

REMARKS BY SENATOR HUBERT H. HUMPHREY(D., MINN)
ON THE FLOOR OF THE SENATE OCTOBER 17, 1949
ON CIVIL RIGHTS

Mr. President, in my judgment reasonable men must agree that in its first session the 81st Congress adequately met several tests of its responsibility. We have taken notable steps to safeguard the social and economic welfare of our own people. We have kept faith with the rest of the free world by continuing our program of political and economic aid and supplementing them with necessary military aid. But we have fallen short on several scores, Mr. President, and I wish to speak for a few moments about our most monumental failure. I refer to our failure to act against racial and religious discrimination and the denial of civil rights to millions of our people.

While the world looks to America for moral leadership, we have failed to offer it one of the most meaningful demonstrations of our belief in human dignity and the rights of the individual. The free, democratic way of life is on trial today, and again we have failed to contribute to its defense with concrete proof of our devotion to the rights of man. Civil rights is the supreme test of our integrity as a people, and again we have failed to qualify.

But the American people don't want it that way, Mr. President. They have shown that they are ready to meet the test. The American people voted for a President who meant what he said about civil rights and for a Party that had the courage to take an uncompromising stand on this most vital issue of the 20th century. If this 81st Congress had a mandate for anything, it surely had a mandate to enact the President's civil rights program.

Millions of people were electrified on a July day last year when the convention of the Democratic Party declared itself firmly and profoundly and came to grips with the problem of civil rights. That convention came out unequivocally in support of its leader, the President of the United States, and in support of his civil rights program. That convention urged immediate action of four specific proposals:

- (1) The right of equal treatment in the Armed Forces;
- (2) On legislation to abolish the anti-poll tax;
- (3) On a meaningful and effective anti-lynching bill; and
- (4) For fair employment practice legislation.

That was an historic convention, and the election which followed was an historic event in American history. With that convention the Democratic Party set itself again as the party of the people and for the liberties and the freedom which distinguishes our democracy from foreign bigotry-ridden prejudiced totalitarian

nations. The American people voted for the Democratic Party and for a Democratic president and for the Democratic platform.

With all the forward looking strides in social and progressive legislation which the 81st Congress has so far taken, the Congress of the United States has failed in its responsibility to enact civil rights legislation. This is a profound blow to the American people and to the democratic liberties we share. I deeply regret that failure.

Many explanations have been forthcoming as to the reasons for that failure. I have no desire to make the issue of civil rights a partisan political issue. I do not want us to think as Democrats or as Republicans; more important, on this issue we must speak as Americans. I know the blame which my Party must carry from the basic division within its ranks on this question.

Lest my colleagues on the other side of the aisle feel a warm glow of self-righteousness, however, let me address them for a moment. Let me remind them of their beautiful words prior to the last election. Let me remind them of the tribute they pay to the Declaration of Independence, to the Constitution and to "the basic principles of this Republic" to "the equality of all individuals and their right to life, liberty and the pursuit of happiness". Let me remind them of their pledge for the "right of equal opportunity to work and to advance in life", and their pledge that this right "should never be limited in any individual because of race, religion, color or country of origin." That Republican platform stated "We favor the enactment and just enforcement of such federal legislation as may be necessary to maintain this right at all times in every part of this Republic." That platform went on -- "We favor the abolition of the poll tax as a requisite to voting, we are opposed to the idea of racial segregation in the Armed Forces of the United States."

Beautiful Republican words! The people of the United States, however ask "did the Republican Party mean those words?" I remind you that early this session we who were pledged to the enactment of the Administration's civil rights program tried to liberalize the Senate rules on the question of cloture.

This was the first step toward ending filibusters and clearing the road for democratic debate and voting on the issue of civil rights. You said you would help. But the rules change that finally passed -- a resolution that makes the filibuster even more secure than before -- that rules change bears the name of your distinguished floor leader, the junior Senator from Nebraska.

It would, of course, be foolish for me to overlook the opposition to these proposals within my own party. I know the objections of my Southern friends. I respect their convictions, but I am equally convinced that they are dead wrong. As liberal as many of them are on some issues, they are afflicted with a closed mind on the issue of racial discrimination. I appreciate the historical circumstances that lie at the bottom of their prejudices. If it were only a matter of prejudice, I might have a different position on this issue. As long as it remains within the workings of a man's mind, prejudice is an individual problem; and we may hope some day to wipe prejudice from the mind of America. But when prejudice becomes an overt act of unfair discrimination against a person because of his race, color or creed, it is no longer an individual's problem. When a man is denied a job only because he is a Negro, or a Jew, or a Catholic, or because he belongs to any other minority, we have a social problem - a problem for all of society, against which all the people can and must act.

Let me emphasize that the problems of discrimination are by no means confined to the South. My Southern colleagues have repeatedly pointed out - and I agree with them - that discrimination takes place in the North, too. It happens all over the country, and that is even more reason for a Federal law to protect the individual's rights everywhere in the United States.

