

**Ivan Allen**

# Need Accommodations Law To Hold Gains, Mayor Says

As perceptive men of wide experience I feel confident that you will agree with me that this is as serious a basic problem in the North, East and West as it is in the South. It must be defined as an all-American problem, which requires an all-American solution based on local thought, local action and local cooperation. The 500,000 people who live within our city limits consist of 300,000 white citizens and slightly more than 200,000 Negro citizens. That makes the population of Atlanta 60 per cent white, 40 per cent Negro. That 60-40 percentage emphasizes how essential it is for the people of Atlanta, on their local level, to solve the problem of racial discrimination in order to make Atlanta a better place in which to live.

As the mayor of the Southeast's largest city, I can say to you out of first-hand experience and first-hand knowledge that nowhere does the problem of eliminating discrimination between the races strike so closely home as it does to the public official. He is the man who cannot pass the buck.

From this viewpoint, I speak of the problem as having been brought into sharp focus by decisions of the Supreme Court of

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*(This is a portion of the text of the statement made to the Senate Commerce Committee last Friday by Mayor Ivan Allen Jr. of Atlanta.)*

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the United States and then generally ignored by the presidents and congresses of the United States. Like a founding baby, this awesome problem has been left on the doorsteps of local governments throughout the nation.

It is true that Atlanta has achieved success in eliminating discrimination in areas where some other cities have failed, but we do not boast of our success. Instead of boasting, we say with the humility of those who believe in reality that we have achieved our measure of success only because we looked facts in the face and accepted the Supreme Court's decisions as inevitable and as the law of our land. Having embraced realism in general, we then set out to solve specific problems by local cooperation between people of good will and good sense representing both races.

## Given Rights

Atlanta's steps have been taken in some instances in compliance with court decisions, and in other instances the steps have been voluntary prior to any court action. In each instance the action has resulted in white citizens relinquishing special privileges which they had enjoyed under the practices of racial discrimination. Each action also has resulted in the Negro citizen being given rights which all others previously had enjoyed and which he has been



Mayor Allen

that responsibility of the press (and by this I mean radio and television as well as the written press) is inseparable from freedom of the press.

We are fortunate that we have one of the world famous editorial spokesmen for reason and moderation on one of our white newspapers, along with other editors and many reporters who stress significance rather than sensation in the reporting and interpretation of what happens in our city.

As I see it, our Negro leadership in Atlanta is responsible and constructive. I am sure that our Negro leadership is as desirous of obtaining additional civic and economic and personal rights as is any American citizen. But by constructive I mean to define Atlanta's Negro leadership as being realistic—as recognizing that it is more important to obtain the rights they seek than it is to stir up demonstrations.

So it is to the constructive means by which these rights can be obtained that our Negro leaders constantly address themselves. They are interested in results instead of rhetoric. They reach for lasting goals instead of grabbing for momentary publicity. They are realists, not rabble rousers. Along

Constitution of the United States. Under this Constitution we have always been able to do what is best for all of the people of this country. I beg of you not to let this issue of discrimination drown in legalistic waters. I am firmly convinced that the Supreme Court insists that the same fundamental rights must be held by every American citizen.

Atlanta is a case that proves that the problem of discrimination can be solved to some extent . . . and I use this "some extent" cautiously, . . . as we certainly have not solved all of the problems; but we have met them in a number of areas. This can be done locally, voluntarily, and by private business itself!

On the other hand, there are hundreds of communities and cities, certainly throughout the nation that have not even addressed themselves to the issue. Whereas, others have flagrantly ignored the demand; and today, stand in all defiance to any change.

The Congress of the United States is now confronted with a grave decision. Shall you pass a public accommodation bill that forces this issue? Or, shall you create another round of disputes over segregation by refusing to pass such legislation?

## Might Slip

Surely, the Congress realizes that after having failed to take any definite action on this subject in the last ten years, to fail to pass the bill would amount to an endorsement of private business setting up an entirely new status of discrimination throughout the nation. Cities like Atlanta might slip backwards. Hotels and restaurants that have already taken this issue upon themselves and opened their doors might find it convenient to go back to the old status. Failure by Congress to take definite action at this time is by inference an endorsement of the right of private business to practice racial discrimination and, in my opinion, would start the same old round of squabbles and demonstrations that we have had in the past.

Gentlemen, if I had your



Now I would like to submit my personal reasons why I think Atlanta has resolved some of these problems while in other cities, solutions have seemed impossible and strife and conflict have resulted.

As an illustration, I would like to describe a recent visit of an official delegation from a great Eastern city which has a Negro population of over 600,000 consisting of in excess of 20 per cent of its whole population.

