University of Montana ScholarWorks at University of Montana

Mike Mansfield Speeches

Mike Mansfield Papers

2-17-1964

Civil Rights Act of 1964

Mike Mansfield 1903-2001

Let us know how access to this document benefits you.

Follow this and additional works at: https://scholarworks.umt.edu/mansfield speeches

Recommended Citation

 $Mansfield, Mike~1903-2001, "Civil~Rights~Act~of~1964"~(1964). \textit{Mike Mansfield Speeches}.~552. \\ https://scholarworks.umt.edu/mansfield_speeches/552$

This Speech is brought to you for free and open access by the Mike Mansfield Papers at ScholarWorks at University of Montana. It has been accepted for inclusion in Mike Mansfield Speeches by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.

CIVIL RIGHTS ACT OF 1964

Mr. MANSFIELD. Mr. President, request that House bill 7152 be read the

The ACTING PRESIDENT pro tem-The bill will be read the first time. The legislative clerk read the bill (H.R. 7152) the first time by title, as follows:

An act (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other

Mr. MANSFIELD. Mr. President, I object to the second reading of the bill

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tem-The Senator from Montana will pore. state it.

Mr. MANSFIELD. Do I correctly understand that the second reading of the bill will not take place until an adjournment has occurred and another legislative day has happened?

The ACTING PRESIDENT pro tempt.e. The Senator from Montana is correct; that is the case, under the rule.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for the purpose of making two statements.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and the Senator from Montana is recognized.

MANSFIELD. Mr. President, Mr. the civil rights bill has now arrived from the House. In the near future, the leadership will propose to the Senate that this measure be placed on the calendar, without referral to committee, and that, subsequently, the Senate as a body proceed to its consideration.

The procedures which the leadership will follow are not usual, but neither are they unprecedented. And the reasons for unusual procedures are too well known to require elaboration.

The substance of the bill has been discussed and debated, not for a week or a month, but for years. President John-

son has prescribed for civil rights legislation an urgency second to none. Three committees of the Senate have inquired extensively into its features, during the current Congress. Two have completed work on Senate bills which dovetail with principal segments of the House legislation. Whatever any Senator may lack in understanding of the substance of the bill will, I am sure, be made up in extensive discussion on the floor of the Senate. In one respect, at least, it would appear to me that this approach is to be preferred in connection with a bill of such wide ramifications, for, in fact, the substance of the civil rights legislation falls with almost equal validity within the purview of several committees.

This consideration, together with the procedure which will be followed in bringing the bill directly from the House to the Senate as a whole, has prompted the creation of a special arrangement for the steering of the legislation on the floor of the Senate. It is my intention to have the majority whip, the able Senator from Minnesota [Mr. Hum-PHREY], together with the distinguished Senator from Washington [Mr. Magnuson], the Senator from Pennsylvania [Mr. CLARK], and the distinguished Senator from Michigan [Mr. HART], assume direct responsibility for the handling of this legislation on the floor. They will be ready to state the case for this bill and to answer the questions to which it may give rise.

Since the 1948 Democratic Convention. the Senator from Minnesota has been one of the Nation's leading advocates of Federal action in the field of civil rights; and his knowledge of this highly complex issue is as broad and deep as that of any other leader in public life today. And each of the other Senators who will work with him in this connection—the Senator from Washington [Mr. Magnuson], on public accommodations; the Senator from Pennsylvania [Mr. CLARK], on fair employment practices; and the Senator from Michigan HART], on judicial matters-is highly knowledgeable in regard to one or more aspects of this measure.

