Excerpts from an address by Senator Strom Thurmond (D-SC) in the Senate in opposition to H. R. 6127, the so-called Civil Rights Bill, 1957 July 11

Strom Thurmond

Follow this and additional works at: https://tigerprints.clemson.edu/strom

Materials in this collection may be protected by copyright law (Title 17, U.S. code). Use of these materials beyond the exceptions provided for in the Fair Use and Educational Use clauses of the U.S. Copyright Law may violate federal law.

For additional rights information, please contact Kirstin O'Keefe (kokeefe [at] clemson [dot] edu)

For additional information about the collections, please contact the Special Collections and Archives by phone at 864.656.3031 or via email at cuscl [at] clemson [dot] edu

Recommended Citation
Thurmond, Strom, "Excerpts from an address by Senator Strom Thurmond (D-SC) in the Senate in opposition to H. R. 6127, the so-called Civil Rights Bill, 1957 July 11" (1957). Strom Thurmond Collection, Mss100. 1531.
https://tigerprints.clemson.edu/strom/1531

For additional information about the collection, please contact the Special Collections and Archives by phone at 864.656.3031 or via email at cuscl [at] clemson [dot] edu

This Article is brought to you for free and open access by the Manuscript Collections at TigerPrints. It has been accepted for inclusion in Strom Thurmond Collection, Mss100 by an authorized administrator of TigerPrints. For more information, please contact kokeefe@clemson.edu.
Do not be deceived by the statements that the main purpose of this bill is to protect the voting rights of Negro citizens. The real purpose is to arm the federal courts with a vicious weapon to enforce race mixing.

** **

I am convinced that such a bill, if enacted into law, would eventually be applied in many ways which its authors and advocates would consider just as undesirable as I consider it now in its original intent.

** **

The American people have been the victims of a highly successful propaganda campaign. When the National Association for the Advancement of Colored People, and like organizations, first failed to get what they wanted from the Congress, they went to the Courts. Their campaign there was successful.

** **

Propaganda turned the Court from the Constitution to sociology, and pressure has brought the Senate to the point it has reached with this bill.

** **

Since the laws of the States, and existing federal laws, already adequately protect the civil rights of every person, the advocates of this bill should admit their objective. The truth is they want to go beyond the harsh decision of the Court in the school cases. That decision did not require integration of the races. What the advocates of this bill attempt to accomplish is to force integration.

** **

Mr. President, I wish it were not so, but I would not be truthful if I did not say that I believe a Saturday Evening Post writer is entirely correct in saying that the relations between the races can never be the same again in South Carolina.

Certainly, relations cannot be the same until the agitation resulting from the Court decision ends and until the Congress adopts a reasonable view of the matter. As long as the propaganda and pressure campaign continues to try to force integration of the races upon the South, there can never be a revival of the former frank and friendly relationship which existed for generations between the white and Negro races.

** **

Real civil rights and so-called civil rights should not be confused. Everybody favors human rights. But it is a fraud on the American people to pretend that human rights can long endure without constitutional restraint on the power of government.

** **

This should not be a sectional or regional matter. Devotion to the Constitution should be as important to the people of Arizona as it is to the people of Alabama; as important to the people of Montana as it is to the people of Mississippi, as important to the people of New York as it is to the people of North Carolina, as important to people yet unborn as to you and me today.

** **

There is absolutely no reason for the establishment of such a commission on civil rights. The Congress and its Committees can perform all of the investigative functions which would come within the sphere of constitutional authority. The States can do the same in matters reserved to them.
The Justice Department could stir up its own trouble, if this bill should be approved, because it would no longer be required that a party in interest sign a complaint in the civil actions contemplated. The Justice Department could instigate its own civil cases on behalf of a person who might even object to such action.

Certainly the Justice Department would need not only another Assistant Attorney General, if this bill should be approved, but also the assistance of the military forces, the use of which also is contemplated under this bill.

