

JUNE 9, 1964

BOB COAR: Today's report from Washington, the Assistant Majority Leader, Hubert H. Humphrey, has two distinguished correspondents as his guests, Mr. Andrew Glass of the New York Herald Tribune and Mr. Peter Kupa of the Baltimore Sun. Now here is Mr. Glass with the first question.

MR. GLASS: Senator, last week the Senate left the leadership and the leadership position and put a jury trial amendment in the Civil Rights Bill. Under the amendment, I believe all violators under the bill under the contempt procedure are entitled to a jury trial ~~except~~ under the voting cases that might arise from the bill. Does this damage the bill in your opinion? Can it be enforced anyway?

SENATOR HUMPHREY: _____ It was preferable from the point of view of those are responsible for handling this bill and passing it that the position that we advanced, namely our criminal contempt proceedings not involving a jury trial, that that would have been preferable. It would have given the court, I think, a more certain authority to do its job of enforcement. But ~~the~~ the amendment that was offered and voted, the 51 to 48, a very close vote, that amendment is not nearly as far-reaching or sweeping as previous amendments or others that had been offered earlier. It was sort of a middle ground again between the Mansfield-Dirksen Jury trial substitute and the original Talmadge amendment. Actually, it was a modification of what was voted down a month ago. What we have done now is to say that where voters are denied the right to register that a judge may enforce his court order without a jury trial. In all other instances

Titles II through VII, the judge if he uses criminal contempt proceedings wherein he would pose a fixed jail sentence. Now under criminal contempt cases, the Senate now has insisted on a jury trial. However, the judge can enforce his court orders through what we call civil contempt proceedings. Now these are very complicated matters, but what it means is that if a violator - take for example if a motel manager refuses to permit occupancy in a motel by a Negro the judge may issue an order against the motel operator and say that you must admit said person to your premises. If the motel operator says, 'Judge, I don't intend to do so.' All the judge does is order that man's arrest and put him in jail and when the man decides he's going to obey the order he can get out of jail. The difference between civil contempt proceedings and criminal contempt cases is quite simple. In civil contempt, the person that is accused or is thrown into jail or put into jail has the key to get out - the minute he obeys the court order he gets out. Under criminal contempt cases, he doesn't have that option. Even if he were ready to obey and he said, "Mr. Judge, I'm sorry; I didn't mean to do it and I'm going to be a good boy now." Nevertheless, the judge says you've got a 30-day prison - imprisonment - and you'll stay there 30 days. Now that's the difference. I don't think, therefore, that this amendment has substantially weakened the bill. I would say psychologically that it has some injury, but in terms of actual effect - no.

MR. KUPA: Senator, you spent weeks and months on this bill. Now what is this going to do the ~~the~~ rest of President Johnson's program - the poverty package, the food stamp plan, Appalachia. Are you going to have time to act on these before you go off to the hustings and the campaign.

SENATOR HUMPHREY: Yes, I think so. At least most of them. The truth is that once that we have passed the civil rights bill and I expect that we will pass it and I do believe that the bill will be passed very much in the form of the substitute package that we presented here a couple of weeks ago. That's the one introduced by Senators Dirksen, Mansfield, ~~and~~ Kuchel and myself - the leadership package program. That bill, I believe, will be passed. Now many people would have you believe that once we pass the bill that these problems of civil rights are more or less settled. I don't believe that at all. I do believe that what we will be doing is to establish a framework of law in which we can attempt to work out many of the legal problems involved in the abridgment of civil rights or in the denial of civil rights. But then we get down to education; we get down to attacking poverty; we get down to seeing to it that there is better housing and better economic conditions for many of the people that would be affected directly by the civil rights law. I speak, for example, about the field of education. One of the great needs today is to upgrade education, particularly for those who have been deprived of really fair and good educational opportunity. So we have a big job ahead of us. And that job is going to take time. And that job also requires that we pass a good deal of other legislation. And it also requires which I am recommending by the way and we'll do so when we complete this bill. I recommend that there be Governor's conferences held in each state. A governor calling a conference in his state to say, 'Now what can we do in this state to implement this bill?' And that there be conferences of mayors like the United States Conference of Mayors calling a general session of its membership and sitting down and saying, "Now look, here's the civil rights bill. What can we do withing the framework of that bill to bring about application of civil

rights law. But more importantly or of equal importance, what can we do to provide opportunity? What do we do to firm up education and so forth? It may very well be that the President himself will want to call a national conference on civil rights after we pass the civil rights bill to talk about the continuing problems that beset us, how we implement this law on the state and local and federal level and how we back it up by communitiy action and community support. So you see we do have a lot to do yet, Pete, in order to get things underway.

MR. KUPA: But I was talking about the legislative problems. What are you going to here in.....

SENATOR HUMPHREY: Oh, you are wondering just how we are getting along on that legislative program...

MR. KUPA: Well, you've got a lot of other things to do beside civil rights now.