The civil rights bill, Mr. President, is in good hands, in the hands of this quadrumvirate. I have every confidence that before the debate has run its course, they will have clarified any reasonable doubts or uncertainties which any Member may have with respect to this measure. A committee or a committee chairman could do no more. They will do no

Mr. President, speaking for myself, let me say at the outset that I should have preferred it had the civil rights issue been resolved before my time as a Senator or had it not come to the floor until afterward. The Senator from Montana has no lust for conflict in connection with this matter; yet this question is one which invites conflict, for it divides It is approached not only with reason, but also with passion, by Members on both sides of the issue and on both sides of the aisle; and since the Senator from Montana holds the Members of this body on both sides of the issue and on both sides of the aisle in affection and respect, he is frank to state that he would have preferred it had the civil rights issue been resolved before his time or had it not arisen until

But, Mr. President, great public issues are not subject to our personal timetables; they do not accommodate themselves to our individual preference or convenience. They emerge in their own way and in their own time. We do not compel them; they compel us.

We look in vain if we look backward to past achievements which might spare this Senate the necessity of reaching difficult decisions on the civil rights ques-We hope in vain if we hope that this issue can be put over safely to another tomorrow, to be dealt with by another generation of Senators.

The time is now. The crossroads is here in the Senate.

To be sure, the issue will not be fully resolved by what we do today. Its resolution depends also on what is done tomorrow and on many tomorrows. Nor will the issue be fully resolved by the Senate or the Congress. Indeed, it will involve all Americans and all the institutions-public and private-which hold us as a society of diversity in one nation and it will involve all for a long time to come. In truth, it is a universal issue which, for this Nation, having begun with the Declaration of Independence and persisted through the decades will hardly dissolve in the Senate of the 88th Congress.

Nevertheless, at this moment in the Nation's history it is the Senate's time and turn.

Individually, each Senator will consult his conscience and his constituency on this issue as on any other. It is for each Senator to determine whether he is prepared to ignore, to evade, or to deny this issue or some aspect of it. The Senator from Montana will do the same.

But insofar as the majority leader is concerned he must state to the Senate that it would be a tragic error if this body as a whole were to elect the closedeyes course of inaction. That course, Mr. President, would disclose a cavalier disinterest or a legislative impotence on this issue and either would be completely inconsonant with the serious domestic situation which now confronts us.

It is bad enough to evade decision on any major proposal of any President. It is inexcusable in this issue which has drawn a curtain of uncertainty and insecurity over the entire Nation and over which blood has already run in the streets.

In these circumstances, I cannot believe that this Senate will abdicate its constitutional responsibilities. The Constitution, Mr. President, charges the Congress and the Senate as a part of itno less than the President and the courts-with the achievement of its fundamental objectives. It is our duty no less than the duty of others to share in the perfection of the unity and the maintenance of the tranquillity of all the people of the United States. It is our duty no less than the duty of others to share in securing the equity of the rights and in advancing the welfare of all the people of the United States.

• At this critical moment, the majority leader, for one, is not prepared to say to the President and to the courts: "Resolve this present manifestation of the divisive issue of civil rights as best you can. We wish you well or we wish you ill. But most of all, in the Senate, we wish no part in the process."

If the Senate were to choose such a course at this time, Mr. President—the course of evasion and dental—we would leave this body a less significant and less respected factor in the Government of the United States than it was when we entered it.

I implore the Senate, therefore, to consider deeply the consequences of such a course, not only to the Nation but also to the reputation of the Senate, as one of the great institutions upon which the Nation rests. And may I say, Mr. President, that when we have considered deeply, I do not believe that this Senate will choose the course of evasion and denial.

In so stating, Mr. President, let me make clear that I am not prejudging what the Senate ought to do or what it will do in the days, the weeks, and in the months ahead. I daresay that there are almost as many views of what ought to be done with respect to civil rights as there are Senators. That is a condition not to be deplored. Certainly, the majority leader does not deplore it. A diversity of viewpoint on significant issues is a hallmark of the Senate and of its continuing institutional validity and vitality in a dynamic nation.

In this profound issue of civil rights, we have before us the President's views and the views of the Department of Justice on civil rights. We have views from individual Members of the Senate in the form of bills introduced. We have views from Cabinet members and other personnel of the executive branch. We have an immense documentation of public and private views which has accumulated, over the years. We have, finally, the bill which the House of Representatives has brought to the highest point of perfection of which it is capable. The majority leader hopes that this measure substantially as is will prevail. But whether or not such will be the case rests with the Senate as a whole to decide.

