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Citizen's Council Radio Forums
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Guest (s): Representative Noah M. Mason (R-IL)

Title: Little Rock Incident, Use of Federal Troops

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

NEW INTRODUCTION: THIS IS THE CITIZENS' COUNCIL FORUM. THE AMERICAN VIEWPOINT WITH A SOUTHERN ACCENT, PRESENTED BY THE CITIZENS' COUNCILS OF AMERICA, ON BEHALF OF AFFILIATED STATE ORGANIZATIONS THROUGHOUT THE SOUTH.

DIXIE...

THE CITIZENS' COUNCILS ARE DEDICATED TO STATES' RIGHTS AND RACIAL INTEGRITY, TO INDIVIDUAL LIBERTY AND TO RACE RELATIONS BASED ON COMMON SENSE NOT ON THE POWER POLITICS OF LEFT WIND PRESSURE GROUPS. THE CITIZENS' COUNCILS ARE PRIMARILY A MEANS OF MOBILIZING PUBLIC OPINION. INFORMED PEOPLE WILL NOT SURRENDER THEIR FREEDOM.

Morphew: Hello...another special report from Washington...intro of Mason, 22nd year in House, one of the leading advocates of constitutional government...what do you think of Eisenhower's order of sending federal troops to enforce the SC decision?

Mason: I think he not only exceeded his authority but went entirely contrary to the constitution of the United States. There's not one word in the constitution which gives the president or the federal government any right to subsidize, to aid or to meddle in any way with the schools of the nation. In fact, the Tenth Amendment says that they shall not do that. The Tenth Amendment says that those powers not given to the federal government in the constitution and not forbidden to the states shall reside in the states and the people thereof.

Morphew: And that includes the power and the right to operate the public schools.

Mason: That's right. And then there is another reason why he couldn't or shouldn't have sent troops. The constitution says no troops should be sent into a state unless requested by

the governor or the legislature. And then there's another reason why he shouldn't have sent troops: the court's decisions, any court decision shall be implemented or enforced by a U.S. Marshall and his deputies and not by troops.

Morphew: How is that more protest has not been raised to the sending of the troops?

Mason: Well, I don't know why. I certainly made protests myself and I know several others that did. I suppose the reason is that people don't question the action of the president and that they get at least the court decisions mixed with the law of the land and the United States constitution.

Morphew: You're one of the few northern, republican congressmen to receive a commendation from a southern legislature in recent years. The Georgia house commended you for some speeches you made.

Mason: They were kind enough to commend me by a resolution for certain speeches I have made in support of the constitution and constitutional governments and in support of states rights.

Morphew: Do you feel that there has recently been a propaganda campaign directed at the south to convince it to accept recent SC decisions?

Mason: Yes, I do, and I think it's time that that propaganda, and that's all it is, should be contradicted and counteracted by definite statements from people in authority that it is not the thing we should be following.

Morphew: One of the techniques in propaganda is to find a catch phrase and in this case, it is in this case that the SC decision is the law of the land. Will you give us your take on this?

Mason: The Supreme Court's decision is not the law of the land. The Supreme Court is simply to interpret what is the law of the land. And since, well since 1937 when President Roosevelt tried to pack the Supreme Court in order to get the kind of decisions he wanted and failed, he and the presidents following him, both Truman and Eisenhower, have continually tried and succeeding stacking, is the way I express it, stacking the Supreme Court, so that they now, the members of the Supreme Court follow predilections that they have, social economic, rather than the precedents established, legal precedents and the constitutional provisions.

Morphew: Before Black Monday can you recall any decisions in which the SC cited a sociologist in handing down a decision?

Mason: No, and I was so surprised that when that decision was handed out, basing their decision on a sociologist and the book written by a sociologist and quoting from that book which had nothing to do with our constitution or any laws passed by the Congress.

Morphew: In fact, in Gunnar Myrdal's book, an American Dillema, he expressed the opinion that the constitution was a rather old and enfeebled and outdated, didn't he?

Mason: Yes he did and of course some of the members of the Supreme Court, Earl Warren in particular, believes that way and that dominates and guides their decisions today.

Morphew: Other court decisions in labor relations...examples?

Mason: Yes, in a recent decision on labor management, the Supreme Court ruled that the government could compel management or the union to abandon certain contract terms even those terms where fair and lawful and have been agreed upon. In this particular case, the management had insisted upon a no strike clause until after a 30 day period of negotiation and then only after a secret vote. And the Supreme Court ruled that that should be eliminated from the agreed upon contract.

Morphew: So the court has said that it, and not labor or management, can decide what the terms of contract are?

Mason: And that, as David Laurens (?) and I quote, "Both labor unions and management have cause for concern now that a new element of government coercion has been injected by the Supreme Court into the collective bargaining process." And if that isn't something for both labor and management to take seriously, I don't know what is.

Morphew: What do you hear from your constituents? Are they concerned about these recent court decisions?

Mason: Yes, they are. They're seriously concerned and perhaps I've had a little to do with it because I've been preaching my doctrine to them on the constitutional rights, states rights, for the last 20 years and maybe that's had a little impression upon them.

Morphew: Glad to hear that...is the public recognizing this as the serious problem that it is?

Mason: I think it is, and I think also that it's more than past time that it should for the northern people to feel in general that segregation and such problems as a southern problem and not anything to do with them I think is very shortsighted on their part. And the sooner all sections of this nation wake up to what's being done to them by the Supreme Court as it's now constituted, the sooner we'll be able to perhaps correct that decision and that method.

Morphew: Pattern of subversion in reaching the goals of these left-wing groups? Agree?

Mason: I do and I can quote a definite case in which it has shown the pattern. It is in connection with the Pennsylvania case of Steve Nelson. He was convicted of subversive action under the state laws and sentenced to prison. The Supreme Court reviewed the

case, absolutely changed the case entirely and freed the man on the grounds that when Congress passed the Smith Act covering subversion, it preempted the field and from that time no state could act under its own authority. Well, there were 32 states that had laws in this connection and the Supreme Court's decision turned upside down these laws, made them invalid and yet in that Smith bill and I helped pass, we placed a clause in there which said, nothing in this act shall be interpreted to preempt the field of subversion or nothing in this act shall prevent the states from enforcing their own subversion laws.