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The thesis of Jean Price Lewis entitled
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HARD CHOICES
CIVIL RIGHTS AND TWO SOUTHERN CONGRESSMEN

A Thesis
submitted in partial fulfillment of the requirements for the
degree of
Bachelor of Arts in Liberal Studies

by

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School for Summer and Continuing Education
Georgetown University
Washington, DC
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ABSTRACT

This is a paper about perceptions of the courage of two members of Congress from the Deep South during the turbulent legislative battles over civil rights in the sixties: Carl Elliott of Alabama and Charles Weltner of Georgia. From our perspective today, fighting injustice by supporting civil rights legislation despite the mores of the segregationist South was the mark of great moral courage in southern legislators.

In his 1987 book, Man of the House, former Speaker Tip O'Neill cited the courage of Carl Elliott: "... the courageous few who stood up to segregation, including Carl Elliott of Alabama...were soon defeated by their constituents..." My research revealed, however, that O'Neill was mistaken. Elliott had stated early and unequivocally that he would not support civil rights legislation, nor did he. Yet O'Neill formed a lasting impression of Elliott's courage.

Charles Weltner not only voted for landmark civil rights legislation but withdrew from his 1966 race for re-election because he could not honor the required pledge to support the Democratic slate which included blatant segregationist Lester Maddox. Weltner demonstrated his courage in a way we all understand and applaud today.

John F. Kennedy in Profiles in Courage gave us a broader definition of moral courage: "A man does what he must-
-in spite of personal consequences, in spite of obstacles and
dangers and pressures--and that is the basis of all human
morality." Weltner and Elliott acted as each thought he must.
They made their decisions in an atmosphere of confusion and
turmoil, as the Democratic Party to which both belonged was
breaking apart in the South over race.

This paper traces Weltner's evolution from one who
first opposed civil rights legislation to one who gave up a
promising legislative career on principle; and it tells the
story of Elliott's odyssey from poverty-stricken farm boy to
eminent legislator and his eventual repudiation by his
constituents--for courage demanded by loyalty to his party and
his lifelong ideals. Tip O'Neill's memory was based on solid
ground, but that ground was not Elliott's support of civil
rights legislation.

How were Elliott and Weltner alike and how were they
different? Is it possible to say who showed the greater
courage? The best that can be done is to examine their
actions in light of their backgrounds, the political and
social environment of the times, and the values that guided
their decisions.
# TABLE OF CONTENTS

**INTRODUCTION** .................................................................1

Chapter | Page
---|---
I. **BIOGRAPHY OF CARL A. ELLIOTT**...................6
II. **THE RULES COMMITTEE**.................................11
The Problem
The Fight
Elliott's Appointment
Political Reaction

III. **THE 1961 RE-ELECTION CAMPAIGN**...............19
The Freedom Riders
Surviving the Democratic Primary
Seeds of the 1964 Defeat

IV. **THE CIVIL RIGHTS ACT OF 1964**.............26
Racial Unrest and Confrontation
in Alabama
Civil Rights Legislation and
the March on Washington
The Civil Rights Act of 1964
and the Re-election Campaign
Elliott Opposes the Civil Rights Bill
The Political Climate in Alabama
Defeat in the Run-Off

V. **BIOGRAPHY OF CHARLES LONGSTREET WELTNER**........36

VI. **THE RACIAL SITUATION IN GEORGIA**............39
Racial Moderation in Atlanta

VII. **CIVIL RIGHTS ISSUES AND THE 1964 RE-ELECTION CAMPAIGN** .................42
The Civil Rights Bill
The Birmingham Bombing
The Civil Rights Act of 1964—
Weltner's Conversion
1964 Re-election Victory

VIII. **THE VOTING RIGHTS ACT OF 1965**..............48
The Need for Legislation
Bloody Sunday in Selma
Weltner Supports the Voting Rights Bill
INTRODUCTION

A man does what he must—in spite of personal consequences, in spite of obstacles and dangers and pressures—and that is the basis of all human morality.
—John F. Kennedy, Profiles in Courage.

The turbulent legislative battles over civil rights in the sixties brought into sharp relief the conflicting views on the issue held by members of Congress from the South and those from the northern, border, and western states. Violence in southern towns and cities against black citizens as they demonstrated against segregation and demanded the right to vote was accompanied by bitter divisiveness in the Congress during the process that led to the enactment of landmark legislation: the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

I had intended to write a paper about courageous action by members of Congress from the Old South who flouted the mores of their culture and supported civil rights bills. In searching for examples I came across this passage in former House Speaker Tip O'Neill's discussion of the Voting Rights Act of 1965 in his 1987 book, Man of the House:

...but the House of Representatives was bitterly divided—most of the southern Democrats voted against the bill, while the courageous few who stood up to segregation, including Carl Elliott of Alabama...were soon defeated by their constituents...
This passage was the reason I selected Carl Elliott of Jasper, Alabama, as someone who valued principle more than power. But my research revealed that Speaker O'Neill, who served on the Rules Committee of the House of Representatives with Elliott, remembered "facts" that were not true. Elliott was no longer in Congress when the Voting Rights Act was under consideration; furthermore, he stated early and unequivocally, both in Washington and in Alabama, that he would not support civil rights legislation in Rules or on the floor, and he did not, even once. Yet somehow Speaker O'Neill had formed a lasting impression of Elliott's courage and his repudiation by his constituents because of it.

I then changed the focus of my paper in order to explore why Speaker O'Neill remembered Elliott as courageous, and to compare his actions with those of another southern congressman, Charles Weltner of Atlanta, Georgia, who had indeed supported civil rights legislation. I found that Speaker O'Neill was partially correct. Elliott was repudiated, and repudiated in part because of a courageous vote on an esoteric issue which marked him as a Kennedy liberal: whether to increase the membership of the House Committee on Rules from twelve to fifteen. The outcome of this vote determined the fate of major social legislation such as minimum wage,
Medicare, and Social Security. I will argue that in casting this vote, which was a major factor in his defeat, Carl Elliott did indeed put principle before self-interest.

Civil rights presented the Congress with what appears today to be a clearly defined moral issue. To support civil rights legislation was the morally right action; to oppose it was morally wrong. But is it possible or fair from the perspective of a quarter of a century later to make judgments about the values of a member of Congress from the Deep South during the emotional legislative battles of the sixties? If we were to judge Carl Elliott solely from today's perspective, we might find him lacking in moral courage. It is risky, however, without full appreciation of the context in which an action is taken, to come to any such conclusion.

A courageous act occurs when one takes a stand for what one believes is the right thing to do, regardless of the consequences; but even such cardinal virtues as loyalty and honesty are ambiguous. Loyal to whom? Hitler? Honest in every circumstance? Should not Jean Valjean have stolen bread for his children? I will argue that Carl Elliott's votes against civil rights legislation signaled not a lack of courage but a lack of vision, a mistaken belief about what was right.
There is little ambiguity about where Congressman Charles Weltner stood. He alone, among the congressmen from the old Confederacy who opposed a civil rights bill in February 1964, changed his mind in July, announced his conversion, and thereafter never deviated from a pro-civil rights position. But a hint of self-interest must be recognized. Weltner represented Atlanta, Georgia--and a large number of his constituents were registered black voters--a different world from the sparsely populated rural counties around Jasper, Alabama, which Elliott represented. Weltner's departure from Congress was the result of his own morally courageous decision, about which there is no ambiguity of interpretation at all. He refused to honor the loyalty oath that required all Georgia Democratic candidates to support the state party ticket. After the blatant segregationist Lester Maddox won the Democratic nomination for governor of Georgia in 1966, Weltner withdrew from the ticket.

This paper will discuss the actions and values of these two members of Congress in light of their background, the political environment in which they acted, the views of their constituencies who elected them to Congress, the divisive questions on which they took a stand, and the consequences of their actions. How were they alike and how
were they different? And what were the contexts of their political choices? The years 1963 and 1964 when the careers of Elliott and Weltner overlapped marked the fracture of the Democratic Party in the South. As the party became more closely identified with civil rights, many Southerners, determined to resist integration, abandoned their New Deal convictions for Republican racial conservatism. To their great credit, Elliott and Weltner did not.
CHAPTER I

BIOGRAPHY OF CARL A. ELLIOTT

Carl Elliott, the first of nine children of a tenant farmer and his wife, was born on December 20, 1913, near Vina, Alabama, a northwest town of about 300 among the cotton fields of Franklin County. (Vina evokes memories of childhood visits to my aunt and cousins who lived in Vina in the twenties. It was a place of rural southern poverty--sagging wooden porches, privies in back yards, muddy red clay roads, and polite pasty-faced children.) Not until the coming of the Tennessee Valley Authority and the early social programs of the Roosevelt Administration was there much hope for progress of any kind. Poor southerners who saw President Roosevelt, the Democratic Party, and massive assistance from the Federal Government as coming to their rescue in such perilous times became the most loyal supporters of the programs of the national Democratic Party. Carl Elliott was one of these.

Growing up on the farm, Elliott was a member of one of the first 4-H clubs in the county. At sixteen, a graduate of Vina High School with $2.31 in his pocket, he entered the University of Alabama. He earned his tuition by "shoveling coal into a campus boiler, shining shoes, waiting on tables and clipping shrubs. University officials, impressed by his diligence, allowed him to live free in a building basement."
He received his Bachelor of Arts degree in 1933 and his LL.B. in 1936. He served as president of the student body of the University of Alabama for his last two years of law school, earning his tuition as a teaching fellow in history.⁵

Elliott spent the next few years as a practicing attorney in Russellville, near his hometown in Franklin County, and in Jasper, in Walker County. In 1940 in his first try for public office he lost a close race for county judge. Following a two-year stint in the infantry from 1942 to 1944, he served as judge in the Recorder's Court at Jasper and as city attorney for several other Walker County towns, becoming president of the county bar association.⁶

Elliott ran for Congress in 1948 to represent Alabama's Seventh Congressional District as a progressive who would press for Federal assistance for education, housing, health care, roads, and river development. His political advertisements in the Cullman Tribune of April 22, 1948, stressed that he was not dominated by any "political rings." He was for assistance to veterans, for peace and preparedness, and against Russia and Communism. Although the major political issue in Alabama was whether to bolt the Democratic Party if President Truman's civil rights plank was adopted by the National Democratic Convention, Elliott's advertisements
were silent on the question. Elliott trounced his conservative opponent, incumbent Carter Manasco. At the time of his election to the 81st Congress, Elliott was a member of the Methodist Church, the American Legion, Lions International, Order of the Eastern Star, Masons, Parent-Teacher Association, and Woodmen of the World.'

In ensuing re-election campaigns, when he had no serious opposition or none at all, Elliott stressed his support of Federal assistance in a variety of areas, particularly education. During his years in Congress his wife remained in Jasper with their two sons and two daughters during the school months, visiting Washington only during vacations.'

