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# THE NEW CIVIL RIGHTS MOVEMENT

Vernon E. Jordan, Jr.\*

*It is our duty to keep up the agitation of our rights, not only for our sakes, but also for the sake of the nation at large. It would not only be against our own interest not to do so, but it would be unpatriotic for us quietly to acquiesce in the present condition of things, for it is a wrong condition of things. If justice sleeps in this land, let it not be because we have helped to lull it to sleep by our silence, our indifference; let it not be from lack of effort on our part to arouse it from its slumbers.*

Francis J. Grimke\*\*

Some observers deem the decade of the 1960s to be the high water mark of the civil rights movement. In the succeeding decade, the movement changed emphasis and tactics, provoking critical commentary. One source of criticism is William Buckley, syndicated columnist and host of the television discussion program *Firing Line*. The one question Mr. Buckley continually posed when I was a recent guest on his show, and to which he later devoted several newspaper columns, was this: "Why do civil rights leaders concentrate on national economic policy, urban revitalization, and other issues when their proper role is to stick to civil rights?"

This theme is not peculiar to Buckley's ideological viewpoint, or that of other conservatives. Many liberals make the same point. They assert that Blacks should not take public positions on key issues like energy, tax policy and unemployment, among others. These critics believe that Blacks should concentrate on the moral dimension of securing civil rights for minorities and leave other issues to more qualified experts. The *New York Times* took a similar position when it editorialized:

Increasingly, Black leaders have taken up economic issues and other matters whose relationship to the welfare of minorities, while real, is not as direct or clear-cut as before. In so doing, those leaders have raised difficult questions about whom they represent, who their allies are and whether the moral banner they once held so high still carries the same inspiration.<sup>1</sup>

It is hard to believe that sophisticated analysts, familiar with the realities of American life, can find these questions so difficult.

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\* B.A., 1957, DePaul University; J.D., 1960, Howard University Law School; President, National Urban League. This essay was adapted from a speech which Mr. Jordan delivered before the National Press Club, Washington, D.C., on February 14, 1978.

\*\* F.J. Grimke, *Equality of Rights for All Citizens, Black and White Alike, A Discourse Delivered in the Fifteenth Presbyterian Church, Washington, D.C., Mar. 7, 1919, reprinted in THE VOICES OF BLACK AMERICA—MAJOR SPEECHES BY NEGROES IN THE UNITED STATES, 1797-1971* at 671 (P. Foner ed. 1972).

1. Reinhold, *Civil Rights Road Has Become More Complicated*, N.Y. Times, Feb. 5, 1978, § 4, at 5, col. 1. *But see, Does Civil Rights Include Energy?*, N.Y. Times, Jan. 27, 1978, at A24, col. 1, which editorialized: "[W]e agree with the . . . judgment that blacks, along with the rest of the society, will benefit from the spread of black influence to both political parties, in conservative as well as liberal circles, in the business community, the labor movement and other established power centers. . . ." *Id.* at col. 2.

It would seem self-evident that changing conditions require that strategies and tactics be adjusted. In the 1950s and 1960s, the basic objective of Blacks was to achieve the equality under the law so long denied them. The goal was to eat at the lunch counter, to sit anywhere on the bus, to drink water—rather than “colored” water—to vote, to check into a hotel. Denial of these simple privileges was an affront to the democratic system. During that period, the issues were clear-cut. The actors in the civil rights drama were clearly identified by their respective roles. “Good guys” marched peacefully, sang songs, and were nonviolent. They were beaten, jailed, and suffered other indignities. Some were killed. The “bad guys” looked mean and acted mean. They used cattle prods, water hoses, and dogs on women and children. The bad guys shouted, “Never,” “Massive resistance,” and “Segregation today, tomorrow, and forever.”

Behind questions about the nature of today’s civil rights movement is a lingering nostalgia for those good old days of clear-cut moral decisions and easily defined issues. But that phase of the movement is over. Basic civil rights were won through judicial decisions, legislation, and executive orders. However, the reality behind those rights has not kept pace. Black people today can check into any hotel in the country, but most do not have the wherewithal to check out. It is too often forgotten that the 1963 March on Washington was for more than just abstract rights. It was for “jobs and freedom.” To a large extent, we won basic legal rights, but we still do not have the jobs. Today, half a million more Black people are unemployed than at the time of the march. Economic rights were always on the agenda of the civil rights movement. So too, was a concern for housing, urban policies, health, and a whole range of issues that affect Black Americans.