Two years ago this month, a group of eminently qualified American men and women issued a report in their capacity as the President's Committee on Civil Rights. For two years the unpalatable facts uncovered by this Committee have been spread upon the record for all to see. Lest we forget them, let me cite some of the shameful facts this Committee reported - facts which have been a matter of official record for at least two years:

For the eleven years immediately preceding the report, there were 44 lynchings in the United States. Not a single person was given the death penalty for these crimes, and most of the guilty were not even tried in court.

The poll tax and other ballot restrictions keep millions of people from voting.

Newspaper "help wanted" ads offer jobs for which only whites or Gentiles need apply. Job seekers are forced to list their religion on application blanks.

Using any basis of comparison - expenditures, number of teachers,

length of school term -- "separate but equal" schools for Negroes and whites are really "unequal" and put the Negro at a disadvantage.

And here is one of the effects of job discrimination in plain dollars and cents: The last census showed that the median annual income for the white school graduate was \$1,454, compared to \$775 for the Negro high school graduate. Twenty-three out of every 100 white high school graduates had incomes over \$2,000. Only four out of every 100 Negro high school graduates had incomes that high. Here are Negro and white citizens with the same amount of education and training - but discrimination makes sure that the Negro citizen gets less money for his work.

These are not the only fruits of discrimination: disease, delinquency, criminality, illiteracy, social tension, poor health, and racial unrest all spring from this undemocratic practice - strange fruit in this land of freedom and opportunity.

I have heard it argued, Mr. President, that you cannot solve these problems by legislation. Education is the only way, according to the opponents of civil rights legislation. Well, I am for education; it's easy to be for education, but many of us are too willing to make it the cure for all ills. But let's remember this: racial and religious discrimination, lynching, segregation, disfranchisement of an American citizen because of his color - all of these things are morally wrong. They are truly un-American. They violate the ethics of fair play and equality that we were taught as children and which we teach our children today. Since these practices are wrong, we should make them illegal. We can make it clear that we disapprove of them and that we are putting them outside the law.

I don't deny the value of education. I say we need more education, particularly in the field of human relations. Toward that end I have introduced legislation for the creation of a Civil Rights Commission. But I say that progressive, liberal legislation that gives force to moral principles is itself educational.

The opponents of civil rights ask us to consider state's rights. I do not object to state's rights, if they are accompanied by a genuine regard for state's responsibility. More important, the time has arrived for us to get out of the shadow of state's rights and walk forthrightly into the bright sun of human rights.

For all these reasons, Mr. President, I lament our shameful failure to secure the rights of our oppressed minorities. I lament it, and so do many of my colleagues. But we have not wavered in our determination to make a fight of it - and that fight will be made. The Majority Leader has said that FEPC will be taken up "early in the next session." I congratulate my friend the distinguished majority leader for that statement. I urge in fact that not only this piece of legislation be taken up early in the next session, but that it be the first bill taken up in the second session of the 81st Congress. I urge and know that the Administration press the fight until the last filibusterer is exhausted and until a final, democratic vote has been taken. Not until such a fight has been made can this issue really be settled. And in that fight I promise our Majority Leader the support of all those who agree that we must act now to redeem ourselves in the eyes of our own people and the rest of the world.

We face one other crucial issue, but this time an executive rather than a legislative civil rights problem - the end of segregation in the Armed Forces. This issue has been skirted long enough. This so-called "racial equality policy" is in fact no such "racial equality policy" at all. It is rather a perpetuation of the same undemocratic discrimination and segregation which has patterned our Armed Forces in the past and which has done so much to alienate for us the friendship of the colored peoples of the world, now striving for a democratic way of life. This policy does not meet the objectives of our President's executive order of last year; it does not meet the principles expressed in the Democratic and Republican platforms. In fact, if I may quote from an editorial in the Washington Post for October 6, 1949; "The new policy purports to do something it does not do in fact ... segregation units in themselves frustrate the most efficient use of manpower ... the Army will continue to manufacture a Negro problem for itself so long as it employs criteria of race rather than ability anywhere along the line."

I know that the President of the United States is sincere in his objective to eliminate segregation and discrimination in the Armed Forces. I ask that his stand be strengthened as he opposes all efforts to equivocate that policy. I ask his subordinates in the executive departments to conform to that policy. I ask that we reject the apostles of delay and the counsellors of timidity.

Mr. President, America is the hope of the world. In these times of economic, political and above all spiritual crisis, we cannot and must

not evade our responsibility. Our distinguished Vice President made this obligation clear a little more than a year ago when he spoke of Thomas Jefferson. He said; "He did not proclaim that all white or black or red or yellow men are equal; that all Christians or Jewish men are equal; that all Protestants or Catholic men are equal; that all rich or poor men are equal; that all good or bad men are equal. What he declared was that all men are equal."

The totalitarian world challenges America to prove that it means what it says about human freedom and human dignity. Americans are God-fearing men and women. As Americans, we place our faith in the brotherhood of man and the fatherhood of God. As Americans, we have the responsibility - ours is the mission - for the whole two billion members of the human family to proclaim these basic religious and political truths. I know the time is near when America will fulfill that promise of a land where all men are free and equal.

We will have an opportunity to prove ourselves very early in the second session of the 81st Congress. May God give us the strength, the determination, the wisdom, to be worthy and to fulfill that responsibility.



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