

both in terms of physical existence and in concepts of what we want to do. From the start we have had to proceed without signposts to guide us. Our concept of government has been an experiment, and it remains so today. We have nothing but our own reason to guide us; there are no precedents, no past examples to steer us easily through the shoals of international leadership where we find ourselves today.

Our predecessors here—the great names of American political history—were keenly aware of the responsibilities resting upon their decisions. They made no effort to dismiss their duties in great haste. They weighed a man's convictions, not by the clock, but, rather, by what he had to say.

Read through the transcripts of the Senate's proceedings when giants like Webster, Calhoun, and Clay stood here. No official record was kept of the length of time they spoke, as measured in hours and minutes; but we find, if we look, that a speech by Webster, back in 1830, filled 30 pages of the Journal; John C. Calhoun's last speech on slavery in 1850 was 22 pages long; Henry Clay, speaking on the compromise of 1850, expressed his firm convictions for 26 pages. Perhaps styles of oratory have changed since those men were here. Perhaps none of us have that much to say. But, Mr. President, styles do not change in freedoms; and the inability or unwillingness of men to utilize their freedom does not justify taking of it from them.

The freedoms we enjoy today are not freedoms of our own making. Through all the long history of civilizations preceding ours, mankind's highest aspiration has been for greater freedom. It was not until this Union of States was formed a little more than a century and a half ago that freedom found a sanctuary. I do not propose to tear down that sanctuary now, in the name of haste, because I believe the freedom to speak—the freedom of unlimited debate somewhere in our lawmaking process—is the keystone of all other freedoms.

Look back at the governments of history. The senior Senator from Texas, Mr. Connally, a few days ago very appropriately referred to debates in the Roman Forum. Rome enjoyed its greatest progress, its greatest era of achievement during the days when great orators could stand in the forum and speak with freedom. When, in irritation, the Caesars and their partisans removed that freedom, Rome began fading as an influence in the world; and the way was paved for a long succession of arbitrary monarchs and dictators. The right of unlimited debate in the Senate of France was lost in 1814, a victim of cloture—and there followed a century, and longer, of internal confusion and strife. In England, the House of Commons gave up its right to unlimited debate in 1888. That nation has produced some great Prime Ministers since—men who had the privilege, as well as the talent, to speak thoroughly and forcefully, but it would be difficult for any Member of the Senate to name any lengthy list of members of Parliament who have inspired their countrymen with arguments advanced on the floor of the House of Commons since 1888.

I am no historian, but as I have studied the history of governments gone before us, I have been impressed by the fact that the freedom of unlimited debate in legislative chambers has been given up many times by members themselves who were irritated or frustrated by a minority. But so far as I have found, once that freedom was yielded, it has never been returned. If we now give up this freedom in the Senate, I, for one, do not expect to live to see its return. For that reason, I cannot and I will not join hands with those who seek to throw this freedom out the window now.

As the distinguished senior Senator from Georgia [Mr. George] said the other day,

this effort to cut off unlimited debate is a whittling process, whittling at the essential freedoms of our mind. I should like to point out here to the writers with their wrathful pens, to the commentators with their caustic voices, to the cartoonists with their derisive skills, and all who join the throng to keep alive the cries against unlimited debate that we here in the Senate of the United States cherish our freedom of expression as they cherish theirs. But for the grace of God and the U.S. Senate we might today be debating the limitation of their freedom to speak or that of the press, rather than our own.

If, Mr. President, I were given a choice, if I should have the opportunity to send into the countries behind the Iron Curtain one freedom and only one, I know what my choice would be. I would send to those lands the very freedom we are attempting to disown here in the Senate. I would send to those nations the right of unlimited debate in their legislative chambers. It would go as merely a seed, but the harvest would be bountiful; for by planting in their system this bit of freedom we would see all freedoms grow, as they have never grown before on the soils of eastern Europe.

This freedom we debate, Mr. President, is fundamental and indispensable. It stands as the fountainhead of all our freedoms. If we now, in haste and irritation, shut off this freedom, we shall be cutting off the most vital safeguard which minorities possess against the tyranny of momentary majorities. I do not want my name listed as one of those who took this freedom away from the world when the world most needed it.

The ACTING PRESIDENT pro tempore. The time of the Senator from Illinois has expired. All time has expired.