With keen personal recognition of the economic barriers to a college education, Elliott was the author and chief sponsor in the House of the National Defense Education Act of 1958. The New York Times of August 22, 1958 commented:

His will be an accomplishment that has been regarded as impossible for the last twenty-five years...Rep. Elliott earlier adopted a policy seeking a peaceful solution to all problems in advance of floor action. These problems were prickly—religious, racial, economic, educational. In his Alabama district they were also highly political.

A Tuscaloosa, Alabama News editorial of August 26, 1958 said:

Few people in this area, and in Alabama as a whole, have the proper appreciation for the work that was done on this bill by people of this state and particularly by
Senator Hill and Congressman Elliott....We feel that honor is due to Senator Hill and Congressman Elliott--and particularly to the latter.

By 1961 Elliott was so highly regarded for his legislative skills that he was mentioned as a possible successor to the ailing Speaker Sam Rayburn.

Elliott described himself as a "Southern liberal" and his voting record bore him out. He opposed the Conservative Coalition of the House--a large group of Republicans and the majority of southern Democrats--on 57 per cent of votes selected for study by the Congressional Quarterly in 1960. "Representative Carl Elliott of Jasper isn't liberal by the standards of Walter Reuther and Hubert Humphrey. But he's to the left of Black Belt Democrats," noted the Alabama Journal on January 5, 1961.

Fiercely loyal to the National Democratic Party, Elliott made over 200 speeches in support of the Kennedy-Johnson campaign in 1960. The February 2, 1961, Alabama Journal noted that Elliott had said he endorsed almost all of the Kennedy legislation except civil rights. Elliott's dilemma was common to southern liberals. Nearly thirty years later he was to say: "Now I wasn't out front there marching with Martin Luther King or anything, because you just couldn't do that then and stay in Congress...The whole South was
galvanized against civil rights, but I knew that the bills I
was supporting would help both white and colored, and my
opponents knew that, too."\textsuperscript{10}
CHAPTER II
THE RULES COMMITTEE

The Problem

When President Kennedy assumed office, his chief Congressional liaison officer Lawrence O'Brien assessed the chances for House passage of the Kennedy legislative program. In his memoirs, Henry Wilson, Kennedy's liaison with the House of Representatives, described the situation. Although in the 87th Congress (1961-1962) Democrats held 263 House seats, 99 were from the eleven states of the Confederacy, leaving only 164 Democrats from the northern, western and border states. There was a stumbling block that had to be overcome before legislation could even come to the House floor for a vote—the solidly conservative House Rules Committee, chaired by arch-conservative Democrat Howard Smith of Virginia, then 78 years of age. As the leader of the bloc of segregationist southern Democrats, Smith was joined by Minority Leader Charles Halleck and his party-line Republicans in the Conservative Coalition. The Rules Committee under the "stoop shouldered, elaborately courteous, faintly reserved Gentleman from Virginia"11 was a stronghold of the Conservative Coalition and had effectively blocked social legislation. New York Times political analyst Tom Wicker observed: "The Committee held the immense power to decide what bills...would go to the
House floor for a vote. A measure studied for months in a legislative committee, perfected to the last whereas by experts in its subject matter, supported by hundreds of members of the House—to say nothing of the President—could in an hour's time be killed by the Committee on Rules' refusal to send it to the House floor for a vote; and that refusal could be effected, not just by a majority of the Committee, but by a tie vote." In order for an important bill to be sent to the House Floor, the Rules Committee must vote out a rule, which determines the conditions under which debate is carried out.

Traditionally, the majority party in the House holds twice as many seats on the Rules Committee as the minority party. At the beginning of Kennedy's term, the Rules Committee was composed of eight Democrats and four Republicans. Because Chairman Smith and the second ranking Democrat William Colmer of Mississippi were unalterably opposed to liberal legislation as were all four Republican members, however, a vote on issuing a rule was destined to be a six-to-six tie, and the request for a rule therefore would fail. Furthermore, for many years Chairman Smith, "the very essence of courtliness and charm," sometimes refused to call a meeting of the Rules Committee if he did not personally approve of the content of a bill for which a rule had been
requested. His excuse might be that he had had to go to his home in Virginia to see about the repair of his barn." Thus, the control of the legislative agenda of the House of Representatives had passed from the Speaker to the Chairman of the Rules Committee.

The Fight

In January 1961 House Speaker Sam Rayburn and the new President's men discussed the situation. The question was "whether Rayburn controlled the House of Representatives--and thus whether the Democrats and the new President, John F. Kennedy, could control Congress." Rayburn had concluded that the only possible solution was to increase the membership of the Rules Committee by three, with two of the new seats going to liberal Democrats whose appointment he would control and the third to the Republicans. This plan would preserve the traditional two-to-one ratio (10 Democrats, 5 Republicans). The new line-up would be eight liberal Democratic votes versus Smith, Colmer, and the five Republicans--a precarious margin of one vote for liberal legislation.

Speaker Rayburn put his considerable personal prestige and legislative skill behind the effort to win the vote on the expansion plan and, contrary to custom, joined in the House debate. Vice President Lyndon Johnson, Kennedy Cabinet Members, and the White House Liaison staff made numerous calls
and visits to wavering members. Chairman Smith and Minority Leader Charles A. Halleck led the fight against Rayburn. Issues of party loyalty—and the specter of political punishment for the recalcitrant—were used as leverage by both sides. Arguing for the bill, one Democrat, Congressman Francis Walter of Pennsylvania, even claimed that its defeat would be a propaganda bonus for "the hostile eyes that watch us from behind the Iron Curtain." 13 Since its defeat would indicate a weakened Presidency, supposedly Kennedy would be perceived as weak by Nikita Khrushchev. Taking the opposite tack, that enactment of the bill would help Communism, southern newspapers "were creating a false picture of the Committee on Rules as the last barrier against Communist civil rights legislation." 18

Speaker Rayburn knew that he would have the support of most of the 164 Democrats from the northern, western and border states. He could expect only 20 or so of the 172 Republicans to support him. Therefore, in order to find the 218 votes necessary to win, he needed a minimum of 34 southern Democrats, even if he lost not one of the other Democratic votes. Therefore, because of the conservatives' efforts to interpret the Rules Committee expansion as a pro-civil rights gambit, Speaker Rayburn said that the "balance" in a twelve-member committee would not be upset by the addition of three
new members. Democratic Congressman Richard Bolling, a pro-Rayburn pro-Kennedy activist, noted, "This was a tactful way of stating that one of the three new members would be Carl Elliott of Alabama, moderate Southerner, and an Administration supporter on nearly all issues except civil rights." 17 It may also have been a signal that the Administration did not intend at that time to press for civil rights legislation. In his 1965 book on the Kennedy presidency, Theodore C. Sorensen, Special Counsel to President Kennedy, justified the delay:

The President knew that legislative proposals had been promised and expected. He knew that the token gradualism of the preceding years was insufficient. "But a lot of talk and no results will only make them madder," he said to me after one civil rights delegation had left his office. "If we drive Sparkman, Hill and other moderate Southerners to the wall with a lot of civil rights demands that can't pass anyway, then what happens to the Negro on minimum wages, housing and the rest?" To solidify the conservative coalition--by presenting an issue on which Southerners had traditionally sought Republican support in exchange for Southern opposition to other measures--could doom his whole program.18

Chairman Smith asked the National Association of Manufacturers, American Farm Bureau Federation, Southern States Industrial Council, and Chamber of Commerce of the U.S. for their help. Other groups reported to be lobbying against the bill because of their special interests included: the American Medical Association, who opposed health care for the aged; the National Association of Real Estate Boards, who opposed urban renewal; the National Lumber Manufacturers
Association, who could be expected to oppose minimum wage legislation."

The cliff-hanger 217-212 winning vote took place on January 31, 1961. Votes were cast by 429 of the 435 Members, 259 Democrats and 170 Republicans. 195 Democrats and 22 Republicans voted for the bill. Of the 195 Democratic supporters, 36 were from the eleven old Confederate States, including 14 from Texas. Carl Elliott was among them. (Charles Weltner was not yet a member of the House of Representatives.)

Elliott's Appointment

On February 1 Elliott was appointed to one of the new Democratic seats. Speculation was that he had been selected because of his record of support for education and labor legislation, because of his reputation as a moderate southerner, because of Speaker Rayburn's high opinion of him, and because he had been a friend of Larry O'Brien since first coming to the Congress." Richard Bolling praised him as "skilled, courageous, and able" and as "a sincere, respected and intelligent man." 21

Congressional Quarterly, noting that Elliott had opposed civil rights measures, predicted that such legislation would have to attract Republican support in the
Rules Committee." Elliott himself in an interview with a reporter from the Alabama Journal on January 6, 1961 had said:

The discussion over make-up of the Rules Committee isn't concerned with civil rights legislation at all. You can check the record and find that when bills like that come up the Republicans switch sides and vote with the Northern Democrats to bring up the bills. The present committee has been blocking such things as medical care for the aged, housing, school building, and social service measures.

Political Reaction

Following Elliott's selection, the Alabama Journal reported on February 2 that he "was emphatic in rejecting any 'flaming liberal' tag...Classifying himself as a moderate, the 48-year-old small-town lawyer and Bible class teacher added, 'You might say I'm a Southern liberal.'" The Journal observed that Elliott was not expected, supposedly by the Democratic Leadership, to vote for civil rights measures, adding, "To do so could amount to political suicide for an Alabama congressman."

