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Radio script for Senator Thurmond's weekly broadcast on the subject of judicial usurpation of power, recorded 1957 February 14

Strom Thurmond
MY FRIENDS AND FELLOW CITIZENS:

During the past few years there have been many instances of Federal usurpation of power and other attempts to usurp power rightfully belonging to the States. The growing trend of the branches of the Federal Government to encroach on the rights of the States is a matter which has caused me great concern. The latest attempted encroachment by the Federal Judiciary has taken place at Norfolk, Virginia.

Federal District Judge Walter Hoffman has set a deadline for the Norfolk School Board to integrate the schools in that city. He implied that he would take action to prevent the Governor and the Virginia Legislature from cutting off funds to integrated schools.

I do not know what was in the mind of Judge Hoffman when he declared that the Federal Court would give "complete protection" to the Norfolk School Board if it defies the Governor of Virginia and the Legislature to carry out the integration order issued by the Judge.

Regardless of what he had in mind, his statement is a threat and an attempt to intimidate the Governor and the Legislature. Any effort on the part of Judge Hoffman, or any other Judge, to carry out such a threat would be in violation of the Constitution.

I believe the Tenth Amendment to the Constitution covers the question. It provides:
"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Nowhere in the Constitution is any authority delegated over the public schools. In fact, the subject of education is not even mentioned in the Constitution. Furthermore, the people have not delegated or yielded the power of their legislatures to make or not to make appropriations, whether for the public schools or for any other proper function of the States.

I would be interested to know just what Judge Hoffman intends to do if the Governor of Virginia and the Legislature refuse to help the Norfolk School Board comply with his order. I am confident the Governor and the Legislature will not yield to this attempted usurpation of State authority.

The people of the sovereign States have not delegated to any Federal Judge the power to direct how State funds shall be spent.

Here in Washington other attempts are being made to invade the legal territory of the States. Both in the Senate and the House of Representatives hearings are being held in the Judiciary Committees on the so-called civil rights bills.

I requested the Chairman of the House Judiciary Committee to schedule me to testify against the bill on February 26. He has notified me that I will be heard that day at 10 o'clock in the morning. I also plan to testify before the Senate Judiciary subcommittee which is handling this proposed legislation.
It is difficult to tell what the outcome will be, but I shall do everything in my power to prevent the passage of these so-called civil rights bills.

This past week Mr. Benson, the Secretary of Agriculture, announced that the support price for loans on cotton was being reduced from $82^{1/2}$ percent to 77 percent of parity. I immediately telegraphed him again, urging that he reconsider his action and increase instead of reduce the price support level.

I also introduced a bill in the Senate to fix support prices permanently on the basic farm commodities at 90 percent of parity. When so many other citizens in other fields of employment are receiving guaranteed increases in their incomes each year, I feel that the farmers deserve greater consideration than they have been receiving.

This is Strom Thurmond in Washington. Thank you for listening and this station for making this time available each week.

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