

**AN ADDRESS DELIVERED AT THE SEVENTEENTH ANNUAL ROOSEVELT DAY
DINNER OF THE AMERICANS FOR DEMOCRATIC ACTION BY THE HONORABLE
WALTER F. MONDALE.**

If we were to select one aspect of our society in which the gap between what is and what should be is most glaring, we would all point to the tragic, unconscionable deprivation of the human rights of those of the Negro race.

We all agree that great progress has been made. Congress has passed three Civil Rights Acts in 8 years. The decisions of the United States Supreme Court during the past decade taken together compose the finest definition of human rights available in any literature in the history of mankind. The eloquent repudiation by the American people of the white backlash strategy basic to the Goldwater campaign reflected a fundamental commitment of the American people to the concept of human brotherhood in our land.

The history of the Civil Rights Act of 1964 is a glorious one for this country and although the record is far from complete, the evidence of compliance is encouraging. But in order to adopt this great humanitarian legislation, certain compromises had to be made -- made, I might add, with the full

knowledge and agreement of human rights leaders who were aware of the realities of the legislative process. The most costly of these compromises, more apparent everyday, was the necessity to delete proposals to strengthen voting rights for the Negro. I need not detail here the outrageous pattern of sham literacy tests, intimidation, brutality, and even murder, in efforts to prevent the Southern Negro from exercising his political rights.

I know. At the Atlantic City Democratic Convention, I served as chairman of the Credentials Subcommittee appointed to deal with the challenge of the Mississippi Freedom Democratic Party to the seating of the regular Mississippi party.

The Mississippi Freedom Democratic Party was not a political party but a protest movement. It had not participated in any meaningful sense, despite the claims made, in the precinct caucuses or other party processes. But I can attest that its protest was as valid as any protest could possibly be. Its members symbolized the objections of every decent American to the utterly outrageous practice by which the Mississippi Negro is systematically and deliberately denied any meaningful voice or participation in the political process in his state and community. The evidence showed beyond any doubt

that the Mississippi Negro is subjected to unbelievable intimidation and brutality in efforts to paralyze the assertion of his political rights.

The entire political process had been made completely unavailable to the Negro in Mississippi. Even though the Freedom Democratic Party was not a legitimate political party, we felt that the eloquence and the obvious moral justice of their case required special action by our Convention. Thus the Convention required a loyalty oath from regular Mississippians, and created, for the first time, two delegate-at-large seats for members of the Freedom Democratic Party. Anything less would have been not only a repudiation of the moral basis of their movement, but an acquiescence in the monstrous wrongs perpetrated on them. More important, the Convention declared that the Democratic Party will never be forced to seat a segregated delegation in the future, by establishing rules to provide that discrimination in the process of delegate selection is sufficient grounds to challenge the seating of any delegation.

This can properly be called the Civil Rights Act for the Democratic Party, and it will be as fundamental to the future of the Democratic Party as is the Civil Rights Act of 1964 for the country at large.

I am sure that every responsible civil rights leader was profoundly troubled by the nature of the issue which bore upon our activities on this committee and in this convention. They knew all too well the truth and the compelling morality of the case presented by the Freedom Democratic Party. But they also recognized that the rules and traditions of the Democratic Party had never accepted discrimination as a proper legal basis for objecting to the seating of a delegation. Indeed the tradition was all to the contrary.

And these legal proprieties, it seems to me, are extremely important. For of all the movements that ought to be fastidious in following the procedures of due process, none should be more so than the human rights movement. If the sheer force of the majority had been used to over-ride the precedent and the law of the Convention, then that same force of power could be used to take those gains from us in the future.

The final action proposed by the Subcommittee and adopted by the Convention has, from the first, been labelled a compromise. This characterization is unfortunate because it means that less than justice was done the Mississippi Negro and that our

action was less than ideal.

The truth of the matter is that this was a great victory for the Freedom Democrats and for the human rights movement.

Had the Freedom Party been seated in place of the regular Mississippi Delegation, the result would have been a serious blow to the future of that movement, and a bitter victory.

