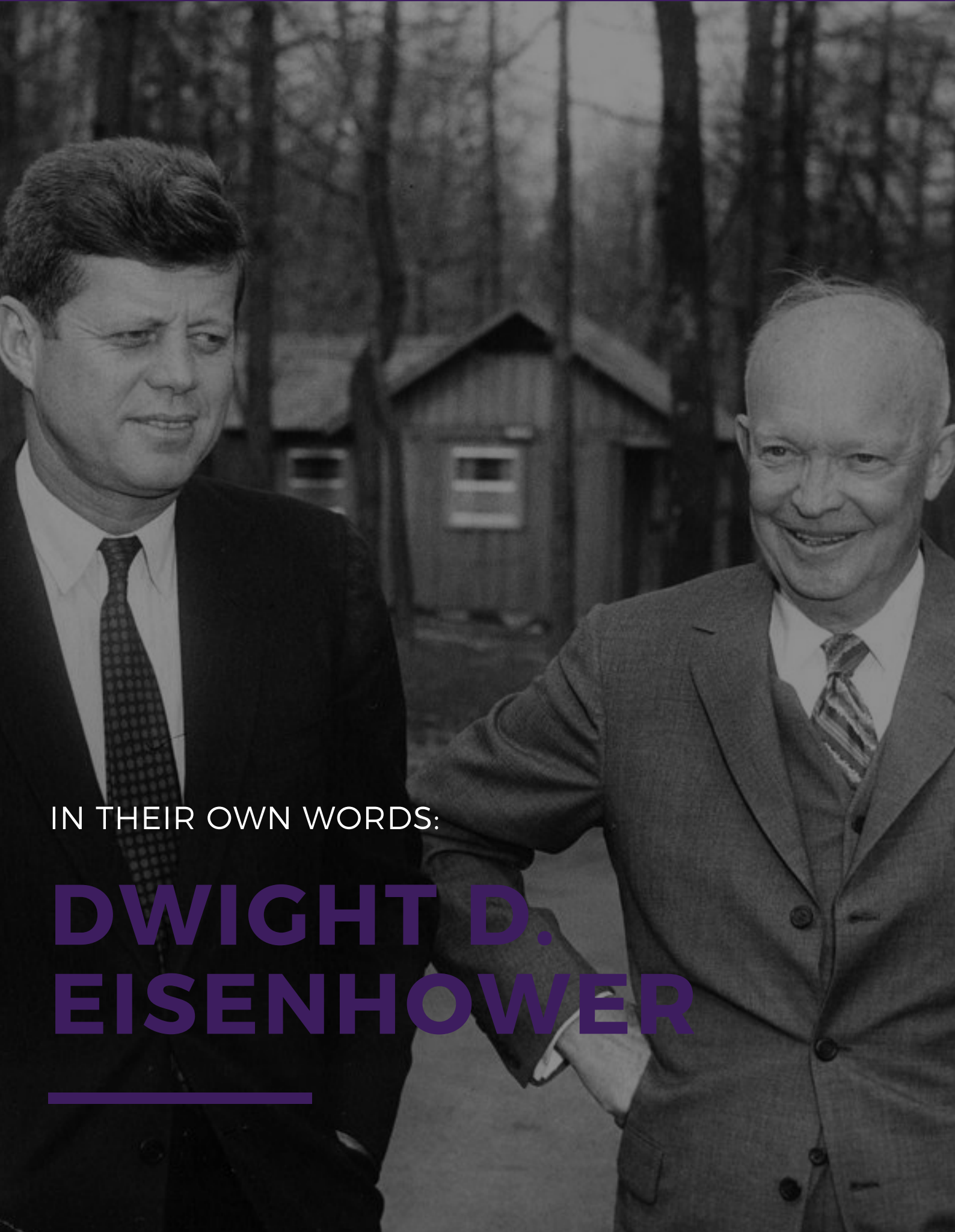


1959 - 1960



IN THEIR OWN WORDS:

DWIGHT D. EISENHOWER

Text of President Eisenhower's remarks and replies to questions submitted by John V. Horner at a luncheon at the National Press Club, Washington, D. C. January 14

"I think when we get into the field of law, here, we must be very careful. I do believe in the law concerning voting, and I think we should have whatever correctives are necessary in the law in order to make certain that a man's privilege, of qualified citizen's privilege, of voting is not taken away from him for such inconsequential things as race, or creed or origin. That to my mind is the first thing to do.