The majority leader will do whatever he can to facilitate the process of decision in order that the Senate may reach a point of final judgment as promptly as possible. But I am compelled to remind the Senate again, as I did in the Telstar debate last year, that the Senate rules provide the majority leader with no special or unique powers. He has the same rights as any other Member of the Senate, no more, no less. He may propose. He may debate. He may cast one vote. Every other Member of this Every other Member of this body may do the same. And even as rights are equal in this body, so too are the responsibilities. The majority leader will propose in procedural matters but it will rest with the Senate to dispose. And I say in all bluntness if we are to reach a point of decision in this matter, in the last analysis, it will be not because

of what the majority leader alone does or the majority leader and the minority leader jointly do or fail to do. It will be because the whole membership is prepared to look at the world and at the Nation as it is, not as we may wish for it to be. It will be because the Members of this body are ready to face this decisive moment in the Nation's history and the Senate's history. It will be because the Members of this Senate, all the Members, on both sides of the aisle, are prepared to assume full reponsibility, along with their rights in the Senate, full responsibility for writing an honorable chapter in both histories, irrespective of what their views may be on this particular issue. We will not write that chapter, Mr. President, if we dawdle, if we evade. And we cannot write that chapter on the basis of the Senate rules. We can write it only by facing the substance of the issue itself, by debating it and by voting on it.

The majority leader has no suave parliamentary tactics by which to bring legislation to a vote. He is no expert on the rules and he is fully aware that there are many tactics which can forestall a vote. That such is the case was evident in the Telstar debate in 1962, when the brilliant parliamentary tacticians in opposition to the measure tied up the Senate for weeks. A vote on the measure came not because of the parliamentary skill of the majority leader but because Senators-two-thirds of this body-were prepared to put aside their reluctances to end discussion, their understandable reluctance to apply the cloture rule of the Senate. It was no trick, Mr. President; it was no suave tactic. It was a preponderance of the Senate rising to its responsibilities irrespective of their feelings about the particular issue involved.

Even if there were parliamentary tricks or tactics, Mr. President, the majority leader would not be inclined to employ them. I can think of nothing better designed to bring this institution into public disrepute and derision than a test of this profound and tragic issue by an exercise in parliamentary pyrotechnics. For the truth is that we will not find in the Senate rules book even the semblance of an answer to the burning questions which now confront the Nation and, hence, this Senate.

We, Mr. President, Senators would be weil advised to search, not in the Senate rules book, but in the Golden Rule for the semblance of an adequate answer to this issue.

Or let them search, if they will, in the long and tortuous history of human liberty. Let them search in the Constitution and in the documents of freedom which we have enshrined.

Let them search among the fears and the hopes of a whole people—all the American people. And let them search in the dark chasms of ignorance and arrogance which divide, and among the slender bridges of understanding and humility which unite.

Even then, Mr. President, even then the answers which we shall find will be tentative, uncertain, and inadequate. And we should delude neither ourselves nor the people of the Nation that they will be anything else. An issue of this magnitude carries the accumulated action and neglect, the accumulated achievements and failures, the accumulated commissions and omissions of generations of Americans. And it will take, for many years, the combined contribution of all the sources of reason and unity within the Nation to bring the issue to adequate resolution.

The Senate's role, then, Mr. President—this Senate's role—is neither everything nor nothing. It is the role of a leading participant, an essential and active participant in shaping the continuing process of equalizing opportunities, that all Americans may share fully in the promise of the Constitution.

We shall not fulfill that role, Mr. President, if we calculate its dimensions with the slide rule of political expediency. To act on this issue on the basis of the white or black vote, the North, the South, East, or West vote, is as illusory as it is cynical. There is no political profit for anyone in this issue. At least there is no political profit which can be realized except at the expense of the Nation's unity and welfare. If history teaches us anything, it teaches us that such profits are short lived even to those who reap them and that their heavy costs are paid, in the end, by the whole Nation.