Are these concerns proper “civil rights” issues? Yes, they are, because we were—and still are—disproportionately unemployed, poor, ill housed, in bad health, and living in deteriorating urban centers. The disproportionate disadvantage borne by Blacks and other minorities is the residue from centuries of oppression. It is the bitter fruit of a society that practiced institutional discrimination and racism. It resulted from a complex web of federal, local, and private sector practices that operated to exclude Blacks and their interests. Unfortunately, the rights granted in the 1960s did not significantly impact that structure, which remains largely intact. The National Urban League’s report, *The State of Black America—1978*, documents the fact that Black progress has been limited. It identifies the duality in the Black economy: the slow growth of a Black middle class, combined with an increasingly jobless lower economic class. Thus, despite some gains in employment and in education, the masses of Black people have not enjoyed significant beneficial changes because of the rights won in the 1960s. We were poor then, we are poor today; we were disadvantaged then, we remain so today.

There is a moral dimension to this reality. When the American people say to Blacks, “You have your rights; we do not practice overt discrimination any more,” and then walk away from the continuing problems, Black spokesmen respond that there is a moral imperative to right the wrongs of the past. Black people were placed on a lower track and continue to struggle for survival on that same track. We are saying that the rights granted in the 1960s are hollow unless we are given the opportunity and the skills to com-

pete on the same track as whites. The reluctance of American society to understand the simple point that Black people want equality in real life and not just on the law books is mute testimony to the undercurrent of racism that still survives.

So I contend that there is a single line that runs through the history of the civil rights movement. That line is a concern with improving the life chances of Black people. Economics, urban policy, and related issues were always among our concerns, but the first line of attack had to be on overt discriminatory barriers. Once those barriers were lowered, we could then better pursue our basic goal of achieving actual Black equality in all areas of American life.

That is why civil rights leaders of the 1970s are so concerned with and outspoken about jobs and urban policy, to mention just two basic areas. It may appear to some that we are no different from any other group asking for an improved economy, for urban revitalization, or for similar goals. But we *are* different. Specifically, we bring a particular point of view to those issues, and we are concerned with bringing to the nation's attention the simple fact that generalized answers to national problems will perpetuate Black disadvantage.

The unemployment differential illustrates this point. There is a widespread feeling that unemployment has been brought under control, and that it is no longer the pressing problem it was when a tenth of the labor force was out of work. The unemployment rate is supposed to be trending downward, with official rates now at a 6.3 percent level. That is not true at all for Black Americans. The Black unemployment rate is more than double the white rate, but it is slightly higher than it was a year ago. While the white rate has declined, the official Black rate has continued to rise, and the official statistics fail to include many of the Black unemployed. While white Americans are progressing toward economic recovery, Blacks are still in an economic depression.

Tax policy is another issue on which Black leaders must articulate a position different from the norm. Early in 1978 when the National Urban League opposed President Carter's proposed \$25 billion tax cut, *The New York Times* commented, "At first glance, it might seem that a reduction would benefit minorities by expanding the economy."<sup>2</sup> Well, first glances are very misleading. The tax cut was opposed because it would not solve the problems of minorities. There is little evidence to conclude that any jobs stimulated by the cut would trickle down to minorities. We think the white unemployment rate would drop a little, but that the astronomically high Black rate would be largely unaffected.

There are those who believe John F. Kennedy's observation that "a rising tide lifts all boats," but we know that a rising tide only lifts those boats already in the water, and Black people are in the drydock of this economy. Rather than scatter \$25 billion to the winds, that money, or a large part of it, should be used to create jobs directly, either in public service employment, in public works, or in creative incentives to private industry to hire and train the unemployed.

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2. Reinhold, *supra*, note 1.

