"Thurmond's Comment on President Truman's Committee on Civil Rights."

Strom Thurmond

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Late in 1946, the President of the United States appointed a committee, called the President's Committee on Civil Rights. About a year later this committee made its report. The action of the committee could have been predicted in advance. This report contained every controversial racial issue which has been proposed against our way of life since the days of Reconstruction, when the bitterness of Northern Republicans was directed against the defeated South in the aftermath of war. It also contained some new and foreign concepts more appropriate to the European countries whence many of their originators so recently have fled to our shores, seeking safety from oppressive governments.

The message proposed the enactment of laws clearly beyond the power of Congress to pass, under the Constitution. Under our form of government, the Federal Government can do only what the Constitution grants it the power to do. All other powers are reserved to the States of the Union, or to the people. In this way we live under a system of checks and balances upon governmental power, which tends to make government remain the servant of the people, and keeps it from seeking to become their master.

One of the proposals is the anti-poll tax law. We all know that the poll tax does not burden the right to vote. It is a revenue measure which I have advocated that we repeal in this State. Only seven States now have a poll tax voting requirement, and the proposed Federal law would accomplish so little, that many think it harmless legislation.

However, the precedent which would be set by the Congressional assertion of the right to pass this law is a dangerous one. If Congress can use this law to establish the power to deal with the right of the American people to vote, it can establish a form of Federal suffrage.
It can exercise control over the ballot boxes of the Nation. Ultimately it could have much to say not only about who would be President but also who would be in the United States Senate and House of Representatives. The States would thus lose their effective voice in the national legislative halls as they did in Reconstruction Days when ballot boxes were surrounded by Federal bayonets. The way would be open for the conversion of our system of popular government into a centralized and concentrated government in Washington, far distant from the people governed by it. Such power was deliberately withheld from the Federal Government when the Constitution was adopted. It has always been felt that the right of local self-government depended upon State regulation of the right of suffrage.

Another law recommended is an anti-lynching law. The Federal Government does not have the Constitutional right to deal with crimes occurring within the States. It can deal only with Federal crimes. The Federal Courts have uniformly held that there is not even a Federal common law. The States, in governing themselves, are responsible for public peace and order. All the States have laws against murder. Many have specific laws against lynching, which is one of the worst forms of murder.

The proposed law is unnecessary because enlightened public opinion has virtually stamped out this crime. It has never been a sectional crime, although some would create the contrary impression for propaganda purposes. In at least one year, 75% of the persons lynched throughout the United States were white. Under the emotional appeal derived from the horror felt for this crime by every decent person in every section of the Nation, the proposal is made that the Congress assert the right to deal with crimes within the States. This would be a radical invasion of the right of local self-government. It would be a bold extension of the power of the Federal Government over the individual citizens. Nothing would be more effective in bringing about the destruction of the governmental functions and prerogatives of the States of the Union. The division of powers between the Federal Government and the States provided in the Constitution would be
virtually destroyed, if this precedent were created and thereafter carried to its possible conclusion.

Another proposal is the legislation regulating employment, promotion and discharge of the employees of private business and industry within the several States. This legislation applies as much to our labor organizations as to our businesses and industries. It would enable the Federal Government to invade a local field clearly foreclosed to it by the Constitution. The bureaus and commissions created by it would be given power to harass and interfere with business, large and small, and to intrude into the policies and practices of labor unions.

There is no limit to the irritation and annoyance which would result throughout the Nation from this law. Every man's private business would almost be made a public one. If he exercised his right to employ whom he pleased, he would always face the possibility of a call from a government agent, inquiring into why he did not hire someone else; he might be hauled before a Federal commission to explain himself; he might be ordered to stop choosing his employees as he saw fit, and to hire someone he did not want; he would not be allowed a jury trial on the issue of fact between him and the government; and his case would not even go to the Federal Court in his own State, but would be heard ordinarily in a court in another State. The mind of man can hardly conceive of more duress and apprehension than this would produce.

Does this sound like an American concept to you? Does this kind of thing coincide with your ideas of liberty and freedom which we have fought for and thought we had? If the government in Washington can pass this law, it will have like power to intrude itself into every phase of the daily lives of our people and regulate them in all things, large and small.

Another phase of the President's proposals deals with the field of separation of the races. The President dealt lightly with this subject, except as to interstate transportation facilities and in the District of Columbia, which is of common concern to all the States.
But the committee's report clearly reveals the purpose and plan which his message enters upon. Chairman McGrath, the operating head of the Democratic Party, told the Southern Governors in Washington recently that other phases of the program could come along in later years, after we had accepted those contained in the President's message to Congress. In the committee's report, the following is stated:

"If reason and history were not enough to substantiate the argument against segregation, recent experiences further strengthen it. For these experiences demonstrate that segregation is an obstacle to establishing harmonious relationship among groups. They prove that where the artificial barriers which divide people and groups from one another are broken, tension and conflict begin to be replaced by cooperative effort and an environment in which civil rights can thrive."

