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An Open Letter to
Massachusetts Liberals

The people of Boston are sorely in need of help. A misguided and morally over-confident Federal Court has subjected the public school children and parents of Boston to a cruel interdict, stripping away their constitutional and human rights and substituting a frightening reign wherein the Court is blatantly letting the end justify the means. Tragically, the cruelty and senselessness of the means chosen by the Court has seriously compromised the hope of any fruitful end, and if the Court persists in its course, its only fruits will be bitter ones. In its efforts to bring about the best of times, the Court is fashioning the worst of times.

We, the "committee of correspondents", believe that the Federal Court in Boston and Judge Garrity are distorting the Constitution and creating a Frankenstein in the form of massive forced busing.

Boston has become a crucible in which violent currents of history has made frightened victims of young children (White, Black and special ethnic children) and their anguished parents. These families have at least one profound common denominator: They are all poor and working class families. (The well-to-do have fled the scene.) Perhaps they have one other thing in common: In the eyes of the affluent and self-immune suburbanites, these families appear to be fitting objects for a "necessary sacrifice" in order to assuage the guilt of these same self-immune suburbanites.

These children and parents never did any harm to anyone. Yet they know that so long as they or their future generations live in the City of Boston, the Federal Court will not hesitate to abuse their rights and dash their hopes. These families and neighborhoods sorely need an honest and credible spokesman, a group like the Massachusetts liberals, who will start to question the rationality and sense of Judge Garrity's fervor. The time is ripe for a group to speak out against massive forced busing which would not have to endure the frustration of having its efforts compromised by being associated with the same racial bigotry which had caused the problem in this country in the first place (and prompted intervention into the public schools by the Federal Courts) and thereby tarred with the same odious brush.

We look to the Massachusetts liberals to begin finally to speak out for a plan which involves no forced busing. We look to you because you have had a history of caring and for speaking up for innocent people caught in the storm of history, regardless of race. And you have been especially vigilant to protect the rights of people who lack credible spokesmen.

A momentum must be started so that a new plan can begin to gain acceptance and moral respectability. The Federal Courts have proven, all too bitterly, that it cannot be the source of a good plan. People and groups which care about Boston and this country must try to convince the Federal Courts that it has reached too far. A new approach is needed; plans such as the Masters' Plan and the plan proposed by Governor Dukakis during his election campaign could serve as a basis for a new plan.

Any plea seeking relief from massive forced busing should always pause and acknowledge that the problem of segregation in housing and discrimination in jobs against Blacks must be addressed in Boston and throughout this country. The momentum started by the Supreme Court in 1954 must continue. Even though the people of Boston are not particularly responsible for the inequities heaped upon the Blacks for the past two hundred years, no one in Boston (or elsewhere) should begrudge any benefits which the Black community can gain for itself - either by hard work or by petition to the legal system.

Also, it can now be stated that the people of Boston are ready for almost any kind of positive plan for improving the opportunities for the Black children in the Boston schools. Indeed, Bostonians would heave a collective sigh of relief if they were offered a plan which could give to the parents a chance to keep their young children closer to home. And a poll of the Black community would show that the Black parents do not want to be forced to bus their children and that they are very anxious to keep their youngsters closer to home.

But, under the present conditions, there is little hope for self-enlightenment by our Federal Court. The Federal Court seems to believe that it is gallantly fulfilling a manifest destiny in finishing off the unfinished business of the Civil War and stubbornly thinks that it has found the magic device. The Federal Court must be advised, over and over, that massive forced busing of poor and working class families is a cruel and colossal mistake. Moral and compassionate liberals must advise the Courts and the public that its decisions are wrong, much like Abraham Lincoln did with respect to the Dred Scott case.

How long can this patronizing and reverse discrimination continue? How much longer will Black children be demeaned by the courts by being officiously advised that they cannot be constitutionally fulfilled or educated unless they are forced to sit beside White children, without any choice in the matter!

Massive forced busing is as wrong as it can be wrong. It is morally wrong, legally wrong and constitutionally wrong. It is morally wrong because it shatters the neighborhoods which have long been a part of our national and local moral fiber because it puts traumatic and frightening distance between a mother and a young child, and because it strips the poor and working class neighborhoods and families of their last vestige of pride. It is legally wrong because it inflicts a penalty, an unprecedented and cruel penalty, upon innocent children and innocent parents. It is constitutionally wrong because it will polarize (perhaps permanently) racial differences, cause White flight, cause resegregation to a disastrous proportion, thereby retarding and perhaps crippling the real integration of the races over the long term.

