



Department of Justice

FOR IMMEDIATE RELEASE
10:00 A.M. CDT
JUNE 27, 1989

REMARKS
BY

THE HONORABLE DICK THORNBURGH
ATTORNEY GENERAL OF THE UNITED STATES

BEFORE

OPERATION PUSH
ANNUAL CONFERENCE

CHICAGO, ILLINOIS
TUESDAY, JUNE 27, 1987

The pursuit and promotion of civil rights in America is more than a legal obligation, it is a moral imperative embodied in our national sense of fairness and justice.

With that imperative comes, of course, legal obligations, but it is important to remember that it is our sense of fairness and justice that drives our laws and not our laws which drive our sensitivities and sensibilities. The first and greatest truth of our Democratic society is set down in the stark and simple statement of our independence which declares that "all men are created equal."

Those five words frame the charter of the United States Department of Justice in our endeavors to ensure that all Americans -- men and women, black, brown and white, young and old, able or with disability -- enjoy their full civil rights. Let me assure you, this is an assignment that President Bush and I take very seriously.

This morning I would like to touch on just a few matters that I think will give you a better appreciation of our approach to civil rights concerns and for the type of constructive cooperation we are trying to achieve with those who share those concerns.

First, and possibly most important during these early months of this Administration, we have sought to re-establish a constructive dialogue with civil rights and minority groups -- of all persuasions and backgrounds.

In fact, a good measure of the increased level of discussion and cooperation with the office of the President can be seen in a recent criticism from a Republican United States Senator who complained that he couldn't get as much time with the President as the Congressional Black Caucus!

While this statement is, of course, hyperbole borne of the mild frustrations of an elected official trying his best to meet the needs of those he has been elected to serve, it does exemplify the President's receptiveness to the needs of all Americans -- whether they are Democrat or Republican, liberal or conservative, and even whether or not they agree or disagree with administration policies.

That re-established dialogue extends to the Department of Justice as well, and I can assure you that as long as I am privileged to serve as this nation's Attorney General, my door will continue to be open.

Throughout my career in public life I am proud to have forged strong personal relationships with civil rights leaders such as Ben Hooks, Vernon Jordan, Coretta Scott King and, yes, the Reverend Jesse Jackson, who twice endorsed my candidacy for the office of Governor of Pennsylvania, as well as with other leaders of important civil rights groups. During recent months, I have met with these and others who have expressed their concerns and shared their ideas for more effective enforcement of our civil rights laws.

This dialogue is important because it can lay a foundation of mutual respect and openness -- even in the face of disagreement -- that can build the spirit of understanding and cooperation which is so vital to solving the civil rights challenges we face as a nation.

Let me take a moment to touch on some of the ways that spirit is being translated into substantive efforts on the part of the Department of Justice to ensure the fairness and justice we seek for all citizens.

In the area of housing, for example, last year Congress amended the Fair Housing Act, not only to extend its protections to those suffering discrimination due to handicaps and to those men and women who were denied housing opportunities because their families included children, but to allow for the seeking of monetary damages in housing discrimination cases as well.

Now as you all know, the effectiveness of a law does not come so much from its adoption as from its enforcement. And I am proud to say the Justice Department is making this an effective law. In fact, we didn't waste any time in proving its effectiveness -- less than 24 hours after the law took effect, on March 12 of this year, we sought damages in two cases of housing discrimination based on race, and filed two other cases seeking damages for housing discrimination based on family make-up. And the only reason it took us so long to bring these cases was because March 12th was a Sunday!

We also recently achieved a very satisfactory resolution, in a 30-page consent decree, to racial discrimination charges that were brought against a chain of health fitness centers. We not only brought an end to discriminatory practices by the centers, but established detailed remedial procedures which require everything from the re-training of personnel to end discrimination by individual staff members to requirements that

their advertising featuring white celebrities be balanced with advertising featuring black celebrities as well.

A perhaps more ominous recent development in the civil rights area is the shocking re-emergence of hate-group violence in America.

I say re-emergence because those who today we see inflicting the pain and suffering of racially and religiously inspired violence and vandalism are not new to the world or to this country. They are the same small-minded men and women whose paranoid fears, warped sensibilities and irrational conclusions have in other times played out their sick fantasies in vicious and deadly ways.

But their sameness with their predecessors in no way makes them less frightening or disturbing. And in no way can it diminish the commitment we must all have to ending their violent bigotry and demented acts -- whether cross burnings or the daubing of crude swastikas on synagogues.

And I will add this: as this is not a new struggle for either Black Americans or Jewish Americans, neither is it a new struggle for me. As governor of Pennsylvania, I signed legislation, in 1982, making acts of ethnic intimidation a criminal offense for the first time in our state, and I today support related federal legislation in this area.

In other words, I wouldn't stand for it as the Governor of Pennsylvania and I won't stand for it as Attorney General of the United States. So anyone who thinks they might get away with these cruel and cowardly acts designed to strike fear in the hearts of vulnerable groups or individuals in this country can think again.

No matter who you are, or where you live. No matter if you act alone or in groups. No matter if you call yourself a Klansman, a member of the Ayrans nation, or a "skinhead." If you choose a course of racial violence or intimidation, you will be tracked down and prosecuted -- no matter what.

In recent years, in fact, the Justice Department has brought a record number of civil rights prosecutions in this area and achieved success in more than 75 percent of them. It's a record the Department is proud of and it's a record that, if necessary, we are more than willing to surpass.

So as you judge us on our victories and defeats, judge us also on our commitment to continue the struggle for civil rights in America and our willingness to never quit.

