

Others Have Rights, Too

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We are sympathetic with the desire of the Negro race in America to obtain the full civil, educational and economic rights to which they are entitled under the U.S. Constitution, although the bellicose attitude shown recently by some Negro leaders makes us doubt their wisdom and self-control.

But we are emphatically opposed to that part of President Kennedy's "civil rights" program in Congress that would force a man in private business to serve customers against his will. This attitude is based on legal and moral principles which would hold true even if the question of race were not involved.

In the various discussions of this issue which we have read recently we have found nowhere a point which seems vital to us -- the difference between a public utility and a purely private business. Yet it is one that is clearly recognized in law.

When a city, a county or a state enfranchises a public utility such as telephones, electricity, gas or transportation it is usually granted a monopoly. In return, it agrees to serve any person who can pay for its services. The reason for this is obvious; if it did not do so the citizen could not obtain the service anywhere else. He would be forced to do without a necessity of life.

In like manner it can be argued with some plausibility that any citizen, particularly any tax-payer, is entitled to any services offered by the Federal, state, county or city governments.

But a private business such as a restaurant, hotel, theater or barber shop falls in neither category. It is not a public utility with a monopoly franchise, nor is it a public institution. Private businesses of the type named are many

in number and operate in keen competition with each other. In Atlanta and most cities hundreds of them are operated by Negroes for Negroes. It is only logical and right that others are operated by white persons for an exclusively white patronage. (As a matter of fact, many such businesses will not admit white patrons whom they consider undesirable).

If the owner of such an establishment agrees voluntarily to accept Negro business -- as many in Atlanta recently have done -- he has a perfect right to do so. That is a very different thing from being coerced into doing it by the power of the Federal Government. But those who do not care for Negro business are not depriving a citizen of some needed service. There are many other places where he can obtain it.

The air is filled these days with cries of "minority rights". But what about "majority rights", including the right of any citizen to establish a legal business and conduct it as he sees fit, so long as he operates it honestly and within the law?

This right is so fundamental to the American system of free enterprise that we do not believe Congress will abridge it.

Senator Richard B. Russell of Georgia and other Southern senators already have made it clear that they will conduct a "last-ditch" filibuster to prevent passage of this part of the Kennedy "civil rights" program.

We hope this will not be necessary. Surely there are many men in both the House and Senate from all parts of the United States who will recognize the seriousness of the Administration's attack on what has been a cardinal point of American freedom.

Talmadge Sees Rights Terror

Constitution Washington Bureau
WASHINGTON—There would be "terror throughout the land" if President John F. Kennedy's civil rights bill became law, Sen. Herman Talmadge said in a radio interview Thursday night.

"It would take troops all over America to enforce this," the Georgian said.

But he said he didn't believe the Senate would "approve this bill in its present form."

Talmadge hit hardest at the three principal sections of the seven-section bill. He scored those parts that would require desegregation of some private businesses, allow the Justice department to

have federal voting registration referees appointed and give the President power to withhold federal funds from government programs under which segregation was practiced.

The senator also predicted that Congress would pass very little other legislation this year. At one point he said, "it is doubtful that action on the tax bill can be completed this year."

Later in the interview (on CBS Capital Cloakroom) Talmadge seemed to indicate he felt the tax bill had a chance.

"I suspect that outside the field of civil rights and taxes, the appropriations bill will be about the

only major legislation that will result," he said.

The President and his legislative leaders have said the tax bill shares "uppermost" legislative priority with civil rights.

Asked to predict how President Kennedy would run in the 1964 elections, Talmadge declined. He said it was too far off.

Asked if President Kennedy's apparent loss of popularity in the South meant Sen. Barry Goldwater of Arizona was picking up strength, Talmadge said he did not believe the President's loss "had been translated into a particular party or any particular candidate."