The Alabama Journal was not slow to castigate Elliott for being "one of the stooges to create a liberal majority on the Rules Committee":

...it will not set well with the people of Alabama who oppose stacking of the Supreme Court, or House Committees, or any other agency to favor minority radical and revolutionary changes of national policy...Chairman Smith...is the best friend the South has in Congress..."
A Birmingham *News* editorial Headlined "Rayburn Wins—or Sort of" drew a sharp line between the voting behavior of their congressman and that of Elliott:

...Jefferson's [County] Rep. George Huddleston stood up against enormous pressure from Sam Rayburn and heeded obviously stronger pressure from home folks, voting "no" to a Rules Committee change. Jefferson Countians will be grateful for his decision....Reps. Elliott, Rains and Jones, liberals all, may have reflected their own constituencies' sentiment. Alabama is not uniform on legislation..."24

The *Alabama Journal*'s editor was even more enraged a month later:

Alabama has special reason to resent this blow against the South, this liberalism run wild and turned loose to foist all sorts of alien schemes upon the nation. It is a pro-Negro plan, a strictly political thing to carry out some of the wild schemes put into the Democratic national platform at the Los Angeles convention. Four Alabama members of Congress voted for this iniquitous scheme. If three of them had voted as their constituents had wanted them to vote the resolution would have been defeated. It is therefore fair to say that four Alabama representatives are responsible for the victory of this anti-South, anti-white man, anti-business man, anti-conservative monstrosity. One...Elliott of Jasper, was rewarded with one of the stuffed committee memberships...It is not stated what could have induced the other three to vote so harshly to betray their own people. But they must come home and answer for it. [They] must face their own people next year and explain why they deserted their own people in an hour of crisis.25
CHAPTER III
THE 1962 RE-ELECTION CAMPAIGN

The Freedom Riders

Identification in Alabama with the Kennedy presidency became increasingly hazardous as civil rights activists brought to national attention the racial injustices in the South—and those in Alabama and Mississippi in particular. On May 4, 1961, hard on the heels of the bruising Rules Committee battle with its civil rights implications, James Farmer, national director of CORE, determined to test enforcement of the Supreme Court decision which prohibited segregation in terminal waiting rooms, lunch rooms, and other facilities on interstate bus routes. Black and white volunteers boarded two Trailways and Greyhound buses which traveled from Washington, D. C., through Virginia, North and South Carolina, Georgia, Alabama, and Mississippi. The Ku Klux Klan was waiting at the Anniston, Alabama, terminal, and members of the mob smashed the windows and burned the bus, attacking the passengers as they tried to flee. The other bus was also viciously attacked in Anniston and in Birmingham. Volunteers from the Student Nonviolent Coordinating Committee (SNCC) continued the Freedom Rides into Alabama and Mississippi. Arriving in Montgomery, Alabama, on May 20, the bus riders were met by mobs, who stomped and kicked them, although Alabama Governor John Patterson had assured a Justice
Department aide who was monitoring the situation for President Kennedy and Attorney General Robert Kennedy that all persons would be protected. President Kennedy dispatched 600 Federal marshals to Montgomery. The governor declared martial law and called out the Alabama National Guard.  

Professor David R. Goldfield notes in Black, White, and Southern:

The extensive news coverage and the actions of the White House seemed to place the South under a magnifying glass. The view was not an attractive one and etched itself in the minds of some white leaders as blacks in their own communities began to press for more than token integration. For other whites, the rides conjured up the specter of outside invaders in a way that the sit-ins did not. For those southerners, the invasion was a new call to battle.  

Surviving the Democratic Primary

Elliott and the other eight members of the Alabama Congressional Delegation, all Democrats, faced a precarious re-election campaign the following spring. As a result of the 1960 census Alabama had lost one congressional seat but the Alabama Legislature had not summoned the political will to redraw the congressional districts. Instead, each congressman was to run in his own old district in a Democratic primary. The nine winners were then to run against each other, with the low man eliminated from the general election in November.
Elliott had no challenger in the first primary, possibly because he had been enormously successful in obtaining Federal projects for his district. During his fourteen years in Congress, he noted in a pre-run-off interview with James Free, Washington correspondent for the Birmingham News, the federal aid projects he had supported had brought to his district fifteen hospitals and health centers, thirty-five housing projects ("more than any other district in the Southeast") and twenty-five armories. Elliott did not try to back away from his Rules Committee vote in the interview, stressing the importance of the role of the Committee and noting proudly that only two other Alabamians had ever served on it, one of whom was former Speaker of the House William Bankhead, also of Jasper. Free noted:

...Elliott has disproved the argument that his going on an expanded House Rules Committee would somehow hurt the South's strength in civil rights fights. Earlier this year, for example, Elliott cast the deciding vote that killed the move in the Rules Committee on the bill for a new Department of Urban Affairs (with the post of secretary having been promised by President Kennedy to Robert C. Weaver, the Negro who is now Federal Housing Administrator). 28

On January 24, 1962, Elliott had sided with Smith, Colmer, Democrat James Trimble of Arkansas and all five Republicans to bury the bill to create a Department of Urban Affairs and Housing. When Kennedy resubmitted his plan as a reorganization bill which did not require Rules Committee clearance, only thirteen Southern Democrats voted for its
passage; Elliott was not among them. This vote was seen by the Congressional Quarterly as Elliott's recognition that whereas his own 7th District was "slightly more 'liberal' than the rest of Alabama," he would have to contend for votes in South Alabama's extremely conservative "Black Belt" in the run-off."

In 1960, non-whites made up 30.1 per cent of Alabama's population. Of the whites of voting age, 63.6 per cent were registered; of the non-whites of voting age, only 13.7 per cent were registered. Elliott's district had a higher percentage of registered voters--81.8 per cent of voting-age whites and 31.8 per cent of voting age non-whites were registered. However, Elliott's district, the most thinly populated in Alabama, had a non-white population of only 9.9 per cent." One might conclude that there was little fear of black political power in the district simply because of the small number of blacks living there, as compared to the districts in central and south Alabama.

The internecine warfare of the nine colleagues-turned-rivals in the run-off was mild. Elliott's colleagues were loath to attack him and did not mention the Rules Committee fracas. Almost complete returns reported in the May 30 Montgomery Advertiser showed that the odd man out was Frank
Boykin of Mobile, Alabama, in ninth place with 342,323 votes. In eighth place with 433,669 votes was liberal Bob Jones, from a northern Alabama district, who had voted with Elliott for the expansion of the Rules Committee. In seventh place was Elliott, with 449,997 votes. On May 31 the Advertiser reported: "After 27 years in Washington it was apparent to Boykin whose slogan had been 'Everything is made for love' that he was defeated." His "flamboyant and colorful years" in office were over.

Why were liberals Elliott and Jones barely saved and conservative Boykin the loser in the state-wide race? Ironically, Boykin had sided with Howard Smith and William Colmer on the Rules Committee vote. For several months, however, Boykin had been under investigation by a grand jury for charges of conspiracy and conflict of interest for which he was indicted on October 16, 1962. It is possible that his amative philosophy and conservative voting record were outweighed in the minds of Alabama voters by allegations of his involvement in Maryland savings and loan associations scandals which had been widely publicized in Alabama. All eight Democrats were re-elected in the November general election, with three adventurous Republican candidates coming in ninth, tenth, and eleventh. Elliott had survived for what were to be his last two years of political office.
Seeds of the 1964 Defeat

Taking a dim view of how Congressman Elliot might conduct himself in the next Congress, the Andalusia Star-News in an editorial entitled "Elliott is Loyal Kennedyite" described Elliott as one "who swung the hatchet against Dixie two years ago":

Carl Elliott in 1960 followed the commands of President Kennedy. Congressman Elliott voted to expand the Rules Committee, erasing a Southern lock on this important committee with the power to hold the line for Alabama and Dixie...If Carl Elliott continues to serve as a rubber-stamp for the Kennedys, he is in for serious trouble...Carl Elliott does not have the statewide support necessary to continue to carry the label, "There goes a Kennedyite." 31

If Elliott had tarnished his liberal credentials by his anti-Department of Urban Affairs and Housing votes, he partially restored them by a blistering speech at a Democratic Jefferson-Jackson Day dinner in Alabama in early March 1963 attacking the John Birchers, whom he called "loud-mouthed know-nothings whom Thomas Jefferson would have dismissed as intellectual nitwits--and whom Jackson probably would have horse-whipped." 32 The following month he spoke forcefully at a Democratic gathering in defense of the national party and its programs of "G.I. direct housing loans, public housing, student college loan programs, social security, rural libraries, science equipment for schools...those things were brought about by the leadership of your party and mine, the great old Democratic Party." 33 On April 17 he appealed to
Alabamians to support the re-election of President Kennedy. The Foley, Alabama, Onlooker, dubbing him "Joshua of Jasper," commented in an April 18 editorial:

In an earlier time, Joshua told the sun to stand still....At this point, it is inconceivable that a majority of Alabamians would vote to preserve the Bros. Kennedy in office....[Elliott] himself is insecure.... Nothing could inflame a large element of the electorate more than an appeal in behalf of Bobby...last week he made a harsh attack on the Birchnuts. Although the attack was intemperate as it called for flogging them, it had merit. But there are a lot of John Birch Citizens about and as a class they are upper. Elliott has invited their hostility.
CHAPTER IV
THE CIVIL RIGHTS ACT OF 1964
Racial Unrest and Confrontation in Alabama

The hostility Alabamians were exhibiting toward the Kennedy brothers which was rubbing off on Carl Elliott had been fueled by the forced integration of the University of Mississippi the preceding September. On February 28, 1963, the President had sent a Special Message to the Congress on Civil Rights decrying racial discrimination and recommending measures to assure voting rights, to speed up desegregation of schools, and to expand the role of the Civil Rights Commission. The Justice Department had filed a lawsuit to compel the integration of the University of Alabama, and Alabama's Governor George Wallace had warned that Alabama would never submit to integration in education. In defiance of the Federal Government, he would "stand in the doorway" of any school under orders to integrate."

In February the Student Nonviolent Coordinating Committee sent two members to Selma to begin their campaign to register blacks to vote." In April racial disturbances broke out in Birmingham. Police Commissioner Eugene "Bull" Connor confronted the civil rights demonstrators with fire hoses and police dogs. More than three thousand black men, women, and children, including the Reverend Martin Luther
King, were jailed. The President sent Department of Justice personnel to Birmingham to mediate the crisis but the settlement they achieved was short-lived. On May 11 the home of a black Birmingham minister and a hotel were bombed, and on May 12 the President sent three thousand Federal troops to Alabama and called the Alabama National Guard into Federal service. Six days later President Kennedy delivered a speech at the 30th Anniversary Celebration of the Tennessee Valley Authority at Muscle Shoals, Alabama. Congressman Carl Elliott was at his side.

On June 11 President Kennedy issued a proclamation commanding Governor Wallace to cease and desist the obstruction of justice by blocking the admission of two black students to the University of Alabama. Deputy Attorney General Nicholas Katzenbach, on the scene at the university, informed Governor Wallace, who had stationed himself in the doorway of the building where the registration was to take place, that he had the Presidential proclamation. Wallace interrupted Katzenbach, and read a statement "expressing his determination to 'forbid this illegal act.'" The President then signed an Executive Order which federalized 17,000 Alabama National Guardsmen. It was only then that Wallace stepped aside and the students were registered. That evening the President addressed the American people by television and
radio, calling for action by Congress and state legislatures and by individual citizens to assure equal rights and equal opportunities for all Americans.

Civil Rights Legislation and the March on Washington

On June 19, 1963, President Kennedy submitted a civil rights bill to the Congress, "the most comprehensive and far-reaching civil rights bill ever proposed." Elliott, calling the President "dead wrong," publicly pledged his vote both in Rules and on the House floor to oppose civil rights legislation which "would add fuel to the fires of racial discord which are sweeping across the nation."