And one area where we will certainly never quit is in enforcement of the Voting Rights Act through which we strive to ensure the Constitutional principle of "one person, one vote."

Voting rights are the cornerstone of our civil rights and they will not be allowed to erode under this administration. As Reverend Jackson and I have discussed, too often minorities have been shut out of their proper place in state and local government because of blatant gerrymandering by incumbent office holders whose only interests are to keep their power base intact.

That will end -- and that is a promise.

A promise recently realized in Selma, Alabama, where this past January, after ten years of litigation by our Civil Rights Division and on the birthday of Dr. Martin Luther King, a majority of black county commissioners were sworn into office.

A promise to also be realized this coming Friday in Mississippi where again, thanks to federal litigation, five, black judges will take positions on the bench.

And a promise that I assure you will continue to be realized as the Department of Justice moves to ensure that minority populations are afforded their full and fair share of this nation's elected positions, be they judgeships, county supervisor positions, school board memberships, city council seats, or seats in state legislatures.

In fact, in preparation for the redrawing of political boundaries that will occur following the 1990 census, I have instructed our Voting Rights Section to exercise to the fullest the Department's powers to ensure that redistricting proposals are not racially discriminatory and that Black Americans and other minorities achieve the level of representation to which they are entitled.

This means that under the authority of the Voting Rights Act -- which gives the Justice Department the responsibility to monitor and approve every redistricting and reapportionment plan in nine states and in 66 urban counties of seven other states -- we will be scrutinizing redistricting plans to determine the fairness of the voting boundaries for all cities, school districts, judicial districts and other political units of each and every one of these counties.

That is all part of our commitment to never quit. A commitment that extends to fair housing and fair employment and hate crimes and voting rights and to urging, as I did last week, that civil rights protections be expanded to those with disabilities...a commitment, in short, never to quit fighting to protect the rights and liberties of all Americans.

In that same sense of commitment, I would like to take a moment to discuss briefly the recent civil rights decisions by the Supreme Court.

I know there has been great controversy and concern over the Court's actions, with some viewing these decisions as a retreat in the battle for civil rights. But before we reach such a conclusion, let us consider some questions.

Do these decisions, in fact, stand in conflict with this nation's fundamental commitment to ensure the provision of civil rights for all Americans? Do they, in fact, repudiate efforts aimed at achieving equal opportunity and protection under the law? Or, do these decisions represent attempts by the court to fine tune the complexities of enforcement of civil rights law in America? And can they, in the long run, through the certainty they lend to the legal process, place enforcement on even firmer footing?

I recognize, as does the President, that the full effect of these rulings will not be felt until they are applied in new cases.

In fact, the President has asked that I monitor the implementation of these opinions in the lower courts to assess their impact on equal employment opportunities and, as the President said earlier today, if they appear to hamper effective civil rights enforcement, we must suggest any legislative or executive action required to resolve inequities. This is, I understand, also the position expressed by Speaker of the U.S. House of Representatives, Thomas Foley.

This responsibility is one I take very seriously and one that the Department of Justice will approach consistent with our commitment to the goals of fairness and equality and our quest for equal opportunity -- a quest which we must make together.

And that, ladies and gentlemen is the key. Our strength in the enforcement of civil rights law will be found in our unity, not in our division. This administration is fully committed to eliminating every form of discrimination in our society and will zealously enforce every law of the land, not as an adversary but as an ally. Not as an impediment to striving for goals, but as a partner in achieving them. And not as a foe, but as a friend.

There is one other subject I would like to mention before closing.

One of the truly important ways in which we can all contribute to breaking down the barriers of discrimination and prejudice is to help in creating role models for younger Americans -- those in positions of responsibility who are visible witnesses to the success of our aspirations to equal opportunity.

When I served as Governor, I was proud of the fact that we appointed a record number of black and female Pennsylvanians to positions of responsibility in our administration. In fact, at one time, the three top ranking black women in the Reagan Administration were all alumnae of my Administration in Pennsylvania!

We also worked to promote economic opportunities by expanding the volume of the state's minority contracting over one hundred fold -- to over \$100 million annually so as to demonstrate that opportunities for private sector businessmen and women were color blind as well.

And this commitment continues.

In the Department of Justice today, those designated to fill four of our top ten management positions -- the assistant attorneys general -- are black and female lawyers -- including two of the most important posts within the Department -- heading the Criminal and Civil Rights Divisions, with the nominee for the Civil Rights post, Bill Lucas, being here with me today.

The President has also insisted upon outreach in recruiting new federal judges. Out of the first four judges confirmed by the Senate, two were women and a third was a distinguished hispanic judge. And shortly, the President will nominate an equally distinguished black lawyer to one of the nation's highest courts.

We need to expand opportunity, to remove the barriers to full enjoyment of the rights and privileges of American citizenship and nurture and promote leaders who exemplify our commitment. That is the only way we can build the better lives to which we, our children and our children's children rightfully aspire in this great land.

On July 2nd, we will celebrate the 25th anniversary of the adoption of legislation key to furthering the rights of all Americans -- the 1964 Civil Rights Act. With that bold stroke, with that giant step forward, we, as a nation, made a commitment to scale a great mountain.

A commitment to begin a climb from which we would not turn back, no matter how slippery the slope, or how sizeable the obstacles, or how long the climb.

A commitment to never lose our grip, or grow tired, or rest until this long journey -- a journey that we make together -- is at an end.

We pledge to honor that commitment and to join you in climbing ever-upward to reach the mountaintop and to look over and see the promised land of Dr. Martin Luther King Jr.'s great vision for this nation.

Thank you.