We have to realize that the real solution to the problem could not possibly be the creation of two separate parties, one white and one black. The recognition of the Freedom Democratic Party as a separate party would have profoundly discouraged any future efforts on the part of the Negro community to force their way into and become a part of the white community and its political structures. In short, recognition of the Freedom Democratic Party would have served to defeat the very goal it sought to achieve.

Convention rules now make it impossible for the present Mississippi regular party to be seated. But the saddest thing I can think of is empty Mississippi seats at the 1968 Convention. What I want is to see those seats filled by a truly

integrated delegation from what will then truly be the Great State of Mississippi.

Because of my chairmanship of this Committee, I feel a special responsibility as a United States Senator to speak up for those we have told to seek membership in existing political parties to gain full participation in political life in their own states. We can no longer tell the Negro Mississippian at any future conventions that he should go back and fight his way into the established political party unless we make substantial and successful efforts to open that party and make it available to him.

The task of opening these parties to everyone is in my opinion the most important matter on the agenda for the creation of a great society.

In addition, one of the reasons why I felt it was necessary to place emphasis upon participation in the state party was my growing concern over the division, or lack of responsibility on the part of some of the Negro protest leaders. Essentially the leadership could only be described as a swirling, fluid, often inconsistent force, which changed almost hourly -- not knowing whether they wanted to be a critical and vocal protest group outside of the political party or a responsible element within the party willing to accept some of the

frustrations and complexities inherent in politics. I can say that I was somewhat disappointed in some of the leadership that I saw and also very pleased and inspired by some of the other leadership.

We are paying a terrible price for continued rejection of legitimate Negro claims to political participation in the south. Part of the price is irresponsibility in some areas of leadership. In addition, it is sadly true that some of those who speak for human rights are demagogues, or guided by forces hostile to human rights.

In the same way it seems to me that the development of a mature and responsible leadership in the Negro community in the south will be best encouraged and assisted if the party is open to them and they are required to win their spurs there. This goal will be won when their complaints must be directed at themselves as well as to others, and when their criticism must be tempered by the responsibility that goes with holding political office or political power.

My argument is based on the view that the health of this country, that the development of responsible leadership of the Negro community,

the need for the creation of a healthy bi-racial political party can be served at this time only if the Negro is required to participate and resolve his difficulties in his own state and within his own political party.

But I must emphasize that time is running out in my argument:

- If the Negro is to be denied further participation in his political party,
- If his legitimate complaint is going to continue to be met by suggestions that he wait,
- Or that he will have an opportunity to participate if he behaves,
- Or that perhaps his grandchild can participate if they all behave,

then the time will shortly come when the only honorable alternative is to say, "You have tried and been denied," or "We know that had you tried you would have been denied, and, therefore, in the interests of justice and the interests of human rights and to redress this monstrous wrong, we have no choice but to seat you as the legitimate representative of your state." If that happens it will be a sad, sad day for all of us. My concern.

is not for the sensibility of the masters of this monstrous scheme of segregation, but for the future health of the political party and for the creation of a responsible Negro involvement in a desegregated political party.

There is an old saying in politics and I think it fits the situation here, that there may be a lot of stupid politicians, but they all know how to count.

Any society which denies to people or a group the right to be heard and to be represented by brutality and coercion is almost by definition a sick society. The problem with the Civil Rights Act, as good as it is, is that so long as political power is denied the Negro, the remedy available to him for a violation of the Civil Rights Act will remain inadequate until the officials who administer those laws are required to be responsive to the Negro under pain of political reprisal. The incentives now are entirely and almost completely reversed. We have always seen in those states where we have substantial Negro voter participation that there has been a marked and clear deviation in favor of moderation in the field of human rights.