Nor shall we fulfill the role in which we are cast at this moment in the Nation's time, if some Members choose the occasion to display an arrogance of moral righteousness. I would devoutly hope that no Senator will cast the first stone. I would devoutly hope that no Senator will assume for his State a superior enlightenment on this issue. There are stones enough to be thrown by all and targets enough for all the stones that can be thrown. There are inadequacies enough and to spare for all. There is moral perfection on this issue in none of us and in no place-North, South, East, or West-in the land.

And, so, Mr. President, as we approach this issue, I appeal to the Senate to put aside the passions, the sectionalisms, and the inertia which may plague us. I appeal to the distinguished minority leader [Mr. DIRKSEN], whose patriotism has always taken precedence over his partisanship, to join with me-and I know he will-in finding the Senate's best possible contribution at this time, to the resolution of this grave national issue. I appeal to the Senator from Vermont [Mr. AIKEN] and the Senator from Iowa [Mr. HICKENLOOPER], whose many years of outstanding and exceptional service have given them a deep perception, not only of the needs of their States but of the needs of the Nation's progress. I appeal especially to the Senators from those States where this issue is not necessarily acute at the moment, to the Senators of many of the Western and Central States. I appeal to them to provide an active and objective participation, if not in terms of the future problems of their States, then on behalf of the Senate itself and on behalf of the Nation of which their States are an inseparable part. I appeal to the Senator

from Illinois [Mr. Douglas], to the distinguished Senator from the State of Lincoln, to lend us not only of his profound convictions on human freedom but of his warm and compassionate nature to help close the wounds of division. And I appeal to the Senator from Georgia [Mr. Russell], not as the leader of any bloc, not as an outstanding legislative tactician, but as the great American and the great Senator which he is, and I beseech him to give us not only of his immense parliamentary capacity but even more of his legal wisdom and of his heart in order that this Senate will be remembered, not for what it did not do, but because of what it did for the Nation.

the Nation.

And, finally, Mr. President, I appeal to every Member of this body to bring to this issue, when it is before the Senate, all their resources of wisdom, courage, perseverance, and understanding, so that we may, with mutual restraint and in all humility, fashion a contribution to the freedom, order, and well-being of American life which is worthy of ourselves, of the Senate, and of the Nation.

and in advancing the welfare of all the people of the United States.

• At this critical moment, the majority leader, for one, is not prepared to say to the President and to the courts: "Resolve this present manifestation of the divisive issue of civil rights as best you can. We wish you well or we wish you ill. But most of all, in the Senate, we wish no part in the process."

If the Senate were to choose such a course at this time, Mr. President—the course of evasion and denial—we would leave this body a less significant and less respected factor in the Government of the United States than it was when we entered it.

I implore the Senate, therefore, to consider deeply the consequences of such a course, not only to the Nation but also to the reputation of the Senate, as one of the great institutions upon which the Nation rests. And may I say, Mr. President, that when we have considered deeply, I do not believe that this Senate will choose the course of evasion and denial.

In so stating, Mr. President, let me make clear that I am not prejudging what the Senate ought to do or what it will do in the days, the weeks, and in the months ahead. I daresay that there are almost as many views of what ought to be done with respect to civil rights as there are Senators. That is a condition not to be deplored. Certainly, the majority leader does not deplore it. A diversity of viewpoint on significant issues is a hallmark of the Senate and of its continuing institutional validity and vitality in a dynamic nation.

In this profound issue of civil rights, we have before us the President's views and the views of the Department of Justice on civil rights. We have views from individual Members of the Senate in the form of bills introduced. We have views from Cabinet members and other personnel of the executive branch. We have an immense documentation of public and private views which has accumulated, over the years. We have, finally, the bill which the House of Representatives has brought to the highest point of perfection of which it is capable. The majority leader hopes that this measure substantially as is will prevail. But whether or not such will be the case rests with the Senate as a whole to decide.