August 28, 1963, brought 200,000 demonstrators to the March on Washington, memorialized by Dr. King in his "I have a dream" address. On September 15 four Negro girls were killed in Birmingham when the church they were attending was bombed. Another bombing followed ten days later.

Meanwhile the House Judiciary Committee amidst great controversy hammered out a bipartisan civil rights bill and on October 29, 1963, gave it the committee's final approval. President Kennedy extracted a commitment from the House Republican Leadership that the Republicans would support the bill in the Rules Committee and on the House floor. The
Judiciary Committee’s request for a rule reached the Rules Committee on November 21, 1963, as the President left for his fateful trip to Texas.42

The Civil Rights Act of 1964 and the Re-election Campaign

Elliott was facing the upcoming fight for the Democratic nomination for Congress where once again he not only had to win the primary in his old district but survive the state-wide run-off. Despite his public announcement that he would oppose civil rights legislation and the fact that he had done so, Elliott was seen as a down-the-line Kennedy supporter. On October 2, 1963, the Mobile Register had commented:

If the rest of the bottom falls out of Kennedy political stock in this state next year, all eight incumbents could be swept out of office...Kennedy unpopularity in this state seems certain to be greater next year than in 1960.

Elliott stuck to his guns, defending his record on the Rules Committee where he had supported a variety of federal assistance programs to help Alabamians, emphasizing his disagreements with Chairman Smith on economic issues. And he pledged to support the national Democratic ticket in the 1964 election.43

Elliott Opposes the Civil Rights Bill

Elliott was consistent in his Rules Committee votes against civil rights legislation. When Chairman Smith finally
took action on January 31, 1964, on the bill reported by the
Judiciary Committee the preceding October, the Rules Committee
vote was 11-4 to send the bill to the House floor. The nay-
sayers were Smith, Colmer, Trimble of Arkansas, and Elliott.
The bill was passed on February 10 by a vote of 290-130.
Democratic supporters from the old Confederacy numbered seven:
one from Florida, two from Tennessee and four from Texas.
Elliott made one floor statement during the lengthy and
acrimonious debate in which he expressed his opposition. His
statement included the following:

I make no apology for the South. None is needed. My
people sincerely and conscientiously believe that the
separation of the races is in the best interests of both
white and Negro citizens..."

The Political Climate in Alabama

Elliott's political problems mounted. The
Congressional Quarterly of May 22, 1964, noted:

Representatives Carl Elliott and Robert E. Jones, both
liberal-loyalist Democrats who are the bane of
conservative segregationist Governor George C. Wallace and
his numerous supporters, appear to be the weakest
incumbent Congressmen for the statewide race. In their
own districts both Elliott and Jones would be almost
unbeatable, but their nationally oriented views make them
vulnerable in the rest of Alabama."

In a March 30, 1964, column in the Washington Post,
Rowland Evans and Robert Novak commented:

Alabama's Gov. George Wallace is trying harder to
convert his state into a feudal principality than any
politician in any southern state since Louisiana's Huey
Long...Wallace is...riding the twin issues of racism and
hate-Washington. So much a symbol of hate has the
"central government" become that the mere presence of Rep. Elliott, an Administration man, on the powerful House Rules Committee is being used against him...

Defeat in the Run-Off

Supposedly at the instigation of Governor Wallace, Tom Bevill, the Governor's floor leader in the Alabama Legislature, challenged Elliott in the district primary. "Furthermore, Governor Wallace had put together a slate of uncommitted Presidential electors to run against the Presidential electors pledged to the Democratic nominee. Elliott backed the so-called loyalist slate in accordance with his pledge to support the national Democratic ticket in the 1964 election. Despite the surge of support state-wide for Wallace, whose unpledged Presidential electors won by five to one--preventing Lyndon Johnson's name from appearing on the ballot at the November general election--Elliott won the primary in his own old Seventh Congressional District.

The state-wide Democratic primary run-off on June 2 to select the eight Democratic at-large nominees for Congress was a different matter. A group of conservative segregationists, the United Conservation Coalition of Alabama, "drawing its members from the White Citizens Council, Ku Klux Klan, John Birch Society, and the right wing of the Republican Party" prepared and distributed hundreds of thousands of sample ballots headed by a phrase made famous by Wallace,
"Stand Up for Alabama." The ballots listed the names of eight candidates for Congress who should be supported; Elliott's name was not among them.⁷ Although Wallace disavowed any connection with the group, the use of his war cry slogan "apparently went a long way with a lot of voters."⁸

Elliott was eliminated in the run-off, running poorly even in his own district where he was eighth in eight of the nine counties and fifth in one. The Birmingham News' substantially complete tabulation gave ninth-place Elliott 293,051 votes, about 5,000 below the tally of the eighth-place candidate, non-incumbent John Tyson. The News opined that Elliott lost because of lack of support in his own district.

Elliott's home-town newspaper, the Jasper Mountain Eagle, observed that he was apparently victimized by his "Southern liberal attitudes." The sad fact was that non-incumbent Tyson who was eighth in the race had won 5,480 votes in Walker County, approximately the margin by which Elliott was defeated.⁹

The Cullman Times in Elliott's old district blamed the marked ballots which omitted his name as "a concerted effort to oust him," noting that he was called a liberal by his
enemies, even though he consistently voted against civil rights legislation."

A look at the margin by which Elliott lost in the three largest counties in Alabama--Jefferson, Montgomery, and Mobile--where his total was 22,503 below the number of votes for the eighth place winner, indicates the antipathy of central and south Alabama voters to a man broadly perceived as a loyalist "Kennedyite" Democrat. Elliott was seen as being "on the opposite side of the fence from Governor Wallace," leaving little doubt that "this was the principal thing contributing to [his] defeat."

Other Alabama newspapers gave a variety of reasons for Elliott's defeat. Praising him as "one of the nation's brilliant legislators," The Lee County Bulletin belatedly recognized the facts of his Rules Committee voting record:

Many who voted against Rep. Elliott did so because he had supported the late Speaker Sam Rayburn's fight to enlarge membership of the House Rules Committee as a means of breaking the grip held on it by the obstructionist Rep. Howard Smith....The irony now is that Elliott had used his Rules position to defend the majority Alabama view of civil rights legislation. He has been defeated in part by those whose position he had defended. They have cut off their nose to spite their face."

Political reporter Bob Ingram of the Montgomery Advertiser wrote:

Elliott refused to straddle--and lost....Rather than deliver a speech comforting to the ears of the
conservatives, Elliott instead unleashed a blistering attack on "John Birchers and right-wing extremists." ...While the John Birch membership in Alabama might not be significant, the number of John Birch sympathizers is. Elliott lost them all with that one speech....He was already in trouble, this dating back to 1961 when he joined the Kennedy Administration in pushing a resolution through the House increasing the size of the powerful Rules Committee...At that time he said he voted with the administration because "I wanted the New Frontier to have a fair shake in the House of Representatives."...This brought charges that Elliott was a "liberal."""33

The Birmingham News believed that Elliott had "incurred the wrath of critics because he had voted frequently with the Democratic Administrations in Washington." An editorial stated:

Alabama again speaks in a bold conservative voice. It eliminated from the United States Congress Carl Elliott. He was a liberal. That is a viper's mark in this state today. That he had supported numerous measures benefiting the whole state, that he was a diligent worker for his old district, that he was in what has come until lately to be called the progressive north Alabama pattern mattered not. He was chopped."34

Jasper's Daily Mountain Eagle of June 3 said it all:

It was not Elliott who lost in Tuesday's election. It was Jasper who lost. It was Walker County and all the people of the old 7th Congressional District and Alabama who lost... Walker County did not have the foresight to drive a stake to steady its future. It was not Elliott who lost... it was those progressive-minded individuals of Jasper, Walker County, and the old 7th Congressional District. It was all the people who voted for him and saw their hopes shattered, and it was the foolish, benighted individuals who did not vote for him and who ruined our chances for a place in the sun...The deeds Carl Elliott has done for Walker County, the old 7th Congressional District, Alabama, and the United States will never be forgotten, for by his works we shall remember him.
A final irony was reported by the Daily Mountain Eagle on June 4:

Elliott was defeated by the unusual system of nomination called the 9-8 plan which he so ardently opposed. The 9-8 system has been declared unconstitutional by a Federal judge who allowed the election to go on to avoid confusion.... In the final analysis Elliott was defeated by an unconstitutional nominating system...

In 1966 Elliott was one of ten candidates for the Democratic nomination for governor of Alabama. A formidable opponent was Governor Wallace's wife Lurleen, a stand-in for Wallace who was ineligible to succeed himself. Mrs. Wallace, whose campaign slogan was "Let George Do It," swept the primary with 52.4 per cent of the vote; Elliott won only 8.2 per cent.

Elliott did not run again for public office, but practiced law first in Washington, then in Birmingham, and finally in Jasper where he lives today in modest circumstances. He had cashed in his Congressional pension to finance in part his gubernatorial race and to pay debts from his 1964 campaign. He incurred additional campaign debts which mounted, as creditors sued him for nonpayment. Refusing to declare bankruptcy, Elliott lost his home to his creditors. "I hope," he told an interviewer for the New York Times last year, "it didn't all make me bitter."
CHAPTER V

BIOGRAPHY OF CHARLES LONGSTREET WELTNER

Charles Weltner was born December 17, 1927 in Atlanta, Georgia, to one of Georgia's leading families. His father was the president of Oglethorpe University and was Chancellor of the Board of Regents of Georgia's university system. He had also served as a reform-oriented secretary of the State Prison Commission, working incognito on a chain gang to gain information about abused convicts. Weltner remembers his father as "a god figure, not a father figure. I was terrified of him. It was a combination of fear and admiration." Weltner's earliest realization of racial injustice occurred when, a boy of six, he overheard a black university president say to his father: "Chancellor, we can't vote for you for governor. But if you ever run for president, you can sure count on us." At that time, blacks were prohibited from voting in Georgia's Democratic primaries. 55

One great-grandfather, a Confederate general killed at Fredericksburg, had authored Georgia's first legal code. He had also written the constitution of the Confederacy, the original of which is in Weltner's possession.57 Another great-grandfather was the first Chief Justice of the Georgia Supreme Court.56
Weltner graduated from Oglethorpe University in 1948 and earned his LL.B. degree in 1950 at Columbia University Law School. He married in 1950 and had four children. "Joining a law firm in Atlanta, he practiced law, with the exception of two years' service in the U.S. Army, until his first try for elective office in 1962 when he was elected to Congress. Weltner is a Presbyterian.

