SENATOR SAM ERVIN ☆ SAYS ☆

A minor House-passed bill which seeks to give relief for sums owed the federal government by Texas wheat farmer, James M. Norman, was chosen as the vehicle to bring up S 2750, the so-called Literacy Test Bill.

My opposition to S. 2750, which seeks to decree that a sixth grade education entitles a voting applicant to pass literacy tests, has no relation whatsoever to any matter of race or color.

I have always maintained that all qualified citizens of all races are entitled to register and vote.

My opposition is based upon two reasons. The first reason is that existing Federal laws are adequate to secure to every citizen anywhere in the United States the right to vote; and in consequence, the enactment of S. 2750 is wholly unnecessary and in fact would impede rather than accelerate the registration of literate persons possessing all the other qualifications for voting.

The second reason is that S 2750 is utterly incompatible with Section 2 of Article I, Section 1 of Article II, and the Seventeenth Amendment, which prohibit Congress from prescribing the qualifications for voters for Presidential electors, Senators, and Representatives in Congress, does not constitute appropriate legislation within the meaning of the Fourteenth and Fifteenth Amendments.

Twenty-one states have laws making literacy a qualification for voting. They stretch geographically from Maine to California and even to Alaska and Hawaii. The charge that such laws are complicated and do not create objective standards is without validity.

On the contrary, they are simple in nature and furnish definite, objective, and practical standards for determining the literacy of applicants for registration. Moreover, the Supreme Court has held that such laws are constitutional, and do not violate any provision of the Constitution of the United States.

Literacy tests today are used daily by Federal and State Agencies and schools for multitudes of purposes. It is passing strange to hear the advocates of S 2750 charge that the test is complicated or lacking in objectivity. This observation is also true becasue existing Federal laws are suffcient to secure to every qualified person of any race his right to vote in any Federal election, and to punish any state election official who undertakes to deprive him of such right.

The advocates of this bill cite statistics which show that many people are not voting in Southern states. The tragic truth is that there are millions of American citizens of all races in all areas of the country who are apathetic toward governmental matters and do not manifest any interest whatever in exercising the right of sufferage.

I wish to make it crystal clear that I deplore the act of any election official in any Southern State who wrongfully denies any person of any race his right to register and vote. At the same time virtually all of the bills that carry the magic name "civil rights bills" are incompatible with the Constitution.

It is perhaps inevitable that this should be so. Those who draft them are somewhat impatient men who seek easy solutions to hard problems. In so doing, they devise shortcuts to the ends they desire, and are apparently contemptuous of the obstacles they encounter, even when such obstacles are precious constitutional and legal principals. Their impatient zeal seems to blind them to a truth taught by the experiences of mankind: Hard problems do not admit of easy solultions and shortcuts are the most direct roads to disaster.

If Congress should be so unwise as to pass this bill, and if the Supreme Court of the United States should abrogate its precedents and uphold the law, then the door will be opened for uniform federal regulation of all voting requirements. It is my hope that Congress will not sell America's constitutional birthright for a mess of political pottage.

PONY TALE—These ponies take time out to eat lunch and take a drink from their bathtub-style fountain in Leavenworth, Kan. Owner Leo A. Well set up watering tub.