"Now, when we get the Federal Government working by law in things that are known to be primarily state, we run into difficulties. One of them is the closing of schools. To my mind this is tragic. I tried to say the other day that I believe the image of America is not helped abroad when we have so many thousands of our children deprived of schooling for no fault of their own, and by the closing of the schools. So I would say, first, I would like to see the voting, this problem of voting, solved with the necessary - whatever laws may be necessary, including - I would like to see extended the life of the Civil Rights Commission. I would like to see power more clear-cut to make certain that they can examine into the difficulties about voting, the bars to it, and to get some kind of procedures that will make this privilege stand so that it will not be violated. And if this is done, it is my belief that now voters themselves, local voters, state voters and national voters, will have a greater and finer opportunity to proceed with, you might say, the proper observance of their other rights. "

“But I do say that until all of us take again as a standard, a standard of living by the concepts of the Constitution, and try by our teaching, our example, our beliefs, expressed convictions, we are not going to get too far just by laws that operate specifically upon a state-supported activity because, as I say, if the state ceases that activity, then what do we do? That, to my mind, is a problem that takes time, dedication, but I do say this: It must be solved. ”

Eisenhower’s remarks were in response to a question from John V. Horner, president of the National Press Club, accordingly: “Mr. President, turning now to civil rights, the question is, in 1957, Congress passed, at your suggestion, a civil rights bill dealing largely with voting. Do you think this Congress should pass civil rights legislation dealing specifically with problems arising from school segregation?” Congressional Quarterly Weekly Report, 1/16/59, 86-87.

Special Message to Congress on Civil Rights, February 5

To the Congress of the United States:

Two principles basic to our system of government are that the rule of law is supreme, and that every individual regardless of his race, religion, or national origin is entitled to the equal protection of the laws. We must continue to seek every practicable means for reinforcing these principles and making them a reality for all.

The United States has a vital stake in striving wisely to achieve the goal of full equality under law for all people. On several occasions I have stated that progress toward this goal depends not on laws alone but on building a better understanding. It is thus important to remember that any further legislation in this field must be clearly designed to continue the substantial progress that has taken place in the past few years. The recommendations for legislation which I am making have been weighed and formulated with this in mind.

First, I recommend legislation to strengthen the law dealing with obstructions of justice so as to provide expressly that the use of force or threats of force to obstruct Court orders in school desegregation cases shall be a Federal offense.

There have been instances where extremists have attempted by mob violence and other concerted threats of violence to obstruct the accomplishment of the objectives in school decrees. There is a serious question whether the present obstruction of justice statute reaches such acts of obstruction which occur after the completion of the court proceedings. Nor is the contempt power a satisfactory enforcement weapon to deal with persons who seek to obstruct court decrees by such means.

The legislation that I am recommending would correct a deficiency in the present law and would be a valuable enforcement power on which the government could rely to deter mob violence and such other acts of violence or threats which seek to obstruct court decrees in desegregation cases.

Second, I recommend legislation to confer additional investigative authority on the FBI in the case of crimes involving the destruction or attempted destruction of schools or churches, by making flight from one State to another to avoid detention or prosecution for such a crime a Federal offense.

All decent, self-respecting persons deplore the recent incidents of bombings of schools and places of worship. While State authorities have been diligent in their execution of local laws dealing with these crimes, a basis for supplementary action by the federal government is needed.

Such recommendation when enacted would make it dear that the FBI has full authority to assist in investigations of crimes involving bombings of schools and churches. At the same time, the legislation would preserve the primary responsibility for law enforcement in local law enforcement agencies for crimes committed against local property.

Third, I recommend legislation to give the Attorney General power to inspect Federal election records, and to require that such records be preserved for a reasonable period of time so as to permit such inspection.

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The right to vote, the keystone of democratic self-government, must be available to all qualified citizens without discrimination. Until the enactment of the Civil Rights Act of 1957, the government could protect this right only through criminal prosecutions instituted after the right had been infringed. The 1957 Act attempted to remedy this deficiency by authorizing the Attorney General to institute civil proceedings to prevent such infringements before they occurred.

President Dwight D. Eisenhower and President-elect John F. Kennedy Stand Before Reporters. December 6, 1960. Credit: Abbie Rowe. White House Photographs. John F. Kennedy Presidential Library and Museum, Boston. Photograph. Accession JFKWHP-AR6180-E. <https://www.jfklibrary.org>

A serious obstacle has developed which minimizes the effectiveness of this legislation. Access to registration records is essential to determine whether the denial of the franchise was in furtherance of a pattern of racial discrimination. But during preliminary investigations of complaints the Department of Justice, unlike the Civil Rights Commission, has no authority to require the production of election records in a civil proceeding. State or local authorities, in some instances, have refused to permit the inspection of their election records in the course of investigations. Supplemental legislation, therefore, is needed.

Fourth, I recommend legislation to provide a temporary program of financial and technical aid to State and local agencies to assist them in making the necessary adjustments required by school desegregation decisions.

The Department of Health, Education, and Welfare should be authorized to assist and cooperate with those States which have previously required or permitted racially segregated public schools, and which must now develop programs of desegregation. Such assistance should consist of sharing the burdens of transition through grants-in-aid to help meet additional costs directly occasioned by desegregation programs, and also of making technical information and assistance available to State and local educational agencies in preparing and implementing desegregation programs.