The Carter administration also proposed to extend the investment tax credit to capital expenditures for new construction, in addition to the existing credit for investments in machinery. This proposal would offer industry an incentive to accelerate its abandonment of older cities. In effect, it is a subsidy to increase Black unemployment. In the light of these examples, representative of other concrete areas of concern, it is unreasonable to claim that civil rights leaders ought to tend to the business of fighting for abstract rights when our constituents face economic policies that leave them destitute, without jobs, and without the basic human dignity the United States preaches to other nations. Civil rights do not exist in a vacuum. They are meaningful only in the real world, where people have to survive, to provide for their families, to raise their children, to acquire the skills to function in a society where a broad back and a desire to work are no longer enough. In a world where hope for the future is essential, the conception of civil rights must include economic, social, political, and cultural rights. That is why Black leaders of the 1970s are outspoken about public policies affecting taxes, energy, health, housing, and a multitude of issues some white people think are not appropriate subjects for comment. That is why our present efforts are a logical continuation of the earlier struggles for basic rights.

The strategies Black people and committed white people should now develop must revolve around issues like metropolitan government, and internal regulation of federal and state regulatory agencies. The battleground has shifted from the streets, where people marched to end segregation on buses, to the computer rooms, where analysts will have to examine data on bus routes where Black people live and travel to work, and on alternate rate structures that will make riding cheaper for poor people. The new civil rights movement will focus not only on electing a Black mayor of an impoverished city, but also on developing the capability to determine whether the city should merge with the county, giving up Black political offices in return for suburban tax revenues, and determining which, among alternative methods of public financing and administration, is preferable. It will have to link together the vital community organization and grass-roots mobilization of the people in the ghetto with the sophisticated techniques of social and statistical analyses that are the hallmarks of effective power in the 1970s.

It means that the civil rights movement, which has shown its excellence as a legal and moral force, as a marching and pressure movement, will also have to become a skilled research movement as well. It will have to deal with the complexities of power as it never had to in the 1960s. It will be less dramatic and less popular. It will be an era of trench warfare, requiring knowledgeable technicians skillfully monitoring and exposing racism in the twilight zone of America's institutional public policy-making processes.

It is difficult for some commentators to acknowledge the existence of today's more subtle form of racial oppression, and some fail to appreciate the capacity of Blacks to critically analyze complex proposals. Still others remain blind to the special circumstances of Black Americans which require differentiated treatment. Nonetheless, it has long been deemed legitimate for special interest groups to persuade the public to their position and influence the course of legislation affecting their interests. This phenomenon was recently highlighted by *U.S. News and World Report* which devoted a cover

story to the "hidden army of Washington lobbyists" who press their constituents' self-interest.<sup>3</sup>

So too, do Black Americans claim the right to influence public policy and persuade decision makers to their position. Yet, there are differences in their efforts and those of hidden lobbyists. Black Americans have been willing to plead their case in public forums. In addition, there is a moral component to the Black struggle. The *New York Times* story mentioned above questioned "whether the moral banner [Black leaders] once held so high still carries the same inspiration."<sup>4</sup> The answer is affirmative.

When a nation subjects its Black people first to slavery, then to persistent oppression, and now to continuing disproportionate disadvantage, a moral issue is raised. It is a moral issue when limited affirmative action to help Blacks overcome past and present discriminatory treatment is labeled "reverse discrimination." There is a moral issue raised in an economy where college educated Blacks have the same unemployment rate as white high school dropouts; where Blacks with some high school education have double the unemployment rates of whites who never got past elementary school. It is a moral issue when welfare is labeled a "Black program" while the majority of welfare recipients are white. It is a moral issue when public policies on taxation, energy, and housing, among others, perpetuate a system that chains Blacks to the bottom rung of society.

Still, many refuse to acknowledge the moral factor in the current civil rights movement. Their refusal is based on the desire to avoid measures to modify our society in a way that would help Blacks and other minorities overcome their present disadvantage—measures such as a national full employment policy, a Marshall Plan for the cities, a national health plan, and others. It ought to be recognized that what we ask for ourselves, in a spirit of enlightened self-interest—and a spirit of desperate need—will also benefit the white poor. What we achieved in the 1960s, everything we won then through bitter struggles and moral suasion, helped more whites than Blacks.

So the moral banner is still unfurled, waving high above the current struggle. Although the issues are more complex and the resistance more entrenched, the civil rights movement is still dedicated to bringing Black Americans into the mainstream of national life, fully accepting the concomitant responsibilities, but also demanding the rewards others take for granted.

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3. U.S. NEWS & WORLD REPORT, July 25, 1977, at 29-33.

4. Reinhold, *supra*, note 1.