

Title: Civil Rights Act of 1957

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1957: First major federal civil rights legislation passed by CONGRESS since the CIVIL RIGHTS ACT OF 1875.

The Civil Rights Act of 1957 was the first legislation after World War II to place the power of the federal government behind the VOTING RIGHTS of AFRICAN AMERICANS. The act created the U.S. COMMISSION ON CIVIL RIGHTS and authorized an additional assistant attorney general in the Department of JUSTICE. At issue were powers of the attorney general and jury trials.

Southern senators, such as Democrat Richard B. Russell of Georgia, successfully argued that the third part of the bill gave unprecedented power to the federal government in such matters as forcing school and housing integration on local areas and using armed forces to help enforce the judicial process. As a result of such opposition, that part was omitted from the final version of the bill.

Southern Democrats and a few Republicans contended that authorizing federal judges to try—without juries—persons accused of violating court orders in voting rights cases would deny the constitutional guarantee of trial by jury. Compromises resulted in an amendment stipulating that judges in voting rights cases could choose to call [Page 206 | Top of Article](#) juries. If judges chose to try cases without juries, they would be limited in the penalties they could assess.

The Commission on Civil Rights created by the act was a body comprising six members, no more than three of whom were to be appointed from any one political party by the president with Senate approval. The act authorized the president to appoint, with the advice and consent of the Senate, one additional assistant attorney general in the Department of JUSTICE. It extended the jurisdiction of federal district courts to encompass any civil actions begun to recover damages or secure equitable relief under any act of Congress providing for the protection of civil rights, including the right to vote. It also prohibited attempts to intimidate or prevent persons from voting in general or primary elections for federal offices, while empowering the attorney general to seek an injunction when any persons were deprived, or about to be deprived of their voting rights. It further provided that in all criminal contempt cases arising from the provisions of the act, the accused, upon conviction, would be punished by fine or imprisonment or both.

President Dwight D. EISENHOWER, who had urged [Page 207 | Top of Article](#) Congress to enact such legislation, signed the act into law on September 9, 1957. The provisions of the 1957 law were amplified by the CIVIL RIGHTS ACT OF 1960.

—Richard K. Caputo

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