Weltner's active involvement in politics began in 1952 when he joined the fight against Georgia's unit rule system which applied to all primary elections for governor, the state legislature, and the Congress. The unit rule very effectively maintained the power of rural, conservative counties, and helped to elect and maintain in office the most conservative "rural, generally racist" candidates. Theoretically based on population, each of Georgia's 159 counties had a fixed number of votes. The candidate with a majority vote in a county was awarded the total number of county unit votes. The problem was that as the population of urban counties increased, such as Atlanta's Fulton County, the number of the county's unit votes was not increased commensurately but remained the same. Thus in 1958 Fulton County with a population of 500,000 had six unit votes; Echols County with a population of 1,900 had two unit votes. One voter in Echols County exerted almost 100 times the power of a voter in Fulton
County. Although Strike One, an organization that Weltner joined in 1952, helped to defeat an extension of the unit system to all Democratic primary candidates, regardless of the office sought, the system itself was not abolished until the March 1962 Supreme Court's one man, one vote decision in the case of *Baker v. Carr.* The decision came just in time to help Weltner defeat segregationist incumbent James Davis, one-time Ku Klux Klan member, for the Democratic nomination to represent Georgia's Fifth Congressional District. Had the unit rule prevailed, Davis would have won, despite the fact that Weltner won a plurality of the popular vote. Davis had some help from outside the state. Congressman Howard Smith from Virginia and Congressman William Colmer from Mississippi appeared on a television program urging Georgia voters to renominate John Davis.

Weltner was an organizing member of a small political organization, the Democratic Forum, that had worked in Fulton County on behalf of President Kennedy's candidacy in 1960. The Democratic Forum took the "then-daring step of opening itself to all Democrats, regardless of race." The election of the young, racially moderate Weltner was seen as a signal of change, of the possibility of a new South.
CHAPTER VI
THE RACIAL SITUATION IN GEORGIA

Racial Moderation in Atlanta

The presence of a large number of registered black voters in Atlanta who helped to elect Weltner was the result not only of earlier successful registration drives by black political organizations, but long-standing arrangements between the black business community and the group of white politicians in power to exchange black votes for black appointments and improved services to black residents. Furthermore, racial harmony was promoted by close ties between the white economic and political elites who were interested in economic development—not racial confrontation. "Mayor William B. Hartsfield once boasted that he never made a decision without first consulting the management at Coca-Cola. The image-conscious leaders were also proud of their reputation for racial moderation..." In 1961 the business leaders and the leadership of the city government agreed to black demands for desegregation of public accommodations. Two years before the hullabaloo over admitting black students to the University of Alabama, the integration of the University of Georgia had been peacefully accomplished. It is true that the Georgia legislature had passed a law to close schools rather than integrate, a law which the governor had
pledged to enforce. But when a thousand Georgia businessmen called on the governor to back down—and because neither he nor the legislators wanted to see the university closed and a football season lost—black students were admitted without incident.” Weltner had worked with a group of Atlantans toward peaceful integration of the Atlanta public schools as a member of HOPE (Help Our Public Education).

The Freedom Riders and the Albany Movement

In contrast to the boiling situation in Alabama in 1961 over the Freedom Rides, Georgia had handled the question of demonstrations to test the integration of facilities in interstate transportation differently. Martin Luther King had selected Albany, in a predominantly rural area, as the site to protest not only Albany's defiance of the Interstate Commerce Commission's order to desegregate train stations and bus terminals, but to protest the city's rigid segregation in all areas. Cognizant of the spectacles at the bus stations in Anniston and Birmingham, the police chief of Albany lined up jails within a hundred miles to house the thousands he intended to arrest for breach of the peace and unlawful assembly, arranged for their safety and fair treatment, and gave his officers a course in nonviolence. The "Albany Movement" which began in November 1961 and ended in the summer of 1962 was not a success. "'(We thought) we could fill up the jails,' SNCC worker Bill Hansen explained in a post-
mortem. 'We ran out of people before Chief Pritchett ran out of jails.' Martin Luther King and Ralph Abernathy had been arrested, and in July 1962 received a jail sentence of 45 days. A mysterious black stranger bailed them out, although they had planned to serve their terms. Many years later the mystery was solved. Albany's mayor and Police Chief Pritchett were responsible."
CHAPTER VII
CIVIL RIGHTS ISSUES
AND THE 1964 RE-ELECTION CAMPAIGN

The Civil Rights Bill

Although Weltner had worked for Kennedy's election, he did not express blanket approval of his legislative program. In fact, when asked about his political philosophy, he conceded only that it was "closer to President Kennedy's than to Senator Harry Byrd." Weltner spoke in the House on July 27, 1963, in opposition to the public accommodations section of Kennedy's civil rights proposal which white southerners considered to be unwarranted government interference in private property rights:

I do not think that prudence dictates such a mandatory rule as the national public accommodations proposal and I cannot support it."

The Birmingham Bombing

Weltner was shaken by the September 15, 1963, bombing of the church in Birmingham, Alabama, in which four young black girls died. He waited in vain for two days for southern members of Congress to express the horror and indignation he felt. Then on September 15 he told the House:

I do not know what twisted or tortured minds fashioned this deed. But I know why it happened. It happened because those chosen to lead have failed to lead. Those whose task it is to speak have stood mute."
Weltner received national acclaim for his statement. The Washington Post in an editorial on October 11 commented:

    It is not alone that many share his grief at the senseless killing of four little girls; many share also his sense of the fearful danger which lies in leaving leadership to ignorant extremists...

Most of the letters from Atlanta expressed pride that a Southerner was "the first to break the silence for the sake of justice and righteousness." There was the inevitable sour note: "Now that you have paid your debt to the Negro bloc that put you in office, start serving your white constituents and shut up."  

Extension of the Civil Rights Commission

On October 7, 1963, the House voted to extend the existence of the Civil Rights Commission. Weltner was one of thirteen Democrats from the South to approve the extension, three from Florida, two from Tennessee, six from Texas, one from Virginia, and "the first from Georgia ever to vote 'yes' on such a bill...Weltner warned southerners, 'We in Dixie cannot "look away" forever.'"  

The Civil Rights Act of 1964
Weltner's Conversion

When the civil rights bill was finally brought to the House floor for a vote in February 1964, Weltner, caught between support for the bill from his own black constituents who made up 25 per cent of the voters in his district and the remaining 75 per cent of white voters who opposed it, decided
to take the cautious route. "To support the bill, thought Weltner, was to invite sure defeat in the 1964 election." Like many another southerner, Weltner was "simply not ready to face the legal and moral implications of equal rights for blacks." Weltner's participation in the effort to bring about a peaceful desegregation of Atlanta's public schools had been based more on his conviction that it was necessary for Atlantans to obey the law and avoid racial violence than on his own moral conviction that segregated schools were wrong per se. When the civil rights bill came to the House floor on February 10, 1964, Weltner, like Elliott, voted "no."

Weltner suffered from his nagging conscience during the following weeks when the bill was being filibustered in the Senate. The Senate, after invoking cloture on the ninety-third day of debate, passed the bill. The President faced a new problem. The differences in the House and Senate bills either had to be reconciled in conference, or the House would have to accept the Senate bill without alteration. There were unnerving possibilities: that the conferees would be unable to agree and a bill would never emerge from conference, or that a conference bill might not survive a second Senate filibuster. President Johnson and the House Leadership decided that it was too perilous to risk either possibility,
and opted to bring the Senate bill to the House floor and work for its acceptance.

Weltner's political advisers urged him to vote "no" and Weltner himself continued to have reservations about the public accommodations section. But there remained the moral issue. Weltner explained his decision in a 1977 interview:

There were two ways of looking at it. As a lawyer you could look at it and say this bill has a number of flaws—contradictions to the Tenth Amendment, the Fourteenth Amendment, and so on. And then you can ask yourself the basic question, "Are you for doing right?" And I was for doing right. The mechanics of the bill, ultimately, were not the main issue. You were either for Civil Rights or you were against it." 75

On July 2, 1964, the Senate version came to the House floor for an up-or-down vote. Carl Vinson, the venerable Democratic dean of the Georgia Delegation to the Congress, had gotten wind of the possibility that Weltner would support the bill. Vinson came up to him and said, "I understand you are planning to vote for the bill." When Weltner said that he was, Vinson said, "Well, profiles in courage and all that, but I hate to see you throw away a promising career." 75

Weltner made a dramatic statement, quoted in part below, just before the vote:

We can offer resistance and defiance, with their harvest of strife and tumult...Or, we can acknowledge this measure as the law of the land...Already, the responsible elements of my community are counseling this latter
course...I shall cast my vote with that greater cause they serve...And finally, I would urge that we at home now move on to the unfinished task of building a new South. We must not remain forever bound to another lost cause."

Conscience had overcome caution. This time there were eight southerners who voted for civil rights: one from Florida, two from Tennessee, four from Texas—and Weltner from Georgia. "You can slip and slide and duck and dodge for awhile and keep trying to get away from those bullets. But, sooner or later, it catches up with you," said Weltner in a 1991 interview, explaining his conversion."

No Member from Louisiana, Alabama, Arkansas, Louisiana, North Carolina, South Carolina or Virginia voted for the bill. Congressman William Colmer of Mississippi called enactment of the Civil Rights Act of 1964 "a legislative rape of the Constitution.""

1964 Re-election Victory

Congressman Weltner's civil rights votes were the major issues of the 1964 campaign. Weltner had won the Democratic nomination after a vigorous campaign against an opponent who criticized him before predominantly black audiences for voting against the Civil Rights Act when it first came before the House and criticized him before white audiences for his later pro-civil rights vote. His Republican
opponent charged him with "the only triple play" in the annals of Congress. First he had voted to bring the bill to the floor; then, he had voted against it; and finally, he had voted for the Senate version. Weltner replied, "I voted 'Aye' and I'm proud of it." About 99 per cent of the 31,000 black votes in his District were cast for Weltner in the general election, a decisive factor in his 55 per cent win. He received only 40 per cent of the white vote.31
CHAPTER VIII

THE VOTING RIGHTS ACT OF 1965

The Need for Legislation

While the Civil Rights Bill of 1964 contained a voting rights provision, its enforcement was left to the federal courts. In order to establish the fact that there was a pattern of discrimination against blacks attempting to register, the Justice Department was empowered to examine county registration and voting records. Only by examining the registrar's evaluations of all applications to vote could the Justice Department prove a pattern of bias against black applicants. The Attorney General's requests to most of the counties in Alabama, Louisiana, and Mississippi were refused, causing time-consuming litigation.\textsuperscript{82} In 1964, only 23 per cent of voting-age blacks in Alabama and 44 per cent in Georgia were registered.\textsuperscript{83}

Discriminatory procedures alleged in suits against southern registrars included assistance to white applicants only to fill out forms and take the necessary tests; more difficult tests for black applicants; rejection of blacks' applications for minor errors; differing standards used for evaluating oral interpretations of passages of the Constitution; and the use of oral tests.\textsuperscript{84}
More serious than the foot-dragging by the county registrars was the seemingly deliberate delay by the Federal courts in prosecuting civil rights cases, attributed to the "personal political and social views of the judges themselves..." Many of these obstructionists had been named in the early days of the Kennedy Administration, supposedly at the behest of powerful southern senators, whose legislative support the new Administration needed. These judges (among them one who referred from the bench to black applicants as chimpanzees) effectively prevented the expansion of voting rights through litigation. (There were notable exceptions, especially on the appellate court.)

