closure, and in order to examine items on it, a researcher must submit a Freedom of Information Act request to the originating office in the Justice Department. This reviewer once spent five frustrating years waiting for the Civil Rights Division to act on such a request. One would hope that with University Publications of America and the Kennedy Library behind him, Brauer could have kick-started the division's inert freedom of information office a bit more quickly than that. Had he done so, and had he managed actually to liberate a significant proportion of the civil-rights-related material locked away on that Kennedy Library microfilm (where it has tantalized numerous researchers unable to view it), he would have performed a service for which other scholars would be forever in his debt.

Even without any of these Justice Department documents or any material from the Robert F. Kennedy Papers, *Civil Rights During the Kennedy Administration* is a valuable collection. It is also an easy one to use. The photography is good. Almost all of the documents in the collection are typed, and while some (apparently carbons or light photocopies) are less legible than the rest, none is really difficult to read. UPA has facilitated the locating and citing of individual items by not only numbering the frames but also photographing file folders along with the documents they contained. It also furnishes an excellent paperback finding aid with each part of the collection. The one for Part 2, *The Papers of Burke Marshall, Assistant Attorney General for Civil Rights*, contains a subject index and a list of folders that indicates both the contents of each and the number of the frame on which the material in it begins. Besides these features, the finding aid for Part 1 also includes a name index.

Scholars will appreciate all that UPA has done to facilitate research in this collection. Indeed, there is probably only one thing about *Civil Rights During the Kennedy Administration* that they will not like. That is the price. Part 1 costs \$1,350, and Part 2 sells for \$1,900. No individual is likely to purchase this collection, and some libraries may also be deterred by the price. Any historian lucky enough to be affiliated with an institution that can afford to spend \$3,250 on a single set of microfilm, however, would be offering wise counsel if he encouraged his library to purchase this collection. *Civil Rights During the Kennedy Administration* may be expensive, but it is as valuable as it is costly.

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