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Excerpt from 'Focus on Cambridge' by Gloria Richardson.

#### The October 2nd Referendum

On October 2nd, 1963, Negro voters in Cambridge rejected the proposed Charter Amendment which would have made discrimination on the basis of race, illegal in restaurants, hotels and motels in this city. This plebiscite followed a period of violence and tension initiated and perpetuated by white mobs in retaliation to non-violent street demonstrations-directed by the Cambridge Nonviolent Action Committee. This fight, which intensified last summer, had been going on for two years with the support of the overwhelming majority of the Negro people here, who believed in, or were persuaded to believe in, the tactics of nonviolence.

When the October 2nd referendum was called, CNAC took the position that the referendum was unconstitutional, illegal and immoral. We called for Negroes to boycott the polls in an expression of passive resistance in the face of an illegal hoax being perpetrated against the people. At that time I was generally credited with irresponsible leadership although since that time much of the press and people have begun to agree without position.

There were several facts to be considered here, and who is to say which is the most important. In the first place those Negroes who have fought for America, who have paid direct and indirect taxes were not inclined to vote on something which no other citizen or alien in America had to vote on. These same Negro citizens were not permitted to vote as to whether they should fight for this country or pay taxes or any other of the responsibilities imposed on United States citizens. We were being asked to tuck our dignity in our pockets and crawl to the polls to prove in a stacked vote that once again we were going to let the whites in control say what we would be permitted to do in a "free, democratic country." Negro leadership at many levels was saying "we know the principle involved but it is expedient to do it this way." One Negro woman leader in the state said it was time that I learn to make deals. No one was ready to take a temporary loss and assume responsibility for the thousands of black people across the south who, once we submitted, would be subject to the same tactic although they would not even have the advantage of a swing-vote. They would be forced, in the name of democracy, to submit to the biased whims of a majority, and in the name of the democratic process be bound by it. In the name of all the black and white people in America this type of precedent would have laid people bare to the whims of dishonest, big business politicians who would piously use the "referendum" as a tool to shove down the throats of an unsuspecting and unwary racial or economic minority any type of racially punitive or economically punitive legislation, on a local, state or federal level. (As a matter of fact it is now used against voters not exposed to a voter education program.)

Finally, and specifically, in reference to this referendum, it was clearly unconstitutional. Equal accommodations in public places is a right inherent to citizens, and should not be subject to the wishes and prejudices of any individual or group. Two years ago the Supreme Court of the United States, in reversing the convictions of Negro students arrested for "sitting in" made this quite clear. In its decision the court stated unequivocally that any facility or establishment that is public, that is to say, that operates on the basis of a franchise or license to "serve the public" granted by any unit of government, be it local, state or federal, is operating in contract with that government, and consequently with its constituents, the people. The court pointed out that any discrimination against any group of citizens was a breach of that contract. The referendum was an attempt to make the constitutional rights of the Negro People, as citizens of Cambridge, subject to the possible prejudices of the white majority. It was further an attempt by the city commissioners to rewrite the constitution at the expense of the rights of Cambridge's Negro citizens. Equal accommodations in public places is a right to which we are entitled, and it is as important as any other human right.