We in the South know just how unsound this theory is. We know that the laws dealing with the separation of the races are necessary to maintain the public peace and order, where the races live side by side in large numbers. We know that they are essential to the protection of the racial integrity and purity of the white and Negro races alike. We know that their sudden removal would do great injury to the very people sought to be benefited. We also know that the solution of the racial problems of the South will follow the solution of its economic problems, and that we are making great strides in solving these problems. A little more practical help on economic lines, and a little less fallacious racial theory, would accomplish a great deal more for the improvement of the level of life and opportunity of all our people of whatever race.

The most alarming part of the President's program is the creation of a Federal police system to enforce it. The concept of a Federal police force working within the States is utterly foreign to the Constitution of the United States. Gestapo-like, its agents would rove throughout the nation; policing elections; meddling with private businesses; intervening in private lawsuits; breeding litigation; keeping the people in a state of duress and intimidation; and bringing to our people all of the potential evils of a so-called police state.
We have only recently seen in Europe how quickly liberty perishes
under such a government.

The enactment of President Truman's program would establish
precedents for Federal control of elections and ballot boxes; Federal
legislation as to crimes within the States; Federal control and super-
vision of private businesses and labor unions in purely State and local
matters; Federal punishment of those States which do not follow
the Federal command to end separation of the races, by withholding
from them their share of Federal funds collected from their taxpayers
under general tax laws; and a Federal police force to let the people
know that their lives are no longer their own, under local self-
government, but are henceforth subject to constant surveillance from
distant Washington.

We here in the South are held up for attack and abuse because
we dare to believe that a State still has rights under the Constitution.
We are insulted by the Republican Party because it has had no chance
of carrying Southern States. We are insulted by the Democratic Party
because the leaders have concluded we are always in their bag. In
fact, we are the victims of blind loyalty to the Democratic Party.

The South has kept the fires of Democracy burning when other
sections deserted the party. We have consistently kept Democrats in
Congress and held the party organization together. Without the South
the Democratic Party long ago would have ceased to function as a
major political party. We would prefer to work out our problems
within the party, if we can do so, without surrendering principles.

In every Presidential election since the War Between the States,
save one, the Democratic nominee has gone into the election with the
knowledge and assurance that he had from the South almost one-half of
the necessary electoral votes to make him President.

In return for this unswerving loyalty and devotion, we of the
South have asked little. We have stood by the Democratic Party, and we
expected the Democratic Party to stand by us in preserving our
institutions and customs, which are absolutely essential to peaceful
living in our section and to the continued development and progress
of the South. Never did we dream that a Democratic President would
stab us in the back, and in one fell swoop seek to impose Federal laws
as detrimental to the South as those proposed in the Reconstruction
period by the Republican Party. What makes the stab more humiliating
is the fact that the hand that held the dagger received its power not
from an election by the people, but from a minority which, through
pressure applied at the 1944 Democratic Convention, blocked the
nomination of a Southerner for Vice-President. We know this from
the recent book of Ed. Flynn, the Bronx political boss, who makes no
bones about his part in this political intrigue.

There are those who say, where can we go? Their point is that
the Republicans have also advocated similar measures, and we cannot go
with them. The answer is, that we can show we are no longer politically
enchained to those who have betrayed our trust. We can establish beyond
question our autonomy and self-respect, so that no one will ever again
assume that we have none. We can attest our faith in principles of
government which can never be willingly surrendered by a people who
intend to remain free and self-governing. We can sell our sound case
to the people of the Nation, Republican and Democrat alike, so that we
shall not fight alone in resisting encroachments upon our rights by
power-seeking Federal bureaucrats. We can center upon a true Democrat,
wherever he may live, perhaps an outstanding Southerner, who believes
in State sovereignty as we do, and whom we can honor and place in
history with our Electoral College votes. If the Southern States stand
together in the Electoral College, we may deprive the candidates of the
major political parties of a majority. We may thereby throw the election
into the House of Representatives, where each State has one vote and an
equal influence on the outcome. In that event we might possibly succeed
in electing our candidate to the office of President of the United States.

Is the fight worth while? On principle, we can do nothing else
and still remain true to our heritage. No fight was ever won by staying
out of it. Our cause is right and just. We shall honor ourselves by
pressing it to the end. If we lose today, we shall not fail in the final
result.