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Guest (s): Rep. L. Mendel Rivers (D-SC) and Rep. Dale Alford (D-AR)

Title: Civil Rights Legislation

Note: Questions were paraphrased and/or shortened by the transcriber. For the exact question, please consult the audiotapes.

Morphew: Introductions...to rivers...some recent hearings on civil rights...what is your observation on whether any of these proposed bills will advance the cause of genuine civil rights?

Rivers: You mean, the South destruction bills, designed to destroy our people, our country? On the fourteenth of April, I introduced our government to the Seller committee. Seller, as you know is that great conservative from Brooklyn, the place where the principles jump out the windows in the schools and policemen patrol the cars for juvenile delinquents and not civil rights, you know, you understand...that's the same fellow. And I introduced my governor to the Seller Committee, that's the committee which I refer to as 'Seller Stacked Against the South Committee' and I reminded Mr. Seller in no uncertain terms that his committee on the judiciary contained twenty-one Democrats, eight of these Democrats came from south of the Mason and Dixon line. On Seller's subcommittee on so-called civil rights, not a single Democrat south of the Mason-Dixon line was on his committee, only members were a part of that committee who were approved by the NAACP and the other left-wing, left-thinking, left-out people in America and I told Seller then and there that his committee was stacked against the South, this decision was made, its mind made up, the South was hanged, drawn and quartered and we were going to appear despite the fact that old Seller had made up his mind and his entire committee. He said, I don't like it. I said, well, I don't know how long you're going to live but you've got a long time to get used to it, and I said that on the record, verbatim, as John Rankin used to say, punctuatum and literatum. And as he pushed me, I said, we'll jump at 'em. So that was what I said, Dick. He was mad about this civil rights proposition and they're determined to destroy us. I won't take anymore of your time, but let's hear from ole Dale now about what he thinks about it.

Morphew: I was going to ask Dr. Alford, I know he made a statement...can you give some highlights about your testimony?

Alford: Yes, I appeared before them briefly, Dick, just recently, and I think the main point that I made was that the constitution was the law of the land and that any edict or opinion by any member of the Supreme Court themselves was certainly not the law of the land. I mentioned at that time that what they are now proposing in these civil rights measures are violating, first of all, the Ninth Amendment. I think as this distinguished member of the bar from Texas has stated that the Ninth Amendment is indeed the forgotten amendment. This amendment reads, 'The enumeration in the constitution of certain rights shall not be construed to deny or disparage other retained by the people.' These measures would also violate the Tenth Amendment, as most of us are familiar with this amendment which states that 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. I made the point before the subcommittee of the judiciary that these measures can be likened to a sword with two edges, for where in one instance one edge may serve a specific purpose, the opposite edge in another instance could indeed be used against the wielder. In our beloved country, Dick, the people are sovereign, and in my opinion we should return to the doctrines propounded by the founding fathers of this country that the opinions of members of a court are, in this instance certainly the Supreme Court, do not make the law of the land. The constitution is the law of the land. Members of Congress are the representatives of their people, and the only way the people have of expressing their opinions is through the members of Congress. I represent, as my distinguished colleague, Congressman Rivers of South Carolina does, the opinion of the majority of the people in my district. The majority opinion of the people of my district has been shown on numerous occasions through their voting records that they are almost unanimously I would say, certainly ninety some odd percent, opposed to the present actions of the members of the Supreme Court of the United States. And so I would say that the point that I really made and want to stress here before we go any further that the great moral issue today is not segregation versus integration in the schools. It is instead the issue of the sovereign people and their constitution versus defaulting public trustees as oath breaking usurpers. In other words, the question is, to you and Congressman Rivers, shall the people and their state government defend their constitutional rights or bow down before an anti-constitution elite enforcing rule by man. Shall we have limited government and rule by law under the constitution or are usurpers supreme with unlimited power. The point really is, shall the republic endure or shall we allow its destruction by the weapon customarily used to this end: usurpation as stated by the beloved father of our country, George Washington.

Morphew: To Rivers...

Rivers: Dick, no one could be more eloquent than Dr. Alford. We have cited time and time again, John Bell Williams who is here with us on this occasion, and all of us have on many occasions cited to them on the judiciary committee and on the floor, the Ninth Amendment to the constitution, the Tenth Amendment, the final in the Bill of Rights, and the Fourteenth Amendment which was illegally adopted. We have even lived under the Fourteenth Amendment. And we have cited to them numerous occasions of the usurpation by this judicial oligarchy we have over in the Supreme Court. They don't care about that. We have never heard Seller and his judiciary committee ever get up on the

floor of the House of Representatives and lament the fact that the Supreme Court exceeded its authority in the Steve Nelson case, in the Mallory case, in the case where they abolished the state of California and of New Mexico where they compelled to put a communist as a member of the bar, taking away these states' rights. Never have they raised their voices. They are not interested in that. They are not interested in these goon tactics of the labor barons in the coal strike in Wisconsin where they've had a strike up there for five year or four years, people's houses bashed in, their heads bashed in, people killed. They're not interested in that civil right. All they're interested in is the civil rights, so to speak, of making the white people of the South accept integration, mongrelization and destruction of states rights. That's all they are interested in. Now, Dick, as Dr. Alford has said, there's a basic question here, is the Supreme Court going to run this country or is the Congress? In the school case, a case which has caused us so much trouble, only one authority was cited and that was the socialist from Sweden, Gunnar Myrdal, and they cited him as the only authority for the justification of the school decision.

Alford: Mr. Rivers, I would like to point out, Mendel, I would like to point out to you there, relative to Myrdal there, I know that Congressman Rivers knows about it, Dick, but for sake of emphasis here, that on page 11 of his, shall we say, infamous book entitled the American Dilemma, on page 11, this man who was quoted as an authority by the Supreme Court of the United States...

Rivers: A unanimous Supreme Court...

Alford: A unanimous opinion of the Supreme Court of the United States...This man states, in effect, that the Congress, that the constitution of the United States is outdated and outmoded and in fact, that we should have a new constitution.

Rivers: That's exactly right and it did not serve the purposes of all the people and it should be revised. I'm glad you said that, I was coming to that, but with your eloquence you did much better than I, and that's authority which they cited and that's why I don't have any respect for the Supreme Court of the United States as it is now constituted and the tragic thing is, Dale, the rank and file of the people on the streets of America don't have any respect for them. I can understand why the lawyers don't, and the men who are educated in higher aspects and concepts of our government, but when you get the man on the street worried about it, that's a dangerous thing, and the people are worried about it and that Supreme Court cannot, must not, continue on its onward journey for the destruction of this country as we know it. Thank you, Dick.

Morphew: To Alford...any concluding words?

Alford: Well, I think that one thing we should point out here, in the famous Dred Scott case in 1856, the Supreme Court declared that sympathy for the slaves even could not justify the Court saying the constitution means something different from what it was originally intended to mean by the framers and adopters of the constitution. Likewise today, the prohibition against the federal government's having power to control education schools, if you please, so as to be able to decree and enforce so-called integration of the

schools under the constitution as amended, as defined initially by the Supreme Court in this respect, must be upheld. The federal government's having power to uphold this, we must uphold the constitution is what I'm trying to say, and that is that all morality requires this, that we are passing certain laws in our state governments, and I'm in favor of these since time is of the essence, but some way along the line, we must roll back to the original meaning of the framers and adopters of the constitution and adhere strictly to the constitution and not to the mere opinions of socialists who may happen to serve on the Supreme Court.