The majority leader will do whatever he can to facilitate the process of decision in order that the Senate may reach a point of final judgment as promptly as possible. But I am compelled to remind the Senate again, as I did in the Telstar debate last year, that the Senate rules provide the majority leader with no special or unique powers. He has the same rights as any other Member of the Senate, no more, no less. He may propose. He may debate. He may cast one vote. Every other Member of this body may do the same. And even as rights are equal in this body, so too are the responsibilities. The majority leader will propose in procedural matters but it will rest with the Senate to dispose. And I say in all bluntness if we are to reach a point of decision in this matter, in the last analysis, it will be not because

of what the majority leader alone does or the majority leader and the minority leader jointly do or fail to do. It will be because the whole membership is pre-pared to look at the world and at the Nation as it is, not as we may wish for it to be. It will be because the Members of this body are ready to face this decisive moment in the Nation's history and the Senate's history. It will be because the Members of this Senate, all the Members, on both sides of the aisle, are prepared to assume full reponsibility, along with their rights in the Senate, full responsibility for writing an honorable chapter in both histories, irrespective of what their views may be on this particular issue. We will not write that chapter, Mr. President, if we dawdle, if we evade. And we cannot write that chapter on the basis of the Senate rules. We can write it only by facing the sub-stance of the issue itself, by debating it and by voting on it.

The majority leader has no suave parliamentary tactics by which to bring legislation to a vote. He is no expert on the rules and he is fully aware that there are many tactics which can forestall a vote. That such is the case was evident in the Telstar debate in 1962, when the brilliant parliamentary tacticians in opposition to the measure tied up the Senate for weeks. A vote on the measure came not because of the parliamentary skill of the majority leader but because Senators-two-thirds of this body-were prepared to put aside their reluctances to end discussion, their understandable reluctance to apply the cloture rule of the Senate. It was no trick, Mr. President; it was no suave tactic. It was a preponderance of the Senate rising to its responsibilities irrespective of their feelings about the particular issue involved.

Even if there were parliamentary tricks or tactics, Mr. President, the majority leader would not be inclined to employ them. I can think of nothing better designed to bring this institution into public disrepute and derision than a test of this profound and tragic issue by an exercise in parliamentary pyrotechnics. For the truth is that we will not find in the Senate rules book even the semblance of an answer to the burning questions which now confront the Nation and, hence, this Senate.

We, Mr. President, Senators would be well advised to search, not in the Senate rules book, but in the Golden Rule for the semblance of an adequate answer to this issue.

Or let them search, if they will, in the long and tortuous history of human liberty. Let them search in the Constitution and in the documents of freedom which we have enshrined.

Let them search among the fears and the hopes of a whole people—all the American people. And let them search in the dark chasms of ignorance and arrogance which divide, and among the slender bridges of understanding and humility which unite.

Even then, Mr. President, even then the answers which we shall find will be tentative, uncertain, and inadequate.

And we should delude neither ourselves nor the people of the Nation that they will be anything else. An issue of this magnitude carries the accumulated action and neglect, the accumulated achievements and failures, the accumulated commissions and omissions of generations of Americans. And it will take, for many years, the combined contribution of all the sources of reason and unity within the Nation to bring the issue to adequate resolution.

The Senate's role, then, Mr. President—this Senate's role—is neither everything nor nothing. It is the role of a leading participant, an essential and active participant in shaping the continuing process of equalizing opportunities, that all Americans may share fully in the promise of the Constitution.

We shall not fulfill that role, Mr. President, if we calculate its dimensions with the slide rule of political expediency. To act on this issue on the basis of the white or black vote, the North, the South, East, or West vote, is as illusory as it is cynical. There is no political profit for anyone in this issue. At least there is no political profit which can be realized except at the expense of the Nation's unity and welfare. If history teaches us anything, it teaches us that such profits are short lived even to those who reap them and that their heavy costs are paid, in the end, by the whole Nation.