But, Mr. President, in the words of homely philosophy which I have heard all of my life: You can lead a horse to water, but you can't make him drink.

You can legislate and you can decree, but you can never make the people of the South give up their personal freedom, even by the use of force.

***

The most vicious device in this part of the bill is the design to deny citizens the right to trial by jury by entering a civil action against persons who should be prosecuted on a criminal charge, if they have committed any violation of the laws which protect the civil rights of every citizen. This provision of the bill would establish power for the Justice Department to secure injunctions to restrain persons the department believed to be "about to engage in any acts or practices in violation of civil rights statutes.

***

Although the bill has been advertised by its advocates as a "right to vote" measure, the need for legislation on this subject is so unnecessary as to make that claim ridiculous.

I have had a search made of the laws of all the 48 States and the right to vote is protected in each one.

***

I think it is significant that even though...the vote in 1952 was the largest cast since Reconstruction, that the Negroes claimed up to 80,000 voters -- a fourth of the total. Certainly this is clear evidence that a new federal law is not needed to guarantee anybody the right to vote in South Carolina.

***

No explanation can alter the fact that it is specifically designed as a "force bill." The result of its enactment would be to deprive the people of rights guaranteed in the Constitution and in the Bill of Rights, not to strengthen the rights of the individual.

***

Mr. President, I am sure that few American citizens realize that such existing provisions of the laws have infringed on their constitutional right to trial by jury. I am sure also that few have fully realized, as yet, that the combination of existing laws with the provisions of the so-called civil rights bill would further limit jury trials.

Under our laws, a person charged with the most heinous crime is entitled to trial by jury. Surely there is not a majority of this Senate who would deny the same right to a citizen charged with violating an injunction.

The validity of injunctions is subject to dispute and I cannot see any reasonable grounds for the claim to be made that justice would be best served by the denial of trial by jury in contempts arising out of injunctive proceedings.

***

I believe that a majority of the people of this Nation strongly support the provision of the law providing for trial by jury in contempt cases arising out of labor disputes. Certainly they would also support the extension of this provision so as not to discriminate against persons charged with contempt in cases other than labor disputes, and to provide for trial by jury to everybody.

The Senior Senator from Illinois (Douglas), who strongly advocates the consideration and passage of H.R. 6127, the so-called civil rights bill, was just as strong an advocate in 1932 of protecting persons from contempt action in labor dispute cases.

***
Mr. President, I hope the Senator from Illinois will apply the same eloquence to a plea on behalf of all our citizens. His words, "sentenced to jail, without a jury trial, by the judge who issued the original order," are just as important today as when he wrote them 25 years ago. The principle involved is the same. Situations may change, but principles remain immutable. Time does not alter the moral law.

** * *

On March 27 the Senior Senator from Mississippi introduced a bill, on which I joined him as a co-sponsor, to insure the right of trial by jury for persons charged with contempt of court. This bill would simply provide the same protection to every citizen as that now held by persons charged with contempt in labor disputes.

If the purpose of the so-called civil rights bill were really to give greater protection to individual citizens, as is claimed, then why have the sponsors refused to include the additional protection of the right of trial by jury? I believe the answer to that question is obvious.

** * *

Even an amendment to guarantee the right of trial by jury would never make this so-called civil rights measure remotely acceptable to me, but it is not necessary to pass this bill to end the present discrimination in the matter of jury trials. The Judiciary Committee could quickly report the separate bill on jury trial in contempt cases, if there is a great desire in this Senate today to enact a real civil rights bill which is within the constitutional power of the Congress.

** * *

My people do not intend to submit meekly to what they know to be unnecessary and unconstitutional.

** * *

Urgency of action will not attain the results sought by the sponsors of this legislation. Understanding should replace urgency in this matter.

** * *

Mr. President, I urge against the further consideration of this bill. I urge against bringing upon the people of this Nation the results which would be sure to ensue.

** * *

END