The poor and working class people of Boston, both Black and White, are asking themselves some pregnant questions tonight. Would the Federal Courts be so valiant if the children being bused were middle and upper class children and they were being bused from the suburbs into Roxbury and other parts of Boston? Is this busing scheme a device to enable the rich and elite to evade their share of the burden in the national crusade to give the Blacks better opportunities?

The Massachusetts liberals have had no difficulty in the past in recognizing that a well-intended force of government had become

a Frankenstein. When the City of Boston proposed the tearing down of the West End in Boston as part of a hi-rise urban renewal project, the liberal activists at first supported such a project. But as soon as the project started to show its results, the Massachusetts liberals were quick to say that such an exercise of government power was wrong and that never again shall a neighborhood be layed-waste and devastated by the exercise of government power in the name of urban renewal hi-rise developments.

We hope that the liberals will be quick to see the portending disaster in Boston, and any other city, where the courts try to address the results of racial bias rather than the causes, and thereby exasperbate the causes, with the counter-productive result of promoting further racial bias.

So much for philosophical and intellectual arguments. Lets look at the hard facts of the last twenty-four months. Boston has changed from a city with a public school system which had every hope of becoming integrated even despite the misguided efforts of the old School Committee. The system was % White, % Black and % special ethnic. Today we find a decimated school system, denuded of children which were to be the bright hope of integration. Today the system is % White, % Black and % special ethnic. (Solomon in all glory could not have devised a worse result, a plan more wrong.)

This busing scheme has been a cruel hoax on the Blacks. They have been cheated once more. Judge Garrity has wiped out the progress in Boston since 1954 and before.

With all the grief and anguish caused by this massive forced busing, one would think that the Court or the judge had had no choice or that they felt bound by prescendence to set in motion a massive

exodus from the City of Boston and to make Boston one of the unhappiest of cities! Somehow the press has been led to believe that this was all necessary. But none of this was necessary. There is no case which has required massive forced busing except in cases where the school system had been massively segregated by the force of law. Even the Denver case is no precedent; the Denver case merely stands for allowing (not requiring) a court to utilize a metropolitan area busing program, which includes all neighborhoods, rich and poor.

It is time that these court ordered busing plans be unmasked as being a compulsive grab for power by the judiciary, under the guise of a constitutional and moral imperative. The Constitution is not a pact for self-destruction or self-abuse under judicial inquisition. The judiciary is grasping for plenary power, letting the end justify the means; it was this sort of well intended fervor which led to the Spanish Inquisition. It is also time that the Massachusetts liberal learned, and then spread the word, that Judge Garrity affirmatively denied the request by the Home and School Association of Boston to offer evidence to show that segregation was promoted by the School Committee in only a handful of schools. White children in Boston were intentionally denied their day in court by Judge Garrity and he has thereby suppressed vital evidence in the desegregation case. The power of the courts is reaching unprecedented and unprincipled proportion; and power corrupts.

The hasty action by Judge Garrity of putting South Boston High School into receivership reinforces the growing belief that the original factual basis for Judge Garrity's position was insufficient, legally, for his massive and sweeping orders, and that he is now

desperately grasping for straws in hope that he can find new evidence of racial bias - bias which he promoted.

A growing number of political analysts are putting the lie to this busing scheme - on both the liberal and conservative spectrum. It is worth noting that three liberal essayists have expressed powerful positions against Judge Garrity: Michael Novak, the liberal Catholic essayist, William Raspberry, the liberal Black columnist for the Washington Post and John Roche, the former President of the Massachusetts Chapter of the Americans for Democratic Action.

We must cry out for a better way. We must pray for a conversion. We must pray to God that Judge Garrity will experience (as Saint Paul experienced) a true conversion to a wholly new and promising and hopeful approach to this nagging national problem. Judge Garrity, for example, could change his mind and allow evidence to be submitted to show that the old School Committee had only affected the level of segregation in only a handful of schools. If this evidence was allowed to be submitted, then the Court would be obligated to limit its remedy in relationship to the wrong committed; and, hence, there would be substantially less busing.

Massive busing of poor people must be unequivocally condemned. The rights of all people and all neighborhoods, and the principle of judicial restraint, must be honored once again.

The working class people of Boston will be looking to the Massachusetts liberals and will be counting upon you to show them the same comparison you have shown others in the past. It would be a tragedy for them and for you if you fail them.

Sincerely,

THE COMMITTEE OF CORRESPONDENTS