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Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS, FIRST SESSION

Vol. 115

WASHINGTON, FRIDAY, NOVEMBER 14, 1969

No. 188

House of Representatives

The House was not in session today. Its next meeting will be held on Monday, November 17, 1969, at 12 o'clock noon.

Senate

FRIDAY, NOVEMBER 14, 1969

morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PEACE DEMONSTRATIONS

Mr. MANSFIELD, Mr. President, when I came to work at 5:30 this morning, the city of Washington was still dark. In the course of my trip to the office, I saw a great number of persons, carrying candles, crossing the Memorial Bridge from Arlington Cemetery, which contains the Tomb of the Unknown Soldier, whose identity is known only to God. I saw the candlelight procession—this "march against death"—continuing along Pennsylvania Avenue and to the foot of this Capitol.

I was tremendously impressed with the dignity, the decorum, and the order shown by these people, mostly young, but including some middle-aged individuals and couples with their very young children.

I also was impressed with the attitude of the police in the Nation's Capital and their cooperation and understanding of this peaceful demonstration being undertaken.

I happened to look at the headline of a news commentary in the Washington Star of last night, which read: "Democracy by Demonstration a Risky Business."

Mr. President, democracy is a risky business, and that is one of its strengths. It is not a case of everyone being a "yes-man" or a "no-man." It is an ideal founded in the Constitution of the United States, under which people are guaranteed certain inalienable rights. Some of those rights are set out in the first amendment to the Constitution, which is in itself a part of the Bill of Rights. The first amendment reads as follows:

S 14349

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

What I have seen of this moratorium so far has, in my opinion, been within the best limits of the Constitution. I applaud the order, the dignity, and the decorum being shown by the marchers, both young and old, of all colors and all creeds. I applaud the police for their attentiveness to their duties and their understanding of how demonstrations should be handled. I applaud the marshals whom the demonstrators themselves have brought with them and who are responsible for seeing that the law is observed and that the demonstration is kept orderly.

I do not want to see a confrontation in this Capital or in any other place in this Nation. I do not want to see our people divided any further than they are. I want to see attempts made to keep our voices low, to bring us together, to bring among us a degree of unity. I want to see attempts in these directions rather than those—based on emotion, primarily—that seek the divisiveness which is well on the way to tearing this country apart at this time.

These people are our fellow citizens. They are our children, our neighbors, and our friends; and as I have indicated, what they are doing comes within the provisions of the Constitution.

My only sorrow is that many of these people—those who are so young—do not have the right to vote at the age of 18, and in that way help to create a policy in which they could be participants. But now they do not help to make policy. They can only protest. When their turn comes and they are called to serve their country, they do so, by and large, but they are carrying out a policy over which they have no control at all.

What I say about demonstrators applies to those who feel exactly opposite to them, because there is never one side to any question. There are always two sides, and sometimes more. Those who are antidemonstration, those who want to conduct rallies and marches in opposition to what the mobilization seeks to undertake, have just as much right to do so under the Constitution of the United States, and they are protected just as much by the first amendment to the Constitution.

I am making these remarks this morning, first, because I was tremendously impressed, in the darkness of this morning, to see what was happening and how well it was being done; and, second, as the leader of the majority party in the U.S. Senate, I feel it incumbent upon me to make these remarks to urge that respect, tolerance, and understanding be shown on all sides, so that these demonstrations, pro or con, these demonstrations which our citizens are entitled to make, will be considered in the right light and will not lead to confrontation.

I believe implicitly in the first amendment to the Constitution. When I was elected to this office I held up my hand and I swore to defend and uphold the

Constitution without any mental reservation or any other reservation whatever, and when I took that oath and said "I do," I meant it. Moreover, my responsibility is not only to represent the people of Montana as a Senator from the State, but to represent the people of the United States as a Senator of the United States.

So I would hope that the tone which has been set by these people of all ages, all colors, and all creeds would be the mark of determination for the rest of this moratorium, not only here, but throughout the country; and I would hope that there would be no violence, no license, no assaults on property, and no assaults on people—from any source—because I do not believe in tactics of that sort; nor are they guaranteed under the Constitution. They are illegal, they are outside the law, and anyone who conducts himself in a manner which violates the law should be made liable to the law. I would hope that if by any chance a demonstrator or a few demonstrators try to create situations which endanger the dignity, decorum, and order of what has occurred up to this date, those who do try to break the law would be separated and placed apart, and the thoughts and prayers and hopes which are in the minds and hearts of these people who are conducting themselves so well so far would be kept uppermost in our thinking as well.

I do not know whether most of these people are the silent minority or the silent majority; that is immaterial; they are all Americans.

Because of these factors, not too well expressed, I had hoped that the leadership on both sides would make its feelings felt and that it might help maintain the orderliness which so far has marked the demonstrations, and perhaps help prevent any disorderliness which might be attributable to a few but, may well be placed on the shoulders of the many.

Mr. SCOTT. Mr. President, I sometimes wonder how we are going to keep the two-party system going when the distinguished majority leader continues to say things with which I am so heartily in agreement. This is another instance of the patriotism and the sincerity and the very genuine concern for the rights of the individual as well as the rights of society which the distinguished majority leader has expressed.

"Congress shall make no law." The Founding Fathers could not have been any plainer than that. They must have had some foresight, from the way we behave around here sometime. They thundered it: "Congress shall make no law" and, by God, they meant it when they added the Bill of Rights and that sacred first amendment. We cannot and we should not. The effort of the generations to understand each other is unending.

Mr. President, yesterday I spoke at the National Press Club and I ask unanimous consent that the remarks which I made at that time be printed at the conclusion of my statement.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. SCOTT. Mr. President, it was an attempt to understand the present