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Interpreting Historical Figures: Senator Sam Ervin [1]

By Eric Medlin, 2020

There are many politicians that are difficult to figure out. Sometimes what they say they believe in conflicts with their public actions. Some appear to be mean spirited, conveying words and actions that are hateful. Others have views that seem to conflict with each other. For example, some politicians support programs for the poor and week but have also held racist views and have supported racist policies. North Carolina has had its share of historical figures that are difficult to figure out or interpret. This status makes them complicated historical people. Sam Ervin was one of those complicated people.

Sam Ervin was one of the most notable North Carolinians of the 20th century. He was born in Morganton, North Carolina, on September 27, 1896. After serving in the First World War, Ervin went to school at the University of North Carolina. He then attended Harvard University. Ervin earned a law degree from Harvard in 1922. He became known as a "country lawyer" who liked to tell folksy stories in court.

Ervin's political career began in 1922 when he was elected to the North Carolina House of Representatives. He served as a state congressman for six years and as a federal congressman for one year. Ervin then became a justice of the North Carolina Supreme Court in 1948. He remained on the court for several years until he was appointed as a United States Senator in 1954. Ervin would stay in that role for over twenty years.

Ervin's time as a United States Senator is remembered for two positions he took. One was as an opponent of civil rights. Ervin opposed the *Brown v. Board of Education* ruling in 1954. He also argued against the 1964 Civil Rights Act. This important law said that businesses and public spaces could not treat people differently because of the color of their skin. When asked to explain his opposition to civil rights laws in 1966, he said that they were unconstitutional. Ervin also said that civil rights laws "pick out one group of Americans and give them rights superior to those ever sought by or granted to any other Americans, at the expense of the whole entire body of Americans." His view was biased given the centuries of unfair treatment that African Americans had experienced up to that point.

Ervin was known as an opponent of civil rights. But he was also a supporter of civil liberties such as freedom of speech and religion. Ervin first became known as a civil liberties advocate in 1925. In that year, he helped defeat a law banning the teaching of evolution. As a senator, he opposed a constitutional amendment that would have allowed prayer in schools. Ervin helped defeat that amendment in 1966. Ervin also served on two important committees in the history of civil liberties. One committee investigated Joseph McCarthy in 1954 and the other targeted Richard Nixon in 1973. The McCarthy investigation helped to end the Second Red Scare, which had limited freedom of expression.

While his investigation of McCarthy was important, Ervin's role as committee chair in the Nixon investigation became legendary. Nixon had spent years spying on his opponents and breaking into their offices. Congress started investigating the president in 1973. Ervin was tapped to lead the investigation. Ervin's hearings revealed the Oval Office tapes that helped end the Nixon presidency. Ervin became famous because of his knowledge and his folksy manner in the televised hearings. Despite his support of many of Nixon's policies, Ervin distrusted the president and his attempts to spy on his opponents. Ervin told his private secretary Rufus Edmisten, "You know, Richard Nixon is just scared to death of freedom. He's scared to death of the term 'freedom,' for people to say what they want to say and do what they want to do."

Ervin served three terms in the United States Senate, retiring in 1974. He went back to Morganton, worked as a lawyer, and recorded an album of songs and humorous stories before his death in 1985. Ervin was remembered by the mayor of Morganton as a great leader but also as a good person: "He was just plain folks. There was no pretense about Sam." Ervin's son and his grandson both served as judges. Senator Ervin's secretary, Rufus Edmisten, later became a leader of state politics.

Questions for Discussion:

What are civil liberties?

What are civil rights?

What are the similarities between civil rights and civil liberties?

How are civil rights and civil liberties different?

Why might Ervin's views and policies be seen as contradictory?

How might you interpret or figure out Ervin's political views and policies?

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Sam Ervin was widely known for his seemingly contradictory and racist views. Articles and editorials in the*Carolina Times*, Durham, N.C.'s African American newspaper, criticized his congressional record and racist policies.

Don't Leave The South Alone

The honorable Sam J. Ervin, Jr., North Carolina's senior senator, wants the South to have its own way about civil rights. In other words senator Ervin feels that "southerners should be allowed to work out their own problems on a local and state level." What the senator is actually asking for is a blank check signed by the rest of the nation giving the South the freedom to exploit, lynch, intimidate and persecute Negroes as it pleases.

As the late Al Smith used to say, let's look at the record." of the South on the question of rights for Negroes. Had the South had its way Negroes would still be in slavery. In his book on "From Slavery To Freedom," Dr. John Hope Franklin, the noted historian, had the following to say with reference to how the South struck back against those who attempted to interfere with the institution of slavery:

"When there was some doubt regarding the future of slavery under the new national government, most of the Southern delegates made it clear that they would tolerate no interference with the institution. From the time that Jefferson's "Notes on Virginia" were made public, Southern leaders did not hesitate to use his work to strengthen their contention that Negroes were by nature an inferior race and therefore should be enslaved. Some Southerners conceded that slavery was a political evil; but almost none agreed with anti-slavery antagonists that it was also a great moral evil."

The South as a region has fought every advancement Negroes have made educationally, economically and otherwise. It has fought the right of Negroes to vote, to serve in the armed forces of the United States, to be employed in government, to receive equal pay for equal services and equal educational advantages. In other words there is not one solitary right the Negro enjoys that has had the unanimous or majority approval of the South.

If, as Senator Ervin says, the demands for civil rights "come from organizations largely which have made a profession of advocating civil rights," it is because the denial of even the basic rights to Negroes by the South has made them necessary.

God forbid that Senator Ervin's philosophy on civil rights will ever become that of the nation. For if the South is left alone on this most momentous question it will open the flood-gates of one of the most ungodly eras the country has ever known.

[8]Don't Leave the South Alone [8], *Carolina Times*, July 11, 1959

"Simple" Sam Ervin on Another Rampage

The entire nation, as well as citizens of North Carolina, were given another opportunity last week to witness first hand the designing but futile attempt of Democratic Senator "Simple" Sam J. Ervin, Jr., of North Carolina to defeat an administration-backed civil rights bill under consideration by the Senate Judiciary Committee, which Ervin heads.

After being out maneuvered by President Johnson who, with masterful strategy turned to a Republican member of the Judiciary Committee, Senator Hugh Scott of Pennsylvania, and had him flown from England in a military transport plane, to furnish the margin needed to get the bill out of committee with a favorable vote, 8-7, "Simple" Sam has brazenly announced he intends to oppose the legislation backed by his party, when it comes up on the floor of the Senate.

Let there be no mistake about it there is one and only one reason Ervin is against the civil rights bill and that is because it is intended to provide a greater share of democracy for Negroes in this country. Thus, the citizens of North Carolina, especially those in the Democratic Party, are treated to the spectacle of viewing a Democratic president forced to turn to a Republican to get favorable action in behalf of administration-backed bill.

We think "Simple" Sam's violent opposition, in the instance of the civil rights bill, backed by his own party, proves once again that he is totally unqualified as a member of the Democratic Party, if not as a United States Senator. It is, therefore, time for the intelligent voters of North Carolina to begin looking around for some person to fill the post now held by Ervin in a manner that will not be embarrassing to every loyal member of the Democratic Party if not to every intelligent citizen of North Carolina.

Simple Sam Ervin on Another Rampage, [9] *Carolina Times,* November 4, 1967

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