In Georgia, we have seen open concern for racial justice and harmony in Atlanta and in the Governor's chair. We saw clearly at the last National Convention that the long used tactic of the south of threatening to walk out was no longer an effective one. Indeed the states that walked out, Mississippi and Alabama, were the only ones in which the Negro had been repressed to the extent that he was not yet a meaningful force. It is fundamental to a healthy society that if the people are empowered to speak out, and in a meaningful way seek adjustments of their own grievances, they can do a better job than others can do for them. This is the disease of the south today --

--- Negroes are denied the basic right of democracy -- the right to vote, and thereby adjust their own grievances through the political process.

What should we do? It seems to me that we must recognize that so long as the Administration of voting laws is left in the hands of those who are openly and violently anti-Negro and indeed whose

very jobs depend upon the frustration of the Negro ends, our efforts are doomed to failure. Just as many southern school districts have frustrated the decrees of the Supreme Court in the field of school desegregation, so can they endlessly frustrate the meaning of any decisions or laws guaranteeing the right to vote.

Therefore, this Congress must adopt legislation to:

- Correct abuses in the Administration of literacy tests, especially where prior education has been so discriminatory that such tests are themselves unreasonable, or where they have been newly-installed and do not apply equally to presently registered whites,
- Authorize temporary federal registrars to step in where it is established that the local registrar has deliberately frustrated the registration of qualified Negroes. Our objective is not to move a massive federal apparatus into the south, but to provide a remedy in those areas where abuses exist,

--- Extend voting guarantees to all elections -
local, state, and federal.

In the last analysis, it is the local elected official -- not the federal marshal or federal judge -- who daily dispenses justice or injustice to the Negro. It is the local Sheriff, the local Chief of Police, the local school board members, the local voting registrar who set the pace in closing the glaring gap between federal "right" and local "practice" under which that right is denied.

We know that the masters of oppression will continue their sordid efforts of sham and duplicity, intimidation, brutality, and murder, and we know that the many courageous leaders in the Negro community and in the human rights movement will continue their efforts to speak out, to protest, and to declare the rights of mankind. We know that those who would pervert the cause of human rights will continue to do so under the guise of concern for Negro freedoms.

The only question is what the decent and honorable people who know better in this land will do. I would like to read from one of the most

compelling letters ever written in the history of our country. It was written by the great Justice Louis Brandeis to a friend of his, Judge Charles Laidson, shortly after he had been confirmed in the United States Senate, and after as distressing and a degrading struggle as has ever been witnessed in the Senate. This letter describes the forces playing upon that decision and the principles are clearly applicable to the current situation. I quote the relevant parts.

"What has seemed to me the really serious features of the attitude of this community during the last nine years were not the attacks of my opponents, however vicious and unfounded, but the silence or acquiescence of those who were not opposed to or were actually in sympathy with me. . . . The silence or acquiescence was due probably quite as much to the overweening power, financial and social, to which our community has been subjected as to a demoralization through prosperity and failure to realize what is really worthwhile in life. But whatever the cause -- the existence of such servility and lack of manhood is a menace to democratic institutions and ideals."

EXCERPTS OF REMARKS BY THE HONORABLE WALTER F.
MONDALE ON THE VOTING RIGHTS MESSAGE OF
PRESIDENT LYNDON B. JOHNSON.

I am certain that many Minnesotans were listening tonight to the compelling message of our President, calling for strong legislation in the field of voting rights. I have myself called for strong legislation in this field, and I am most happy to see that the President is calling for the same reforms that I have indicated as necessary in these last weeks.

The President's legislation would first, apply the constitutional right to vote in all elections, state, federal, and local. Second, it would eliminate the fraudulent and discriminatory literacy test where used to prevent the Negro from exercising his constitutional rights. Third, the President's message calls for the establishment of a system of Federal registrars, in cases where qualified Negro citizens have been denied registration on discriminatory grounds.

I feel that these proposals are reasonable and are firm enough to do the job. I fully intend to support them in the United States Senate.

I know that you must have shared with me the feeling that we were witness to history in the making, and that this session of Congress would see the attainment of final and complete participation in the political life of the South for the American Negro. I am confident that the Voting Rights Act of 1965 will be passed by the 89th Congress, and that the President's firm support will guarantee its passage.



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