

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.

6406 – Civil Rights Proposal

Guest: Senator Strom Thurmond (D-SC)

Morphew: Introduction...last week we were discussing the 2 most important issues before Congress, the civil rights proposals and overturning the recent SC prayer in school decisions...last week we devoted most of our discussion to the prayer decisions and the necessity to restoring God to America's daily life...this week I'd like to get into the civil rights proposal if we can

Thurmond: Well, I'm glad to be with you, Dick, and I'll be pleased to discuss those with you.

Morphew: What are your concerns about this legislation?

Thurmond: Well, Dick, this so-called civil rights bill is a power grab. It's not a civil rights bill. Everybody believes in civil rights, true civil rights, but not the kind of civil rights that the Congress has had presented to it here in recent years and over which there is so much agitation. Now, for instance, this bill that's before us now has a number of parts that I might discuss with you a little bit. First is the section about voting and there's a provision that provides that temporary registrars can be appointed by the federal government to register people. This means your local board of registration would go out of the window, they'll lose their powers under the state laws. The federal government would take that over. I can foresee a great danger here because if you had an attorney general who was so minded to do so why he could appoint someone who would register a lot of people here who are not qualified, allow 'em to vote and those additional votes might be enough to turn an election and then later it might be, when it's carefully scrutinized, found out that they were really not entitled to vote, yet your election is over and it's very difficult sometimes to upset an election. And so, I think that's a very dangerous provision. It gives the federal government more power to control the elections

because this not only gives them the power to register people, but it gives 'em the power to see that the votes are cast and the votes are counted which means they are going to be right there controlling that election. Now, another provision under the voting, it's been suggested that a person with a sixth-grade education is presumed to have enough literacy to vote. Well, most people with a sixth-grade education do have enough literacy to vote probably, if they have other qualifications, but that's not the law, that's not the constitution. The constitution of the United States says that any person can vote in a federal election who is qualified to vote for the most numerous branch of the state legislature. That means your House of Representatives. So the constitution of the United States fixes that qualification and makes it the same qualification as one voting for the House of Representatives in a state. Now, when we come along and Congress attempts to pass a law, or should pass a law, and say that anyone who has a sixth-grade education can vote, that's a direct violation of the constitution of the United States. It runs right in the face of the constitution and so, I really don't think that the Congress should attempt to do this. For years and years, the Congress attempted to repeal the poll tax as a prerequisite to voting, but they never were able to do so. Finally, a constitutional amendment was submitted and that was the proper way to go about it. Although I oppose it, if it were to be done, that was the proper way to do it. And if they're going to make a sixth-grade education the requirement for voting and the qualification for voting, the proper way would be to submit a constitutional amendment. Now, another provision in this civil rights bill is about education. This bill would allow the attorney general of the United States, upon the petition of any student or any parent or even on his own initiative, to bring a suit against any school board or college board to bring about desegregation, or if the attorney general feels that in his judgment desegregation can be furthered by bring such a suit. Now, to my mind, this is entirely too much power for any one man, especially some attorney general's. Now, it's my feeling that the government should not be a litigant. The government should not participate on one side or the other. The government should be neutral. And if a person wants to bring a suit, he has a right to do it, but I don't think the attorney general of the United States should take the part of any one litigant. I think each man ought to have to bring his own suit, but why should the government have to be the lawyer for any one litigant to bring about desegregation or in other matters.

Morphew: Many people around the country have been led to believe through years of past discussion that anything with the civil rights label on it, such as the measures now being considered, will apply only to the South and they don't really feel any concern for them...do you feel that this is actually the case or will this proposed legislation have an effect elsewhere?

Thurmond: Well, Dick, I don't think there's any doubt about that these civil rights proposals are aimed at the South, but these so-called civil rights proposals are going to apply everywhere. They are going to affect every citizen in this nation, and if we have time today, I'll go ahead a little further and explain some of the ways in which it will affect them. Now, under this field of education, it's suggested here that aid be given to schools that desegregate, that they be given technical or financial aid. Now, this is simply a bribe to a school district to desegregate. I think people of the South and the people of

other sections have enough principle about 'em not to take a little money to change their principles if they feel that another way of life is better.

Morphew: For some Northern cities some of this aid could be used to hire buses to take children across town to ten different schools, couldn't it?

Thurmond: That's right, in other words, to haul the children from one section of the city to another. And incidentally, this is causing a lot of repercussions in the North because I have talked to a great many people and they are bitterly opposing this, and I believe sooner or later that the politicians who are trying to force this on the people are going to regret that they are doing this.

Morphew: Probably every American has directly or indirectly some financial relationship with the federal government today...the vast majority of working people are covered by social security programs, for example, veterans have their own special programs, farmers and businessmen are involved with federal agencies...would this proposed legislation affect any of these things?

Thurmond: I was just coming to that point, and you are absolutely right. In other words, there's one provision here that would deny federal aid to any state, any school district, any political subdivision, or any individual even, within a state. You take a veteran who served his country in time of war and maybe lost both legs, completely disabled. Well, if there's so-called discrimination there, the federal government under these bills will have the power to hold the hammer over the head of that state and say that no veteran of that state can draw any aid for disability who fought for his country in time of war. It would permit the federal government to hold the hammer over the head of every citizen who has retired on Social Security and say, no one can draw any Social Security retirement. It will hold the hammer over the head of every bank and every institution that does business with the government in any way, shape, or form. And of course, that means that banks that have Federal Deposit Insurance, and just about all of them do now, savings and loan associations which are insured by an agency of the federal government and every depositor of those banks, where there's any discrimination of any kind, would be affected by this bill. Houses, federally insured housing, whether it's veteran housing or FHA or whatnot, they would all be affected. It simply means that practically every citizen would be affected by this so-called civil rights bill.

Morphew: And a group of bureaucrats would determine whether there was discrimination

Thurmond: That's right. Bureaucrats in Washington would make the decision. It's not left down at the state level. And as you say, if they charge you with it, they could force you in court and put you to the expense of a lawsuit and cause you a lot of waste of time and trouble and expense. Now, another provision is the so-called public accommodations. They should call that invasion of private rights because the constitution provides that no person shall be deprived of life, liberty, or property without due process of law. Well, in my judgment, when you tell a man that he has to serve somebody on his own private property if he doesn't want to, that's an invasion of his private rights. For instance, if you

walk down the street and pass three barber shops and go into the fourth, you are making a choice. Why shouldn't that barber be allowed to make a choice, too, of who he wants to serve? And simply because they have a license from the city to do business, there's no reason in the world to say that that man, that he's got to sell to somebody or serve somebody he doesn't want to. And incidentally, Congress passed a law like this in 1875, a law that's almost identical with the law now being proposed, and in 1883, Dick, this law was tested in the Supreme Court of the United States and they declared it unconstitutional, void, and invalid, and the present Supreme Court is bound by that decision unless they don't follow stare deices, that is, follow the previous decisions. Now, of course, this present Supreme Court, you can't tell what they'll do, and they may not follow those old decisions, but the point is a law similar to this has already been construed as being unconstitutional and I think it's going to set a terrible precedent when people who own private property are going to have their property so regulated and so controlled that a man can't use that property any way that he desires to.