Bloody Sunday in Selma

President Johnson in his State of the Union Message on January 4, 1965 stated: "I propose that we eliminate every remaining obstacle to the right and the opportunity to vote."

Selma, Alabama, was the site where attitudes of the predominantly white electorate of the South of twenty-six years ago were graphically demonstrated to the nation. The failure of the Albany Movement and the success of the Birmingham demonstrations had convinced Martin Luther King that violence of whites against blacks was the catalyst of national pressure for civil rights legislation. Believing that
Selma would provide the means for arousing a national audience to the need for a strong voting rights bill, King accepted the invitation of a group of the city's black community leaders to come to Selma to give impetus to their drive to register black voters. Although efforts to register black voters had begun in Selma in 1962, two years later there were only 93 new black registrants. Dallas County Sheriff Jim Clark, known for his "Never" lapel button, his private posse, his quick temper, and his proclivity for vicious behavior could be counted on, thought King, to respond violently to provocation. National media coverage of a violent white reaction against blacks demonstrating peacefully for their right to vote would lead to effective public pressure on Congress to enact voting rights legislation.

King arrived in Selma on January 2, 1965, and spoke to 700 blacks in Brown's Chapel African Methodist Episcopal Church. He outlined his plans for massive street demonstrations in Selma's Dallas County followed by appeals to Governor Wallace and the Alabama Legislature. If these appeals went unheeded, thousands would take to the streets to march by registration sites.

Demonstrations in January and February failed to elicit the expected response from Clark and his men. King
then planned a march for Sunday, March 7, from Selma to Montgomery to petition Governor Wallace. Wallace promptly prohibited the march as a menace to public safety, and dispatched Alabama Public Safety Director Al Lingo and fifty state troopers led by Major John Cloud to assist Sheriff Clark and his posse, many of whom were on horseback. On Sunday afternoon the marchers, who had been instructed not to respond with violence to the violence they anticipated, advanced several blocks to the Pettus Bridge spanning the Alabama River where Major Cloud ordered them to disperse. When the marchers did not move, Cloud ordered the troopers to advance. Troopers used clubs and tear gas; the posse rode their horses into the crowd, using whips and nightsticks. Ambulances were blocked from reaching marchers lying on the ground. "Bloody Sunday" drew to a close. ABC interrupted its regular Sunday evening program to bring the bloody scenes before the American public."

Public, press, congressional, and presidential response to the crisis was immediate. Banner headlines and photographs of the helmeted troopers and mounted posse attacking the praying Negroes appeared in all major newspapers, arousing the horror of their readers. As King prepared to attempt another march, members of the Senate and House called for legislation to guarantee southern Negroes the
right to vote. Twelve demonstrators who had entered the White House as tourists began a sit-in on the first floor. As President Johnson and Attorney General Katzenbach briefed sixty members of Congress on voting rights legislation the Administration was preparing to send to the Hill, they received the news that a clergyman who had been injured in the Selma melee had died. Demonstrations of solidarity with the Selma marchers broke out in major cities around the country. The clergyman's funeral was attended by twenty thousand; an estimated fifteen thousand demonstrated in Lafayette Park across from the White House for voting rights legislation."

Weltner Supports the Voting Rights Bill

On March 15 President Johnson addressed a joint session of the Congress, "the first personally delivered special Presidential message on a piece of domestic legislation in nineteen years."51

At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Alabama...What happened in Selma is part of a far larger movement which reaches into every section and state of America. It is the effort of American Negroes to secure for themselves the full blessings of American life. Their cause must be our cause too...92

On June 1 the House Judiciary Committee formally reported a voting rights bill. Its key provision authorized
the appointment of Federal voting examiners to order the registration of voters in states and their political subdivisions where less than half of citizens of voting age were registered and where impediments to registration, such as unevenly applied literacy tests, existed. Despite the fact that as of January 1, 1965, 44 per cent of eligible blacks in Georgia were registered in comparison with 6.7 per cent in Mississippi and 23 per cent in Alabama, according to figures provided by the Voter Education Project of the Southern Regional Council, Georgia would be one of the six southern states to which Federal voting examiners would be sent.

The House vote took place on July 9. Congressman Weltner spoke:

Mr. Chairman, it is said that this bill is a drastic measure. Perhaps it is. Yet the problem is drastic, and the need is drastic...And so we come to the final vote. There are those who wish to restrict the franchise. That is their prerogative. I stand with those who would extend the right to vote. Hence, I will support this bill.\(^{94}\)

Weltner received a standing ovation.\(^{55}\) Twenty southern Democrats and one southern Republican voted for the bill: six from Florida, two from Georgia, two from Louisiana, four from Tennessee, eight from Texas, and one from Virginia.
CHAPTER IX
THE 1966 CIVIL RIGHTS BILL-OPEN HOUSING
AND THE 1966 RE-ELECTION CAMPAIGN

Weltner Supports Open Housing

Despite the fact that his pro-civil rights votes were the major issue in his 1964 re-election campaign, Weltner continued to vote for strengthening and expanding the legislation that he had helped to pass. Civil rights legislation proposed in 1966 contained one extremely controversial provision: there could be no discrimination against anyone because of race in the sale or rental of housing, a provision which would open up apartments and houses in previously all-white neighborhoods to minorities. Strenuous attempts were made to strip this provision from the bill and its elimination was the key provision of the crucial recommittal vote on August 9, 1966. Given the upcoming Georgia Democratic primary on September 14, Weltner had reason to expect criticism from his conservative opponents if he supported open housing. Nevertheless, Weltner not only voted against deleting the open housing provision, but in favor of final passage of the bill. Voting not to delete the open housing provision were eight southerners: three from Florida, Weltner from Georgia, two from Tennessee, and two from Texas. On final passage they were joined by two other congressmen.
from Tennessee. There were no votes from Alabama, Arkansas, South Carolina, Mississippi, Virginia, Louisiana, and North Carolina for saving the open housing provision or for passing the bill.

Weltner Withdraws from the Race

In the September 14 Democratic primary Weltner, "a liberal, defeated two opponents by an unexpectedly narrow margin. Weltner's support of the 1966 Civil Rights Act, including its open housing provision, and the racial rioting in Atlanta may have accounted for his showing..." Atlanta had--until early September--escaped the wave of riots in the black ghettos of major cities which followed the rise of the Black Power activists headed by Stokely Carmichael, leader of the Atlanta-based Student Nonviolent Coordinating Committee (SNCC). Time magazine commented: "During a summer of insensate riots and Black Power demogoguery, the Negro's legitimate struggle for full citizenship sadly lost momentum, while white reaction against Negro excesses continued to mount.

For weeks SNCC's sound trucks had traversed Atlanta's black districts, blaring "Black Power," creating an atmosphere of racial tension. The breaking point came on September 6 when police arrested a suspected car thief, a black man who had been convicted twice before for the same
offense. When he broke and ran, policemen felled him with two shots. In the small crowd of onlookers was Stokely Carmichael, who shouted, "We're tired of these racist police killing our people...We're going to be back at 4 o'clock and tear this place up." At four o'clock a crowd of five hundred blacks and a thousand policemen engaged in a battle of bricks, bottles, and tear gas. A half hour later, racially moderate Mayor Ivan Allen arrived at the scene and pled fruitlessly for reason. Shouting "White devil!" the rioters shook him off the police car on which he was standing. Rioting continued for several hours, despite Allen's continued efforts to mediate."

Weltner's smaller than expected showing in the primary may have reflected a white backlash. A beneficiary of the backlash was Lester Maddox, candidate for the Democratic nomination for Governor of Georgia. Maddox had closed his Atlanta restaurant rather than serve blacks whom he had threatened with an ax handle and had run off with a pistol." Sporting his campaign button in the shape of an ax handle, Maddox easily defeated a racially moderate candidate for the nomination.

Once again, Weltner was faced with a difficult decision. He had signed the pledge routinely required of each Democratic candidate for office that he would support the entire slate of Democratic nominees. For five days Weltner
considered all sides of the question, trapped between honoring his pledge or relinquishing his seat in Congress. He announced his decision at a press conference in Atlanta:

Today the one man in our state who exists as the very symbol of violence and oppression is the Democratic nominee for the highest office in Georgia. His entire public career is directly contrary to my deepest convictions and beliefs. And while I cannot violate my oath, neither can I violate my principles. I cannot compromise with hate.\textsuperscript{100}

Weltner's resignation from the Georgia Democratic ticket evoked an outpouring of regret and admiration from around the nation: regret that this spokesman for growth and change in the South would no longer be heard in Washington; and admiration for his unequivocal choice of principle over self-interest. A Washington Post editorial of October 4 considered the probability that the South would "move backward by the loss of such men" a tragedy.\textsuperscript{101} Time magazine, describing Weltner as "the new breed" of southern congressmen, noted that he had been the first congressman from the Deep South to have a black staff member, and the only one to vote for the civil rights bills of 1964, 1965, and 1966.\textsuperscript{101}

Thus ended the legislative career of Charles Weltner. Lester Maddox was elected Governor of Georgia in November and a conservative Republican, Fletcher Thompson, was elected to represent the Fifth Congressional District. In 1968 Weltner attempted but failed to regain his Congressional seat and in
1973 he lost a race for mayor of Atlanta. He was appointed in 1976 as judge on the Fulton County Superior Court and was appointed in 1981 to a vacancy as associate justice on the Supreme Court of Georgia, a position to which he has been re-elected several times. In 1983 he received a Master of Arts degree from Columbia Theological Seminary and a Master of Laws degree from the University of Virginia Law School.

Now sixty-three and in poor health, Weltner continues to serve on Georgia's Supreme Court. In a recent interview he summed up his reason for resigning from the ticket: "...it would have looked like I was supporting Lester Maddox to keep my job. It would have looked like that, and it would have meant that. It meant nothing I would ever say would have any credibility."102
CHAPTER X
VALUES

What were the values that motivated Carl Elliott's actions? Those values were formed in the hardscrabble Depression years of poverty, hard work, and self-denial. As a member of the 4-H Club, he had pledged: "My Head to clearer thinking; my Heart to greater loyalty; My hands to larger service, and my Health to better living, for my Club, my Community, and my Country." As a congressman teaching a Bible class he demonstrated his religious convictions. His day-after-day efforts as a congressman--to bring greater opportunities to all Americans for better education, better health, better farm conditions, better houses, better wages--demonstrate that he lived by his Christian values and those he had learned as a boy in the 4-H Club.