Nor shall we fulfill the role in which we are cast at this moment in the Nation's time, if some Members choose the occasion to display an arrogance of moral righteousness. I would devoutly hope that no Senator will cast the first stone. I would devoutly hope that no Senator will assume for his State a superior enlightenment on this issue. There are stones enough to be thrown by all and targets enough for all the stones that can be thrown. There are inadequacies enough and to spare for all. There is moral perfection on this issue in none of us and in no place-North, South, East, or West-in the land.

And, so, Mr. President, as we approach this issue, I appeal to the Senate to put aside the passions, the sectionalisms, and the inertia which may plague us. I appeal to the distinguished minority leader [Mr. DIRKSEN], whose patriotism has always taken precedence over his partisanship, to join with me-and I know he will-in finding the Senate's best possible contribution at this time, to the resolution of this grave national issue. I appeal to the Senator from Vermont [Mr. AIKEN] and the Senator from Iowa [Mr. Hickenlooper], whose many years of outstanding and exceptional service have given them a deep perception, not only of the needs of their States but of the needs of the Nation's progress. I appeal especially to the Senators from those States where this issue is not necessarily acute at the moment, to the Senators of many of the Western and Central States. I appeal to them to provide an active and objective participation, if not in terms of the future problems of their States, then on behalf of the Senate itself and on behalf of the Nation of which their States are an inseparable part. I appeal to the Senator

CIVIL RIGHTS ACT OF 1964

Mr. MANSFIELD. Mr. President, I request that House bill 7152 be read the first time.

The ACTING PRESIDENT pro tempore. The bill will be read the first time. The legislative clerk read the bill (H.R. 7152) the first time by title, as follows:

An act (H.R. 7152) to enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the Attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Mr. MANSFIELD. Mr. President, I object to the second reading of the bill today.

The ACTING PRESIDENT pro tempore. Objection is heard.
Mr. MANSFIELD. Mr. President, a

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Montana will state it.

Mr. MANSFIELD. Do I correctly understand that the second reading of the bill will not take place until an adjournment has occurred and another legisla-

tive day has happened?
The ACTING PRESIDENT pro temple. The Senator from Montana is correct; that is the case, under the rule.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for the purpose of making two statements.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and the Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, the civil rights bill has now arrived from the House. In the near future, the leadership will propose to the Senate that this measure be placed on the calendar, without referral to committee, and that, subsequently, the Senate as a body proceed to its consideration.

The procedures which the leadership will follow are not usual, but neither are they unprecedented. And the reasons for unusual procedures are too well known to require elaboration.

The substance of the bill has been discussed and debated, not for a week or a month, but for years. President John-

son has prescribed for civil rights legislation an urgency second to none. Three committees of the Senate have inquired extensively into its features, during the current Congress. Two have completed work on Senate bills which dovetail with principal segments of the House legislation. Whatever any Senator may lack in understanding of the substance of the bill will, I am sure, be made up in extensive discussion on the floor of the Senate. In one respect, at least, it would appear to me that this approach is to be preferred in connection with a bill of such wide ramifications, for, in fact, the substance of the civil rights legislation falls with almost equal validity within the purview of several committees.

This consideration, together with the procedure which will be followed in bringing the bill directly from the House to the Senate as a whole, has prompted the creation of a special arrangement for the steering of the legislation on the floor of the Senate. It is my intention to have the majority whip, the able Senator from Minnesota [Mr. Hum-PHREY], together with the distinguished Senator from Washington [Mr. Magnuson], the Senator from Pennsylvania [Mr. CLARK], and the distinguished Senator from Michigan [Mr. HART], assume direct responsibility for the handling of this legislation on the floor. They will be ready to state the case for this bill and to answer the questions to which it may give rise

Since the 1948 Democratic Convention, the Senator from Minnesota has been one of the Nation's leading advocates of Federal action in the field of civil rights; and his knowledge of this highly complex issue is as broad and deep as that of any other leader in public life And each of the other Senators who will work with him in this connection—the Senator from Washington [Mr. Magnuson], on public accommodations; the Senator from Pennsylvania [Mr. CLARK], on fair employment practices; and the Senator from Michigan HART], on judicial matters-is highly knowledgeable in regard to one or more aspects of this measure.