I also recommend that the Commissioner of Education be specifically authorized, at the request of the States or local agencies, to provide technical assistance in the development of desegregation programs and to initiate or participate in conferences called to help resolve educational problems arising as a result of efforts to desegregate.

Fifth, I recommend legislation to authorize, on a temporary basis, provision for the education of children of members of the Armed Forces when State-administered public schools have been closed because of desegregation decisions or orders.

The Federal Government has a particular responsibility for the children of military personnel in Federally affected areas, since Armed Services personnel are located there under military orders rather than of their own free choice. Under the present law, the Commissioner of Education may provide for the education of children of military personnel only in the case of those who live on military reservations or other Federal property. The legislation I am recommending would remove this limitation.

Sixth, I recommend that Congress give consideration to the establishing of a statutory Commission on Equal Job Opportunity under Government Contracts.

Non-discrimination in employment under government contracts is required by Executive Orders. Through education, mediation, and persuasion, the existing Committee on Government Contracts has sought to give effect not only to this contractual obligation, but to the policy of equal job opportunities generally. While the program has been widely accepted by government agencies, employers and unions, and significant progress has been made, full implementation of the policy would be materially advanced by the creation of a statutory Commission.

Seventh, I recommend legislation to extend the life of the Civil Rights Commission for an additional two years. While the Commission should make an interim report this year within the time originally fixed by law for the making of its final report, because of the delay in getting the Commission appointed and staffed, an additional two years should be provided for the completion of its task and the making of its final report.

I urge the prompt consideration of these seven proposals.



President Eisenhower's meeting with E. Frederic Morrow. October 4, 1956. Credit: National Park Service. Eisenhower Presidential Library, Museum & Boyhood Home. Photograph. Accession 72-1908. <https://www.eisenhower.archives.gov>.

Eisenhower: "Special Message to the Congress on Civil Rights," 2/5/59. Gerhard Peters and John T. Woolley, The American Presidency Project. <http://www.presidency.ucsb.edu/ws/?pid=11567>.

Press Conference, March 16

Well, it's difficult to give a sweeping judgment. Some are unquestionably a proper expression of a conviction of the group which is making them; others probably can be otherwise classified.

Now, let me make one thing clear. I am deeply sympathetic with the efforts of any group to enjoy the rights, the rights of equality that they are guaranteed by the Constitution. I do not believe that violence in any form furthers that aspiration, and I deplore any violence that is exercised to prevent them – in having an enjoying those rights. So, while I don't want to make any – any judgment because I am not in a position to, I know about these as they come just briefly to my attention. I do not know what all of them are. I do know, though, that when, if a person is expressing such an aspiration as this in a perfectly legal way, then I don't see any reason why he should not do it

. . . I think there ought to be biracial conferences in every city and every community of the South, which would be much better than trying to get up here and direct every singly thing from Washington. I am one of those people that believes there is too much interference in our private affairs and, you might say, personal lives already. And I would like to diminish rather than increase it. . . .

Text of statement upon his signing the Civil Rights Act of 1960 (HR 8601) into law (PL 86-449), May 6

“I have today signed into law the Civil Rights Act of 1960. It is only the second civil rights measure to pass the Congress in 85 years. As was the case with the Act of 1957, recommendations of this Administration underlie the features of the Civil Rights Act of 1960.

The new Act is concerned with a range of civil rights problems. One title makes it a crime to obstruct rights or duties under federal court orders by force or threat of force. That provision will be an important deterrent to such obstruction which interferes with the execution of federal court orders, including those involving school desegregation. Provision is also made to assure free public education to all children of armed forces personnel in the United States where local public school facilities are unavailable. By authorizing the FBI to investigate certain bombings or attempted bombings of schools, churches and other structures, the Act will deter such heinous actions of lawlessness.

“The new Act also deals significantly with that key constitutional rights of every American, the right to vote without discrimination on account of race or color. One provision, which requires the retention of voting records, will be of invaluable aid in the successful enforcement of existing voting rights statutes. Another provision authorizes the use by federal courts of voting referees. It holds great promise making the 15th Amendment of the Constitution meaningful.

Text of statement upon his signing the Civil Rights Act of 1960 (HR 8601) into law (PL 86-449), May 6

“While I regret that Congress saw fit to eliminate two of my recommendations [i], I believe the act is an historic step forward in the field of civil rights. With continuing help from all responsible persons, the new law will play an important role in the days ahead in attaining our goal of equality under law in all areas of our country for all Americans. ”

[i] These two recommendations were the controversial Part III, which authorized the attorney general to institute civil action for protecting Fourteenth Amendment rights. The other amendment to Part IV provided that there would be no requirement for a jury trial in prosecutions for civil contempt (where the court was coercing a defendant to cooperate), but there would be jury trials across the board in cases involving criminal contempt (where the defendant was being punished for disobeying an order). Watson, Lion in the Lobby, 393-94, 398-399.