The members of this delegation at first simply did not understand and would hardly believe that the business, civic and political interests of Atlanta had intently concerned themselves with the Negro population. I still do not believe that they are convinced that all of our civic bodies backed by the public interest and supported by the city government have daily concerned themselves with an effort to solve our gravest problem—which is relations between our races.

## Not Hidden

Gentlemen, Atlanta has not swept this question under the rug at any point. Step by step—sometimes under court order—sometimes voluntarily moving ahead of pressures—sometimes adroitly—and many times clumsily—we have tried to find a solution to each specific problem through an agreement between the affected white ownership and the Negro leadership.

To do this we have not appointed a huge general bi-racial committee which too often merely becomes a burial place for unsolved problems. By contrast, each time a specific problem has come into focus, we have appointed the people involved to work out the solution—theaters, owners to work with the top Negro leaders, or hotel owners to work with the top leadership, certain restaurant owners who of their own volition dealt with the top Negro leadership. By developing the lines of communication and respectability, we have been able to reach amicable solutions.

Atlanta is the world's center of Negro higher education. There are six great Negro universities and colleges located inside our city limits. Because of this, a great number of intelligent, well-educated Negro citizens have chosen to remain in our city. As a result of their education, they have had the ability to develop a prosperous Negro business community.

Then there is another powerful factor working in the behalf of good racial relations in our city. We have news media, both white and Negro, whose leaders strongly believe and put into practice the great truth

tegrity.

I do not believe that any sincere American citizen desires to see the rights of private business restricted by the federal government unless such restriction is absolutely necessary for the welfare of the people of this country.

On the other hand, following the line of thought of the decisions of the federal courts in the past 15 years, I am not convinced that current rulings of the courts would grant to American business the privilege of discrimination by race in the selection of its customers.

## What Is Right?

Here again we get into the area of what is right and what is best for the people of this country. If the privilege of selection based on race and color should be granted then would we be giving to business the right to set up a segregated economy? . . . And if so, how fast would this right be utilized by the nation's people? . . . And now soon would we again be going through the old turmoil of riots, strife, demonstrations, boycotts, picketing?

Are we going to say that it is all right for the Negro citizen to go into the bank on Main Street and to deposit his earnings or borrow money, then to go to department stores to buy what he needs, to go to the supermarket to purchase food for his family, and so on along Main Street until he comes to a restaurant or a hotel—in all these other business places he is treated just like any other customer—but when he comes to the restaurant or the hotel, are we going to say that it is right and legal for the operators of these businesses, merely as a matter of convenience, to insist that the Negro's citizenship be changed and that, as a second class citizen, he is to be refused service? I submit that it is not right to allow an American's citizenship to be changed merely as a matter of convenience.

If the Congress should fail to clarify the issues of the present time, then by inference it would be saying that you could begin discrimination under the guise of private business. I do not believe that this is what the Supreme Court has intended with its decisions. I do not believe that this is the intent of Congress or the people of this country.

I am not a lawyer, senators. I am not sure I clearly understand all of the testimony involving various amendments to the Constitution and the commerce clause which has been given to this committee. I have a fundamental respect for the

experience I have had, I would pass a public accommodation bill. Such a bill, however, should provide an opportunity for each local government first to meet this problem and attempt to solve it on a local, voluntary basis, with each business making its own decision. I realize that it is quite easy to ask you to give an opportunity to each businessman in each city to make his decision and accomplish such an objective . . . but it is extremely difficult to legislate such a problem.

What I am trying to say is that the pupil placement plan, which has been widely used in the South, provided a time table approved by the federal courts which helped in getting over the troubled water of elimination of discrimination in public schools. It seems to me that cities working with private business institutions could now move into the same area and that the federal government legislation should be based on the idea that those businesses have a reasonable time to accomplish such an act.

## Last Resort

I think a public accommodation law now should stand only as the last resort to assure that discrimination is eliminated, but that such a law would grant a reasonable time for cities and businesses to carry out this function before federal intervention.

It might even be necessary that the time factor be made more lenient in favor of smaller cities and communities, for we all know that large metropolitan areas have the capability of adjusting to changes more rapidly than smaller communities.

But the point I want to emphasize again is that now is the time for legislative action. We cannot dodge the issue. We cannot look back over our shoulders or turn the clock back to the 1860s. We must take action now to assure a greater future for our citizens and our country.

A hundred years ago the abolition of slavery won the United States the acclaim of the whole world when it made every American free in theory.

Now the elimination of segregation, which is slavery's stepchild, is a challenge to all of us to make every American free in fact as well as in theory—and again to establish our nation as the true champion of the free world.

Mr. Chairman and members of the committee, I want to thank you for the opportunity of telling you about Atlanta's efforts to provide equality of citizenship to all within its borders.