The civil rights bill, Mr. President, is in good hands, in the hands of this quadrumvirate. I have every confidence that before the debate has run its course, they will have clarified any reasonable doubts or uncertainties which any Member may have with respect to this measure. A committee or a committee chairman could do no more. They will do no

Mr. President, speaking for myself, let me say at the outset that I should have preferred it had the civil rights issue been resolved before my time as a Senator or had it not come to the floor until afterward. The Senator from Montana has no lust for conflict in connection with this matter; yet this question is one which invites conflict, for it divides deeply. It is approached not only with reason, but also with passion, by Members on both sides of the issue and on both sides of the aisle; and since the Senator from Montana holds the Members of this body on both sides of the

issue and on both sides of the aisle in affection and respect, he is frank to state that he would have preferred it had the civil rights issue been resolved before his time or had it not arisen until later.

But, Mr. President, great public issues are not subject to our personal timetables; they do not accommodate themselves to our individual preference or convenience. They emerge in their own way and in their own time. We do not compel them; they compel us.

We look in vain if we look backward to past achievements which might spare this Senate the necessity of reaching difficult decisions on the civil rights question. We hope in vain if we hope that this issue can be put over safely to another tomorrow, to be dealt with by another generation of Senators.

The time is now. The crossroads is here in the Senate.

To be sure, the issue will not be fully resolved by what we do today. Its resolution depends also on what is done tomorrow and on many tomorrows. Nor will the issue be fully resolved by the Senate or the Congress. Indeed, it will involve all Americans and all the institutions—public and private—which hold us as a society of diversity in one nation and it will involve all for a long time to come. In truth, it is a universal issue which, for this Nation, having begun with the Declaration of Independence and persisted through the decades will hardly dissolve in the Senate of the 88th Congress.

Nevertheless, at this moment in the Nation's history it is the Senate's time and turn.

Individually, each Senator will consult his conscience and his constituency on this issue as on any other. It is for each Senator to determine whether he is prepared to ignore, to evade, or to deny this issue or some aspect of it. The Senator from Montana will do the same.

But insofar as the majority leader is concerned he must state to the Senate that it would be a tragic error if this body as a whole were to elect the closed-eyes course of inaction. That course, Mr. President, would disclose a cavalier disinterest or a legislative impotence on this issue and either would be completely inconsonant with the serious domestic situation which now confronts us.

It is bad enough to evade decision on any major proposal of any President. It is inexcusable in this issue which has drawn a curtain of uncertainty and insecurity over the entire Nation and over which blood has already run in the streets.

In these circumstances, I cannot believe that this Senate will abdicate its constitutional responsibilities. The Constitution, Mr. President, charges the Congress and the Senate as a part of it—no less than the President and the courts—with the achievement of its fundamental objectives. It is our duty no less than the duty of others to share in the perfection of the unity and the maintenance of the tranquillity of all the people of the United States. It is our duty no less than the duty of others to share in securing the equity of the rights

from Illinois [Mr. Douglas], to the distinguished Senator from the State of Lincoln, to lend us not only of his profound convictions on human freedom but of his warm and compassionate nature to help close the wounds of division. And I appeal to the Senator from Georgia [Mr. Russell], not as the leader of any bloc, not as an outstanding legislative tactician, but as the great American and the great Senator which he is, and I beseech him to give us not only of his immense parliamentary capacity but even more of his legal wisdom and of his heart in order that this Senate will be remembered, not for what it did not do, but because of what it did for the Nation.

the Nation.

And, finally, Mr. President, I appeal to every Member of this body to bring to this issue, when it is before the Senate, all their resources of wisdom, courage, perseverance, and understanding, so that we may, with mutual restraint and in all humility, fashion a contribution to the freedom, order, and well-being of American life which is worthy of ourselves, of the Senate, and of the Nation.