Keeping America a white man’s country: Southern opposition to civil rights in the United States Senate

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Files in this item

<table>
<thead>
<tr>
<th>Files</th>
<th>Description</th>
<th>Format</th>
</tr>
</thead>
<tbody>
<tr>
<td>application/pdf</td>
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Title: Keeping America a white man’s country: Southern opposition to civil rights in the United States Senate

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Abstract: This dissertation explores how southern senators, led by Georgia’s Richard Russell, forestalled civil rights legislation using the mechanisms of the Senate. The southern caucus beat back civil rights senators through a series of arguments that appealed both to the conservative nature of the Senate and their more conservative colleagues. While earlier arguments generally emphasized constitutional interpretations from southerners like John Calhoun, over time, southerners adapted their arguments to appeal to more conservative colleagues that were either skeptical of invoking cloture, or worried about the invasive nature of civil rights legislation. Over the course of my dissertation, I explore the 1938 Wagner-Van Nuys anti-lynching bill filibuster, the 1946 Fair Employment Practices Commission filibuster, the 1960 Civil Rights Act of 1960 filibuster, and the failed effort to filibuster the 1964 Civil Rights Act. This dissertation examines how four types of southern arguments operated over time and in different contexts. First, southerners used claims based in decorum, procedural objections to civil rights forces. Second, southerners used locus of the irreparable claims, drawing from a long tradition of states’ rights scholarship. Third, southerners scapegoated civil rights groups. Fourth, southerners used reciprocity, tied to home rule and public memory of Reconstruction. While initially these arguments worked, over time, civil rights senators began to grow weary of southern claims of oppression. Eventually, once civil rights forces marshalled efforts to develop elaborate, powerfully constructed cases in favor of civil rights legislation, opposition from the southern caucus collapsed. Decorum arguments, the last vestige of delay strategies, failed, as civil rights senators gave southerners ample time to discuss the bill, with little change in argumentative tactics. The result was total defeat in 1964.
During the civil rights movement, individuals and civil rights organizations challenged segregation and discrimination with a variety of activities, including protest marches, boycotts, and refusal to abide by segregation laws. Many believe that the movement began with the Montgomery bus boycott in 1955 and ended with the Voting Rights Act of 1965, though there is debate about when it began and whether it has ended yet.

Segregation was an attempt by white Southerners to separate the races in every sphere of life and to achieve supremacy over blacks. Segregation was often called the Jim Crow system, after a minstrel show character from the 1830s who was an old, crippled, black slave who embodied negative stereotypes of blacks. The civil rights movement in the United States is about the campaign of African Americans. Because of their skin color, they did not have the same rights that white people did for a long time. In the southern states many laws were passed that separated blacks from whites in public. They were treated as second-class citizens. The modern civil rights movement began in the 1950s. In 1955, a black woman in Alabama named Rosa Parks refused to give her seat on a bus to a white man. For this act of protest, Parks was arrested. The blacks no longer wanted to "sit at the back of the bus," and started a boycott of the bus system. They chose a young minister, Dr. Martin Luther King, Jr., to lead their protest. Within a few days, the two United States Senators from South Carolina submitted their resignations. On December 20, 1860, by a vote of 169-0, the South Carolina legislature enacted an "ordinance" that "the union now subsisting between South Carolina and other States, under the name of 'The United States of America,' is hereby dissolved." As Gist had hoped, South Carolina's action resulted in conventions in other southern states. Senator William H. Seward of New York introduced the amendment in the Senate and Representative Thomas Corwin of Ohio introduced it in the House of Representatives. The text of the proposed amendment is as follows:

African-American freed slaves in the South faced a number of struggles after the Civil War. General William Tecumseh Sherman passed an ordinance guaranteeing recently freed slaves land after his March to the Sea, but his orders had no force of law and were overturned. Jim Crow laws: State and local laws in the United States enacted between 1876 and 1965 that mandated de jure racial segregation in all public facilities in Southern states of the former Confederacy. forty acres and a mule: A short-lived policy of providing arable land and an army mule to black former slaves, enacted by Major General William Tecumseh Sherman. The Civil Rights Act of 1964 (Pub.L. 88-352, 78 Stat. 241, enacted July 2, 1964) is a landmark civil rights and labor law in the United States that outlaws discrimination based on race, color, religion, sex, national origin, and later sexual orientation and gender identity. It prohibits unequal application of voter registration requirements, racial segregation in schools and public accommodations, and employment discrimination.