SENATOR HUMPHREY: Yes, we have and thus far in the 88th Congress this Second Session we've had the - well, we finished off at the very last end of last session the Higher Education Bill, we passed the tax bill which has a great effect on the economy, the Cotton Wheat Bill which was very important for most segments of agriculture, the President has sent us down his budget, and one of the most honest and I think practical budgets that we've had. Congress seems to be respecting that budget. Then we have before us the poverty package which we will pass, get a rule on it in the House very shortly; it's out of Committee in the House. I've spoken this week to Senator McNamara who handles this bill in the Labor and Public

Welfare Committee of the Senate. He's prepared to hold hearings. I've met with Mr. Shriver. In fact, we have another meeting coming up this week. So we're going to pass the poverty package. We're going to pass the pay bill that is so vital to our civil service, particularly for the technical and administrative personnell. And we will pass the Food Stamp Bill which the House has passed, which our Senate Committee on Agriculture has made a commitment to report, a commitment to the leadership and I in turn and Senator Mansfield in his turn - we've reported to the President. And now you come to the Social Security and Medicare proposition. In that instance, I would say that that will be the big fight - the hard battle. The House will pass an extension and an expansion of social security. They maybe will want the Senate to take the first step in reference to Medicare - hospital and nursing home care under social security. The question will be how broad will this be. And at this stage, I can't say but I will make this statement. It is my view that the Congress will pass an expanded and improved social security program that will reach to millions of people. And that in that program will be some form of Medicare, some form of hospital and nursing home care paid for under the terms of social security. And once we've made that advance I think that we will have moved along right well in terms of our pledges to the people.

MR. GLASS: We seem to be witnessing quite a scramble for the Republican nomination and that leads one to suspect that perhaps the Republicans have a theory in mind of beating President Johnson in November. Do you think the President is vulnerable on issues that would bring the Republicans victory? What kind of job is he doing in your mind?

SENATOR HUMPHREY: Well this is of course the question that is being asked day after day as the Conventions approach. The Republican convention is when - in the middle of June or July?

MR. GLASS: It begins July 13th.

SENATOR HUMPHREY: It begins July 13th. That will be an exciting convention. It looks to me right now that Senator Goldwater is going to be the victor. He returned to the Senate this week looking hail and hearty. If that's the case, then there will be a good solid battle on the basis of the issues between the two parties. Because Senator Goldwater and President Johnson have their voting records. People know what they did in the Senate and of course the President now has his program before the American people. I think that President Johnson has done real well. Of course, I suppose I am a prejudiced observer. But I document my case in this sense. I notice that you men in the press report repeatedly that the President is getting along with business. Henry Ford II came out and endorsed the President. I noticed Henry Ford's daughter here with the young citizens for Johnson. Some of the top business leaders here in other areas of industry have come out for President Johnson. Labor seems to be for President Johnson. I have never seen a closer association between labor and the President than I have with Mr. Meany, for example, and Mr. Reuther, Mr. Dominsky and others with President Johnson. And the educators like him because of his strong and keen interest in education. Farmers have demonstrated in the polls that have been taken through the Midwest in particular a fondness for the President. And we passed a fairly good farm legislation - the Feed Grain Bill, the Cotton-Wheat Bill. Young people are feeling pretty good about their president. He's inaugurated this scholarship program and honor program for young students. And I think what President Johnson

has done more than anything else, gentlemen, is to unite the Nation. This is a unity ^President. He speaks of unity and he works at unity. He seeks not to pit any one group against another. The civil rights bill I think will stand up very well in terms of the President's record because here is a Sotherner that has championed the cause of civil rights as President of the United States.

MR. GLASS: Now, Senator will anyone vote for Senator Goldwater?

HHH: Yes, the two-party system seems to be in good shape. The polls now show Pres. Johnson leading by a huge majority is that once the Rep. party has made its decision as to its nominee there is a tendency for it to close down. Now I don't think they are going to come too close together. But it definitely will tighten up and we can expect a good hardhitting campaign and I look forward and I think the American people are going to learn a lot.

MR. KUPA: With Sen. Goldwater as the Rep. nominee, will civil rights become a campaign issue.

HHH: It depends on how the Sen. votes on this bill. And I suppose a man ought not to go way but on predictions but I have a feeling that by the time the c r bill is finally voted on he will vote for the bill. He won't help us on such matters as cloture. He hasn't, and he may vote for many weakening amendments. But when it comes down I expect to see that we will have it voted for the civil rights bill. Now I may be terribly wrong. But that won't prove anything. It's how you vote on the amendments that will really tell the story.

MR. GLASS: Is there a partisan difference

on the civil rights issue.

HHH: Not on the leadership basically. And I want to say that without the Republican colleagues we couldn't pass this bill - sen. Dirksen, Sen. Aiken, Sen. Kuchel, Sen. Saltonstall and others have been towers of strength. And over on the House side with Mr. McCulloch of Ohio who is the real tower of strength we wouldn't be where we are. So civil rights is not a partisan issue, its a moral issue and a national issue.



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