Carl Elliott was a loyal man. Once committed to his Democratic political party, he stuck by his commitment through thick and thin. When anti-Kennedy feeling in Alabama was rampant, he re-asserted his support for Kennedy's re-election. In the midst of the acrimonious dispute over the integration of the University of Alabama, he accompanied Kennedy to Alabama to appear by his side at the TVA ceremony. In 1964 he refused to support Governor Wallace's renegade slate of
unpledged electors and called for support of the national Democratic Party.

**Elliott's loyalty demanded courage.** He brought down on his head the wrath of Alabama conservatives by helping to supply the tiny margin by which the Rules Committee expansion was approved, a vote that made it possible to bring before the House the new President's legislative program. Elliott knew that he was flouting the will of the conservative southern governors and members of Congress and the powerful interest groups; but I do not believe that he expected retaliation from the very people he wanted to help, the people of Alabama. In fact, in his weekly newsletter before the vote, Elliott explained that the Rules fight was not about civil rights legislation, but whether "better school houses for America's children, better housing for all Americans, increased minimum wages for America's workers, better medical care for America's aged, and more loans for American college students--in short, the new President's program" would have a chance in Congress.133

**Elliott's service on the House Rules Committee** was misrepresented by some local newspapers either through ignorance, stupidity, or malice. The notion that his vote to expand the committee was treason to Dixie was spread, Elliott
believed, by an organized letter-writing campaign to Alabama's newspapers characterizing his service on Rules as a "sellout to Kennedy." The courage demanded by his loyalty was responsible, in the end, for his defeat.

Carl Elliott was an honest man. He made clear his position on civil rights for all to hear, including the President and the House Democratic Leadership. He said the same things in Washington that he said in Alabama. He was outraged by the bigoted actions and words of the John Birchers and their sympathizers. Not just once, but on at least nine occasions in the weeks before the lost election, did he attack them when he spoke at political gatherings--in Alabama, without concern for the fact that he was alienating a large bloc of voters.

Carl Elliott's flaw was not a lack of compassion, honesty, loyalty, or courage. It was a lack of ability to appreciate the moral choice that was involved in the battle for the civil rights of blacks. I do not believe that Elliott doubted for one moment the words he spoke on the floor of the House on February 7, 1964, in opposition to the Civil Rights Act of 1964:

In my judgment, it will do far more harm than good. It will further stir up the resentments, and further incite the passions of our people...My people sincerely and conscientiously believe that the separation of the
races is in the best interests of both white and Negro citizens.

I believe he spoke them, not as a ploy in order to be re-elected, but because they represented his firm beliefs. But this was a flaw shared by most of his fellow Alabamians, Here was a man who had been in Congress for sixteen years. He had achieved great things to make life better for all Americans. Yet, his vision of America had not changed at all in those sixteen years. His vision did not include a wholehearted recognition and embrace of the concept of equal rights for black Americans. In his own way, on this one issue, he was as rigid as George Wallace standing in the schoolhouse door.

Weltner's code of ethics was in part an inheritance from his father, who had resigned as chancellor of Georgia's university system on a matter of principle. "My father taught me by his own example that it was possible to be totally independent," he said. 125 After Weltner changed his position and voted for the civil rights bill on July 2, 1964, he heard from his father: "You're on the side of history. I'm proud of you." 126 A quotation from Vaclav Havel displayed on his desk reflects Weltner's philosophy: "I simply take the side of truth against any lie, of sense against nonsense, justice against injustice." 127 He never forgot the black university president who was not allowed to vote in Georgia's Democratic
primaries. The memory of this incident was an ever-present influence on his taking the side of "sense against nonsense, justice against injustice."

Weltner was not proud of himself after he voted against the civil rights bill in February 1964 with an eye to preserving the majority white vote at his next election. What is important was his willingness to examine his conscience, to admit that he was wrong, and then to take immediate, positive, consistent, and courageous action to right the old racial wrongs that he had never before fully acknowledged to himself.

Weltner's resignation from the race for re-election is the purest example of being true to one's conscience, of refusal to water down one's innermost convictions. This is not hard to do when there is no opposition, no penalty to pay. But Weltner, who had temporized with his conscience in February 1964 because he was unwilling to take a modest political risk, two years later freely relinquished his promising career rather than compromise with hatred and bigotry.
CHAPTER XI
CONCLUSIONS

Both Carl Elliott and Charles Weltner were natives of the Deep South, inheritors of the status quo antebellum which Professor David R. Goldfield describes in a very perceptive chapter of Black, White, and Southern:

By the time white southerners attained adulthood, most were inured or resigned to the injustice [of segregation]. They came to accept the inferior, demeaning status of blacks as a natural element of the southern landscape, and they looked through or past or not at all at the contradictions of the system. The maintenance of white supremacy dominated southern institutions and thought, and whites tried to eradicate the black completely from public discourse...\textsuperscript{198}

Both were serving in the Congress at the time black activism forced a shattering of the old traditions. It is necessary to look at other similarities and differences to come to some conclusion about why they took opposite positions on civil rights issues and what that has to say about their values.

Both Elliott and Weltner had supported the Kennedy candidacy, and both were considered to be liberal as the term was applied to southern congressmen. When most of their southern colleagues were supporting the Conservative Coalition position on legislation 80 per cent or 90 per cent or 100 per cent of the time, in 1963 both Elliott and Weltner supported that position on 40 per cent of the votes they cast.\textsuperscript{199}
There were many differences between the two men. Elliott was from a poor rural area of Alabama, son of a tenant farmer, the first member of his family to graduate from college. He obtained his undergraduate and his law degrees by working his way through the University of Alabama. Weltner was brought up in the city of Atlanta. His father was a university president, and his ancestors belonged to the educated elite of the South. He had left Georgia to obtain his law degree at Columbia University and there is no indication that it was necessary for the young Weltner to support himself and earn his tuition. In summary, it is fair to say that Weltner was exposed from early childhood to liberating influences not available to Elliott: an educated family, an urban environment, and two years at a great university outside of the South. Elliott was a child of the Depression. To him social justice meant an opportunity to obtain an education, to earn a decent wage, to have affordable medical care.

The constituents whose views Elliott and Weltner were elected to represent in Congress were quite different. Elliott represented a rural agricultural district, the most sparsely populated in Alabama. Blacks made up only 9.9 per cent of the population and only 31.8 per cent of voting age blacks were registered. Weltner's district has been described
as "the industrial and distribution hub of the Southeastern United States. The State Capitol, offices of 300 major national industries, the regional offices of most Federal agencies, and several universities are located here also." Weltner won his first election to Congress with heavy black support. He won reelection in 1964 by 12,310 votes, 55 per cent of the total cast. His black constituents gave him about 99 per cent of their 31,000 votes, providing the winning margin.  

The difference in the quality of political leadership in Alabama and Georgia made a difference in the willingness of Alabamians and Georgians to accept first-class citizenship for blacks. Alabama became notorious for the intransigence of Governor Wallace and the brutality of Bull Connor and Jim Clark. Mayor of Atlanta William Hartsfield and his successor, Ivan Allen, Jr., were known for encouraging black voter registration, for hiring black policemen, and for integrating public transit. Albany Police Chief Pritchett adroitly avoided another Birmingham. In contrast to Elliott who had to compete for votes in a state raised to a fever pitch of racial intolerance by its governor, Weltner, in a city relatively free of racial demagoguery, had room to grow and develop and rethink the philosophy that guided the actions of other southern politicians.
In 1964 Elliott was fifty-one years old and Weltner was thirty-seven. Elliott had served sixteen years in Congress and his record was one of highly praised legislative accomplishments. The penalty he paid for his loyal support to the party and what he believed in was even higher than Weltner's, who as a much younger man could and did continue a respected career in public service.

I must conclude that Elliott and Weltner took opposite positions on civil rights issues, not because one was more courageous than the other or more willing to take risks, or more devoted to justice, or hypocritical enough to cater to prejudice in order to stay in office. The circumstances of their birth, their upbringing, and their opportunities to free themselves from the constricted thinking of the South to which they were heir formed their ideas of justice. Carl Elliott believed that the enactment of social legislation was crucial to the liberation of black and white alike from economic bondage, and he cast his vote, in opposition to most of his southern colleagues, to make that possible. He also believed sincerely, mistaken though he was, that separation of the races served the best interests of both black and white and therefore voted against civil rights legislation.
It is simple to criticize Elliott's moral values on the basis of his votes against civil rights legislation, yet on that issue he represented the sentiments of most of the people who elected him to Congress. They, too, versed in the lore of Reconstruction, convinced that racial violence was the work of outside agitators, shared the flaw of a restricted vision. Now, more than a quarter of a century later and blessed with hindsight, many Alabamians may wish that the facts were as Tip O'Neill had reported them, and that Carl Elliott could today be hailed—as Charles Weltner is—for a courageous stand on civil rights.

Charles Weltner saw beyond Carl Elliott and, as his father said, was "on the side of history." But the search for a clear-cut judgment of where true courage lies remains elusive. Perhaps the courage of Elliott's loyalty to the democratic ideals of his party, loyalty which he placed ahead of his own career, deserves as much admiration as Weltner's.
EPILOGUE

In May of this year after selecting Carl Elliott as a subject of this essay, I learned from a political associate of his that in 1990 Elliott had received the first Profiles in Courage Award from the John F. Kennedy Library Foundation. At that time I had identified several other potential subjects, including Charles Weltner. An announcement that Weltner was to receive the second Profiles in Courage Award in May of 1991 influenced my selection of him.

I contacted officials of the Foundation and explained my proposed essay, and they very generously provided a number of newspaper clippings as well as the press releases they issued when the awards were announced. The press releases are attached as Appendixes A and B. I did not read the press release about Weltner until I had completed my own research, and the reader will note that the Foundation and I are in complete agreement about our reasons for crediting him with great courage. Like Tip O'Neill, however, the Foundation was mistaken about Elliott's leadership on civil rights issues, crediting him with working "tirelessly to enact legislation for the good of the nation on issues such as civil rights..." If the award were narrowly based on his votes on specific civil rights legislation, I would fault their selection; but the Foundation seemed to consider Elliott's efforts on behalf
of better opportunities for all poor Americans to be support for civil rights in the broadest sense. As I have tried to do, the Foundation judged Elliott's courage, not from a perspective of twenty-six years, but in the context of the troubled and tumultous times in which he acted. I cannot fault their conclusion.
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12. Ibid., p. 36.

