"THE LONG SHADOW OF ABRAHAM LINCOLN"

By way of advance notice on the report today, I said to my secretary you can call it "The Long Shadow of Abraham Lincoln" and I call it that because in a short while only about ten days we will observe a tragic anniversary. Perhaps observe is not quite the right word. We'll note the anniversary, namely, the 100th anniversary of the assassination of Abraham Lincoln. I am sure you are familiar with the story, namely, that he was assassinated on the 14th of April, 1865, and died across the street from the Ford Theatre downtown Washington on the morning of the 15th. So that's the tragic anniversary to which I refer.

Now, Abraham Lincoln shortly before that time witnessed the day when Grant could go to Appomattox Court House on the 9th of April and there secure the surrender of Lee and his Army and so generally and officially conclude the civil strife. A few days later on the 11th of April Abraham Lincoln at the White House in response to a serenade made his last living speech and that speech concerned itself with the re-admission of Louisiana into the Union.

Now, there are a lot of things of course that Abraham Lincoln before he was surrendered to the ages did not live to see. For example he did not live to see or to hear the 13th amendment to the Constitution which put an end to the institution of slavery. Nor did he live to see the 14th amendment which among other things provided for due process of law before a citizen of the United States could be despoiled of his life or property. There was also the fact that that amendment conferred upon every U. S. citizen a dual citizenship, namely, a citizen of the state where he resided and as a citizen of
the United States. There were other items in the 14th amendment but those will suffice
to show the range of that article of amendment to the Constitution. It came in 1866.
The 13th amendment came in 1865 in December long after Lincoln had departed. Nor did he
live to see the local laws and ordinances, regulations that were adopted in so many of
the old Confederate States which were designed to keep the colored man and woman from
taking their rightful seat place in the sunshine of freedom. For instance, ordinances
that dealt with loitering or that deal with vagrancy under which a person could be
fined if he was a person of color and then had to work out his fine. There were
ordinances in local laws that denied land ownership to them. They couldn't testify
Beefin' before a jury where a white man was involved. They not only could not own land
but they were subject to the terrorism even in those days of the nightriders whom they
now refer to as the Ku Klux Klan. All that Lincoln did not live to see. Nor did he live
to see the 15th amendment to the Constitution which was approved by the people. In 1870
and I say that the shadow of Lincoln is still upon us because right now both branches of
the Congress are dealing with the 15th amendment to the Constitution and with the rights
of those of another race or color to vote because that amendment says in rather plain
and explicit language that no citizen of the United States shall be denied the right to
vote or shall that right be abridged by the United States or by any State because of race
or color. See it says nothing about sex, woman suffrage doesn't enter into the picture.
It says nothing about age. It says nothing about national origins. It limits this matter
in the 15th amendment to a denial of the right to vote because of race or color and it's
that that is giving us some real concern today. But there was another part of that
amendment just one more sentence that is all important and that sentence says that the
Congress shall have power to deal with this matter through appropriate legislation and
that's precisely what the House of Representatives and the Senate of the United States
are confronted with at this very moment in their respective Judiciary Committees.
Now a hundred years after Lincoln here are the two questions that concern us. Are people by race and color denied the right to vote and if so what shall the Congress do about it? Perhaps I ought to be a little more specific and a little more careful with my language by saying are citizens of the United States denied the right to vote or is that right abridged? Because that's as far as the Congress could go under the Constitution. That marks the limit of its jurisdiction. So let's examine if we have time the first of these two questions. Are people because of race or color discriminated against and therefore their voting rights either denied or abridged? Well, certainly in some states and we have in mind five at least and two more where it's limited where that right is abridged or where it is denied.

Now the way to deny it of course is to deny those people the right to register. If they cannot register, obviously under their laws they cannot vote. So what is the picture that has been developed by the Civil Rights Commission which was created by Congress in 1957? Well let me just look at some figures here.

In Alabama you have counties where 100 per cent of the white citizens who qualify by age and residence who are registered, but you have in some counties nonwhite or colored where only 1.4 per cent are registered. In Arkansas the top is 85 per cent for white registration, for the Negro, or shall we say colored or nonwhite, 0 per cent in some counties. In Florida you have 100 per cent registered in some counties, you have 3 tenths of one per cent of the nonwhite. In Georgia counties with 100 per cent white registration in that same state 3 tenths of one per cent of the nonwhite. Now let me emphasize that I'm talking about counties or political subdivisions not about the state as a whole and in Mississippi you have counties with 100 per cent white registration but only 2 tenths of one per cent, one fifth of one per cent of the nonwhite or the colored are registered.
If they're not registered, they cannot vote.

Now if we look at that on a state-wide basis, it will show that in Mississippi 70 per cent of those who are of voting age, who are white have been registered. Six and seven tenths per cent of the colored have been registered. In Louisiana 80 per cent of the white have been registered, the nonwhite 32 per cent. In Georgia 63 per cent of the white have been registered, only 27 per cent of the nonwhite.

Now this has gone on for years and why aren't they registered. Well, either because of the poll tax which has some gimmicks in it or because of illiteracy, or because the registration office is closed so much of the time or because when it's open you get a line and the white some first and then the Jim Crow custom is exercised and the colored come at the end of the line and when they get to them the office suddenly closes in their faces and that's it.

Those are just some of the gimmicks that have been exercised over this long period of time. Since the Civil War came to an end whereby those registration lists have been kept so long, what conclusion do you draw from it. Well it seems to me there is only one reasonable and logical conclusion and that is that these obstacles, these tests, these devices have been set up by the legislatures of those states for the purpose of discriminating and preventing people because of race or color from getting a chance to vote. And so we have gotten to the point where we're going to have to deal with it because as they say, well we can wait no longer. The violence and the demonstrations that have taken place, the determination to be registered and have a chance to select those under whose laws they've got to live, that they'll have that opportunity of selection. So how would you stop it and how do we propose to stop it after 100 years.

Well we say that there shall be no qualification or that power of qualification and procedure shall not be in effect, we sha say that there shall be no denial for failure to
comply with the test or a device in those states, we say that when 50 per cent or less have registered according to Census Bureau or less than 50 per cent have voted, that that constitutes an area where the Federal Government can take action. Then if on the basis of a complaint by 20 citizens in writing or if the Attorney General thinks it’s meritorious we set a body of examiners under the direction of the Federal Civil Service Commission. They will appoint these examiners who then examine the people who have made application to register and to vote. The examiners are even empowered to collect poll taxes and to turn those over to the appropriate State authorities. We also provide that where a state is under this difficulty and the examiner machinery has been set up that a state can cleanse itself or that a political subdivision like a county can cleanse itself of this odium and then the machinery falls and they’re at liberty to go their respective ways. We provide also that in every case where these lists of people are submitted to the appropriate authorities by the Civil Service examiners that they are subject to challenge and it can be reported to a hearing officer.

That in the main together with some very, very stiff penalties is how we propose to approach this. It's attack on constitutional grounds and other grounds but it occurs to me that this is a feasible, it's a practical and it's a very reasonable way to remedy a problem that goes back to the days of Abraham Lincoln and his shadow is still here.