



NEWS RELEASE
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U. S. Commission on Civil Rights Issues a Proclamation honoring the 100th Birthday of Professor Carl Auerbach

Washington, DC – The United States Commission on Civil Rights celebrates the 100th birthday of Professor Carl Auerbach, whose work contributed to the creation of the Commission. The Commission’s Proclamation states:

During his 1956 State of the Union Address, President Dwight D. Eisenhower called for the creation of a civil rights commission. But the bill reached an impasse in Congress because of an issue of remedies law. Some of the bill’s most enthusiastic supporters were convinced that no Southern jury would convict anyone accused of interfering with a black man’s right to vote. They therefore wanted the bill to eliminate jury trials for anyone accused of being in criminal contempt of an injunction issued pursuant to the Act. Other potential supporters believed that jury trials should be preserved even if it meant a less effective Act.

The impasse ended only because of a proposal set forth by Carl Auerbach – then a law professor at the University of Wisconsin, subsequently a dean at the University of Minnesota and later a law professor at the University of San Diego. He wrote a law review article that suggested a compromise: Don’t eliminate jury trials in those criminal contempt proceedings in which it would traditionally have been available. But add a provision allowing the court to impose civil sanctions for contempt, since civil contempt proceedings traditionally do not carry any right to a jury trial. Senate Majority Leader Lyndon Johnson latched onto the idea and persuaded his fellow senators that it would work. The result was the Civil Rights Act of 1957, which created the Commission on Civil Rights.

Congratulations on your 100th Birthday, Professor Auerbach! Thank you for all that you did to make the Civil Rights Act of 1957 and the Commission on Civil Rights possible.

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The U.S. Commission on Civil Rights is an independent, bipartisan agency charged with advising the President and Congress on civil rights matters and issuing a federal civil rights enforcement report. For information about Commission's reports and meetings, visit <http://www.usccr.gov>.