

Mississippi State University Libraries  
Special Collections Department, Manuscripts Division

Citizen's Council Radio Forums  
Acc. No. 597  
Stephanie Rolph Transcripts Addition

Audiotape ID number:

Date:

Guest (s):

Title:

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

6518 – Constitutional Governments and States Rights

Guest: Senator Strom Thurmond (R-SC)

Morphew: Introduction...for many years you have been one of the leading advocates of the states rights theory of government...what's happening to states rights and the constitutional form of government today?

Thurmond: Well, it's very frustrating, what is happening now in Washington. When the constitution was written the framers had in mind providing a government which would preserve to the people the greatest measure of freedom. In doing that they had two cardinal principles in mind. One was they would establish a tripartite system. That is, a legislative branch known as a Congress to make the law, an executive branch headed by the president to administer the law and a judicial branch headed by the Supreme Court to interpret the law. Each was to be a check and a balance on the other. The Congress could pass a law but the president could veto it. Then, two-thirds of both parties would be required to override a veto. The executive branch, the president, could appoint a cabinet member or a judge or the head of a government agency, but the Senate had to confirm him and if he were not confirmed he could not serve. A few years ago, Mr. Truman seized the steel mills. The Supreme Court struck down his actions and said, you cannot take private property without due process of law. So, each branch was supposed to be a check and a balance on the other. Then the second cardinal principle embodied in the constitution is that only certain restricted, limited powers were delegated to the national government, to the union, to the federal government, and all other rights were reserved to the states. National defense was delegated. Interstate commerce was delegated. Foreign affairs was delegated, post office...custom duties and so on. But the list is contained on one page. Article I, Section 8, of the constitution contains the powers given to the federal government, to the Congress, and that's all the power the federal government has, except the 24 Amendments adopted since the adoption of the constitution. So here we have a structure of government designed to provide the greatest measure of freedom and it has

done so down through the years but within the past 20 to 30 years we have been building up more power in the central government. We have been taking away the power of the states and bringing it to Washington. Well, history teaches us that wherever there is too much power at any one level of government tyranny results to the people, and therefore, those who wrote the constitution were trying to prohibit that, they were trying to prevent that. And if the constitution were followed today then we would not have the tyranny that can and will result to our people if we keep on building up more power in Washington. There's only so much power, Dick. It's a question of whether you're going to leave it with the people and with the states where the constitution put it or whether you're going to bring it to Washington.

Morphew: This pyramiding of power in Washington, are you saying that it's destructive of the checks and balances that were built into our federal government?

Thurmond: It certainly is destructive of it, and it's destructive of personal freedom, too, because personal freedom is preserved best when we preserve the rights of the states.

Morphew: There are three fields that best illustrate these trends...education, elections, and law enforcement...let's take education...in recent years what has the federal government done to centralize it's control over the education process?

Thurmond: Well, the federal government has only entered certain specialized fields, but this year the federal government has gone, under the theory of poverty and helping underprivileged families, has gone into the general field of education. I want to say, Dick, there's no authority to go into the field of education. The word 'education' itself is not even found in the United States constitution. The field of education has never been delegated to Washington. Therefore, the field of education is reserved to the states and the local school districts and there's where it ought to remain. But Congress this year has passed a law going into the general field of education. I regret this very much. Eventually, in my opinion, it's going to lead to federal control of education and that will be a most dangerous thing.

Morphew: So in other words, if the federal government is putting billions of dollars into an educational program, it's only logical that it would expect to control this system like textbooks, courses, teachers...is this what you feel will follow?

Thurmond: I think that will follow because federal control follows federal aid just as a night follows a day. And I look for the federal government to rewrite history books. I look for them to prescribe curricula in general within a few years. I look for the federal government to be dictating policies with regard to the employment of teachers and discharge of teachers. I look for the federal government to have snoopers and supervisors around the schools of this nation and then taking action to put into effect the policies it has in mind. And it will be more than just controlling the curriculum even. It is going to control the social customs, in fact, it is now, ordering schools to integrate which is a social custom, or it will cut off funds. All over this nation today, money that is due school districts on account of impacted area and which obligation was incurred even before this

bill was passed are now being affected by the civil rights bill passed last year. People thought it wouldn't go into effect until next school session but they are now applying it to this school session. So they are going to control education, curricula, social customs. It's again taking more power to Washington and taking freedom away from the people and taking the right reserved to the states away from them.

Morphew: Field of law enforcement...in what way has the federal government exercised its power over law enforcement in this nation?

Thurmond: Well, we now have the FBI at the federal level. This is purely an investigative agency. Mr. J. Edgar Hoover objects to it being made a police agency, but there are those today who are contending that the FBI should [be] converted to a police agency. I hope that this will not be done. I hope that it will remain an investigative agency. But if it is converted to a police agency then the people of this nation can look for federal policemen around every town, every city, and every little community, snooping into the businesses of the people and supervising the lives of the people of this nation. You can readily understand how tyranny can result to the people if the federal government enters full fledged the field of law enforcement.

Morphew: Elections...the voter legislation which is now under consideration...you would consider that another example would you not?

Thurmond: That is correct. The constitution leaves to the states the matter of fixing voter qualifications but the federal government now, if it passes the so-called voting rights bill, will destroy that. Article I, Section 2 of the constitution provides that the states may fix voter qualifications and that's where it should remain. This voting rights bill before the Congress can completely destroy that.

Morphew: To our friends from all over the nation who are tuned to this program, I know many people outside of the states that would be affected by this legislation are wondering why they should be concerned about this

Thurmond: Well, I think that every citizen should be concerned about maintaining and upholding and preserving the constitution of the United States. If the president of the United States can wiggle and waggle the constitution around for political ends this time, some other person can do the same thing in the future. And whereas it may apply to the South this time, it can apply to the North or the East or the West in the future.

Morphew: What does the future hold? Do you think these trends will continue or how can they be reversed?

Thurmond: Well, these trends are continuing right now and I think public opinion over this nation has got to be aroused to the point that it will demand that such cease. Otherwise, all of the power will be brought to Washington. The states and the people will no longer maintain that power which is now reserved to them in the constitution of the United States.

Morphew: Some have said that conformity is what we need...the vast improvements made in the speed of travel from one part of the country to another, the spontaneous communications made between all parts of the country, mean that we should become more uniform...the contrary point is that the greatness of America is found in its diversity, that it's because people in different parts of the country are able to act in different ways to their own problems that this country has been the greatest nation on earth...which of these views would you endorse?

Thurmond: Well, I'm certainly opposed to the conformity idea. The thing that has made our nation great has been personal freedom. You can't have conformity and have personal freedom. Our constitution is responsible for the greatness of this nation. I have seen people in Europe just as smart as the people in the United States. I have visited Africa and seen land just as fertile as, more so than the land in the United States. Many countries in Asia and Africa and Europe have many great natural resources but the thing that has made this country great is the constitution. This constitution allows people to work in an atmosphere of freedom. This constitution, which allows incentive to operate; this constitution where people have personal freedom and they can develop their talents and go as high as their talents permit them and not live in a regimented economy and not live in a country where people are required to conform to a party line or to a government line. In my opinion, it will be the greatest mistake in the world to try to conform to the people of this nation to any one line, a party line or a government line or an administration line or a Lyndon B. Johnson line or any other line. I think the people have got to maintain their freedom because we destroy the incentive if we don't do that. And it has been this that has made America the greatest nation on the face of earth. We have become the richest, the mightiest, the most powerful nation the world has ever known and I think it's been because of our constitutional form of government which has given us this freedom which has encouraged incentive and initiative and enabled our people to accomplish so much.