One hour having elapsed since the convening of the Senate today, the Chair, under the rule, lays before the Senate the pending cloture motion, and directs the Secretary to call the roll, to ascertain the presence of a quorum.

The Sergeant at Arms is directed to enforce the provisions of rule XXXIII, which provides for those who have the privilege of the floor. The Sergeant at Arms is admonished that clerks to the Senate and clerks to Senators and to committees are allowed the privilege of the floor only when they are in the actual discharge of their duties. All those who have not the privilege of the floor under rule XXXIII will immediately leave the Chamber. The Sergeant at Arms is directed to carry out the order of the Chair.

The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 280 Leg.]

Aiken	Dirksen	Humphrey
Allott	Dodd	Inouye
Anderson	Dominick	Jackson
Bartlett	Douglas	Javits
Bayh	Eastland	Johnston
Beall	Edmondson	Jordan, N.C.
Bennett	Ellender	Jordan, Idaho
Bible	Engle	Keating
Boggs	Ervin	Kennedy
Brewster	Fong	Kuchel
Burdick	Fulbright	Lausche
Byrd, Va.	Goldwater	Long, Mo.
Byrd, W. Va.	Gore	Long, La.
Cannon	Gruening	Magnuson
Carlson	Hart	Mansfield
Case	Hartke	McCarthy
Church	Hayden	McClellan
Clark	Hickenlooper	McGee
Cooper	Hill	McGovern
Cotton	Holland	McIntyre
Curtis	Hruska	McNamara

Mechem	Pell
Metcalf	Prouty
Miller	Proxmire
Monroney	Randolph
Morse	Ribicoff
Morton	Robertson
Moss	Russell
Mundt	Saltonstall
Muskie	Scott
Neilon	Simpson
Neuberger	Smathers
Pastore	Smith
Pearson	Sparkman

Stennis
Symington
Talmadge
Thurmond
Tower
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The ACTING PRESIDENT pro tempore. A quorum is present.

The Sergeant at Arms is admonished that the only persons who may remain in the Chamber are those who have the privilege of the floor. Again, the Chair calls attention to the rule that clerks and members of the staffs of committees and Senators are allowed on the floor only to assist Senators in the actual discharge of their official duties.

The Senate is now approaching a vote. The present occupant of the Chair does not see how clerks and members of the staff can come under the rule of the privilege of the floor.

A quorum being present, the Chair submits to the Senate, without debate, the question: Is it the sense of the Senate that the debate shall be brought to a close?

The yeas and nays are required by the rule; and the Secretary will call the roll.

The Chief Clerk called the roll.

The yeas and nays resulted—yeas 71, nays 29, as follows:

[No. 281 Leg.]

YEAS—71

Alken	Gruening	Monroney
Allott	Hart	Morse
Anderson	Hartke	Morton
Bartlett	Hickenlooper	Moss
Bayh	Hruska	Mundt
Beall	Humphrey	Muskie
Boggs	Inouye	Neilon
Brewster	Jackson	Neuberger
Burdick	Javits	Pastore
Cannon	Jordan, Idaho	Pearson
Carlson	Keating	Pell
Case	Kennedy	Prouty
Church	Kuchel	Proxmire
Clark	Lausche	Randolph
Cooper	Long, Mo.	Ribicoff
Cotton	Magnuson	Saltonstall
Curtis	Mansfield	Scott
Dirksen	McCarthy	Smith
Dodd	McGee	Symington
Dominick	McGovern	Williams, N.J.
Douglas	McIntyre	Williams, Del.
Edmondson	McNamara	Yarborough
Engle	Metcalf	Young, Ohio
Fong	Miller	

NAYS—29

Bennett	Hayden	Simpson
Bible	Hill	Smathers
Byrd, Va.	Holland	Sparkman
Byrd, W. Va.	Johnston	Stennis
Eastland	Jordan, N.C.	Talmadge
Ellender	Long, La.	Thurmond
Ervin	McClellan	Tower
Fulbright	Mechem	Walters
Goldwater	Robertson	Young, N. Dak.
Gore	Russell	

The ACTING PRESIDENT pro tempore. Two-thirds of the Senators present having voted in the affirmative, the motion is agreed to.

The question now is on agreeing to amendments No. 577, proposed by the Senator from Louisiana [Mr. LONG], to amendments No. 513, proposed by the Senator from Georgia [Mr. TALMADGE], relating to jury trials in criminal contempt cases.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.