13. Henry H. Wilson, Presidents and the Congress--How It Worked When It Worked, (unpublished manuscript), p. 159.


20. Ibid., p. 1705.
34. Sorensen, p. 492.
38. Ibid., p. 467.
40. Sorensen, p. 496.
42. Sorensen, p. 501.
44. Congressional Record, February 7, 1964, p. 2466.
59. Divorced in 1971, Weltner remarried and had two more children.
60. Dimon, p. 8.
61. Ibid.
63. Ibid., p. 1494.

65. Goldfield, p. 113.

66. Ibid., p. 133.

67. Ibid., p. 113.

68. Goldfield, pp. 130-33.

69. Blumberg, p. 114.

Also see Garrow, pp. 2 and 221-22. Since the comparative peacefulness of the Albany Movement had not generated the kind of violent confrontations that aroused national indignation over racial injustice, King's Southern Christian Leadership Conference selected Birmingham for demonstrations, where Birmingham's "violent-tempered police commissioner Eugene 'Bull' Connor" who "would represent racism at its worst" could be counted on for violent reactions that would galvanize national support for civil rights legislation. President Kennedy's request to Congress for the legislation that became the Civil Rights Act of 1964 followed the April 1963 drama of police dogs and fire hoses in Birmingham.


75. Ibid., p. 12.

76. Dimon, p. 15.

77. Ibid., p. 15.


79. Cummings.

81. *Congressional Quarterly* 1964, pp. 2145, 2674.
82. Garrow, p. 16.
83. Ibid., p. 19.
84. Ibid., p. 180.
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90. Garrow, pp. 78-106, passim.
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101. Ibid.
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APPENDIX A

BIOGRAPHY: CARL A. ELLIOTT
Profiles in Courage Award Recipient

Press release of John F. Kennedy Library Foundation
BACKGROUND

BIOGRAPHY: CARL A. ELLIOTT  
Profile in Courage Award Recipient

Former Congressman Carl A. Elliott of Alabama demonstrated the true meaning of political courage when in the tumultuous decades of the 50's and 60's his abiding loyalty to the nation and human rights triumphed over all personal and political considerations and put his political career at great risk.

He worked tirelessly to enact legislation for the good of the nation on issues such as civil rights and federally funded education, which were anathema in the reactionary political climate of Alabama at the time.

His reward for his courageous work was repudiation, defeat and financial ruin. Like many of the leaders described in President John F. Kennedy’s Profiles in Courage, Elliott has never been vindicated by a return to popularity.

In 1930, Elliott left his hometown of Franklin, Alabama with $2.30 in his pocket to attend the University of Alabama. During the Depression, he worked his way through college by waiting on tables, keeping the campus furnace going and working the grounds crew. He was elected president of the student body and emerged from the University with undergraduate and law degrees, the first member of his family to graduate from college.

In 1948, Carl Elliott was elected to the United States House of Representatives, two years after President Kennedy was first elected to the House. His ensuing years of service, until 1965, resulted in his championing efforts on behalf of equal rights for minorities and the poor, including courageous struggles for the passage of legislation which eventually cost him his career.

Perhaps because of his own early struggles to educate himself, Elliott dedicated himself to improving the quality of education and making it accessible to all Americans without regard to race or financial constraints. To this end, Elliott and his Alabama colleague in the Senate, Lister Hill, gained enactment of the National Defense Education Act in 1958. Also known as the Hill-Elliott Act, this historic measure opened educational opportunities for Americans of all economic backgrounds. By 1965, more than 750,000 students had benefitted from the passage of the act.
The NDEA was an impressive achievement. It had been opposed by key House leaders, including the Chairmen of the Education and Labor Committee and the House Rules Committee, as well as the House’s Republican Floor Leader.

Opposition to Federal aid was particularly strong in the South, where segregationists feared it would provide an avenue to implement the Supreme Court’s decision outlawing racial segregation in public schools. Although Elliott’s successful effort was a critical turning point in the American educational movement, for him it was a major career risk which proved responsible for his future political defeats.

While serving in Congress, Elliott was appointed to the newly enlarged House Rules Committee as the critical swing vote to get social reforms past the committee, then headed by a reactionary chairman. Elliott’s appointment to the Rules Committee and his role in social reforms made him the target of vicious criticism from reactionaries of both parties.

Following the 1960 census, Alabama’s representation in the House was reduced from nine to eight members. Soon after, the Wallace controlled Legislature mandated that all Congressional candidates run at large instead of in their traditional Congressional districts. Because of this, in 1964, Elliott lost the nine-eight statewide race for Congress, in which voters had to vote out one representative. Reactionaries targeted Elliott for defeat and used the technique of distributing sample ballots excluding his name. His advocacy of Federal aid to education, his key votes on the Rules Committee and his ongoing leadership role in social and racial reforms had threatened his opponents too much.

Elliott next looked toward the governorship as a means of bringing about critically needed change in Alabama. At a time when the Confederate battle flag had become an accepted political symbol for most candidates in Alabama, Elliott campaigned across the state from a flatbed truck with the American flag as his only back drop.

Once again, Elliott was forced to pay the price for his opposition to racism. He was defeated by the stand-in ticket for Governor Wallace, who by law could not succeed himself and whose wife ran instead. This election left Elliott with heavy financial debts, which he is still paying off.
In Profiles in Courage, President John F. Kennedy described courageous political leaders as those who are "more than a mere collection of robots dutifully recording the views of their constituents, or a gathering of time servers skilled only in predicting and following the tides of public sentiment..."

Carl Elliott was never a follower. He is a powerful voice of change and determination whose loyalty to the ideals of this country surpasses all personal and political considerations. He is a living profile in courage.

# # #
APPENDIX B

1991 JOHN F. KENNEDY
PROFILE IN COURAGE AWARD RECIPIENT
CHARLES LONGSTREET WELTNER

Press Release of John F. Kennedy Library Foundation
BACKGROUND

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1991 JOHN F. KENNEDY
PROFILE IN COURAGE AWARD RECIPIENT
CHARLES LONGSTREET WELTNER

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"Each Man Must Decide For Himself The Course He Will Follow"

Rather than "compromise with hate" and be forced to support the candidacy of Lester Maddox, an advocate of segregation, Congressman Charles Longstreet Weltner (D-Ga) placed principle above ambition and withdrew from his own race for re-election. Although his action cost him a third term in Congress, Weltner's willingness to risk everything for his principles was in step with other actions that he took throughout his career.

In the spring of 1966, Weltner signed a newly-adopted "oath of loyalty" in support of the entire state Democratic ticket for the November general election. Maddox, a restaurant owner, was considered a long-shot candidate until he emerged as the Democratic nominee for Governor.

Prior to that, in 1965, Maddox became the first person to be ordered under the Civil Rights Act of 1964 to allow blacks to be served at his restaurant. He finally closed his restaurant rather than comply with the Federal law.

Few expected Maddox to win the nomination. However, the political climate was an explosive mixture that included segregationists determined to maintain the status quo; those who felt the South had to change for moral and economic reasons; and those determined to forge a peaceful revolution for civil rights.

-more-
Weltner, considered certain to win re-election, grappled with his conscience regarding the oath he had taken and decided on a matter of principle to drop out of the race rather than support Maddox. His words remain an inspiration:

"Today the one man in our state who exists as the very symbol of violence and oppression is the Democratic nominee for the highest office in Georgia. His entire public career is decidedly contrary to my deepest convictions and beliefs. And while I cannot violate my oath, neither can I violate my principles. I cannot compromise with hate. I cannot vote for Lester Maddox. Therefore I am withdrawing as the Democratic nominee for the House of Representatives."

A candidate popular among both Democrats and Republicans, Weltner's decision angered many of his supporters. While the oath was later discontinued by the Democratic party, Weltner was unable to win an elected office seat again until 1976, when he won an election to become a Fulton County Superior Court Judge. He lost a race for his former Congressional seat in 1968, and for mayor of Atlanta in 1973.

Weltner's courageous action typifies John F. Kennedy's words in Profiles of Courage: "In whatever arena of life one may meet the challenge of courage, whatever may be the sacrifices he faces if he follows his conscience -- the loss of his friends, his fortune, his contentment, even the esteem of his fellow men -- each man must decide for himself the course he will follow."

The Path to Southern Change

An attorney, theologian, author, and an expert in seven ancient languages, Weltner graduated from Oglethorpe University with a bachelor's degree in 1948, and from Columbia University School of Law in 1950. After practicing law for ten years, he entered politics in 1962, running as a long-shot on the Democratic ticket against long-time incumbent Representative James C. Davis. Weltner won the election with the support of a growing force in the South, the black voter. He was re-elected in 1964 with 54 percent of the vote, the same percentage he had in 1962.

During Weltner's two terms in the House, he met the challenge of courage head on. Although fiercely independent, Weltner's Southern heritage made him an unlikely catalyst for change -- which he called the "new reality" -- in the South. His great-grandfather, Thomas R.R. Cobb, was the first author of the state legal code, the author of the Confederate Constitution, and a Confederate General who died in Fredericksburg. His great-great-grandfather, Joseph H. Lumpkin, was the state's first chief justice.

Weltner faced the extraordinary challenge of speaking out against the violence and repression that supported segregation in favor of a society in which whites and blacks could share equally. In June 1963, Weltner openly supported the 1954 Supreme Court ruling, outlawing segregation in public schools, and urged voluntary desegregation of public accommodations, but not by Federal law.
In September 1963, in another courageous action, he blamed the murder of four black children in the bombing of a Birmingham church on the failure of politicians to condemn the violence of segregationists. In a widely-publicized remark, he said:

"It happened because those chosen to lead have failed to lead. Those whose task it is to speak have stood mute. And in so doing, we have permitted the voice of the South to preach defiance and disorder. We have stood by leaving the field to reckless and violent men."

In July 1964, when the Civil Rights Act came before the House of Representatives for a final vote, Weltner broke with his region in a further courageous act of conscience and became the only Congressman from the Deep South to vote in favor of the act. Upon casting his vote he said:

"I will add my voice to those who seek reasoned and conciliatory adjustment to a new reality. And, finally, I would urge that we at home now move on to the unfinished task of building a new South. We must not remain forever bound to another lost cause."

After his vote, he was widely hailed as one of the leaders of the "new South."

In 1964, he requested an appointment to a seat on the House Un-American Activities Committee, which investigated allegations of Communist activities. Weltner succeeded in persuading the committee to investigate the Ku Klux Klan on the premise that segregationists were shifting from economic pressure tactics to terrorist tactics. He was quoted then as saying that the best weapon against the Klan was publicity.

After his historic refusal to "compromise with hate," Weltner returned to his private law practice until 1976, when Governor George Busbee named him to the Fulton County Superior Court. In 1981, he was appointed to the Georgia Supreme Court to fill a vacancy, and since 1983 has won re-election to this position three times.

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