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On Oct. 25, 1945,⁽¹⁾ Mr. Edward E. Cox, of Georgia, stated in debate in reference to Mr. Emanuel Celler, of New York: “I was reminded that pretexts are never wanting when hypocrisy wishes to add malice to falsehood or cowardice to stab a foe who cannot defend himself.” Mr. Celler demanded that the words be taken down, and Speaker Sam Rayburn, of Texas, ruled the language unparliamentary as specifically directed to Mr. Celler.

Allegations of Insincerity

§ 63.7 A statement by a Member “I cannot believe that the gentleman from Mississippi is sincere in what he has just said” was held out of order as a personal attack on a Member’s sincerity.

On Nov. 2, 1942,⁽²⁾ Mr. Harold Knutson, of Minnesota, stated in debate: “Mr. Speaker, I cannot

1. 91 CONG. REC. 10044, 79th Cong. 1st Sess.

2. 88 CONG. REC. 8702, 77th Cong. 2d Sess.

believe that the gentleman from Mississippi [Mr. John E. Rankin] is sincere in what he has just said.” Mr. Rankin demanded that the words be taken down and Speaker Pro Tempore Jere Cooper, of Tennessee, ruled as follows:

The Chair is of the opinion that the words complained of, in effect, accuse the gentleman from Mississippi of insincerity and constitute a personal attack on the sincerity of the gentleman from Mississippi and are in violation of the rules of the House.

§ 64. — Lack of Intelligence

Wide latitude is permitted in debate to criticize the understanding of other Members or groups of Members in relation to pending legislation. But such remarks may not extend to personal attacks on the intelligence of another Member.⁽³⁾

Implication in Debate

§ 64.1 An implication in debate that another Member did not understand English was held in order.

During debate on Mar. 9, 1936,⁽⁴⁾ Mr. Thomas L. Blanton, of

3. See § 64.4, *infra*.

4. 80 CONG. REC. 3465, 74th Cong. 2d Sess.

Texas, stated in reference to Mr. Henry Ellenbogen, of Pennsylvania, "Here is the answer, if the gentleman can understand English." The words were taken down, but Speaker Pro Tempore John J. O'Connor, of New York, ruled that there was nothing objectionable in the language noted.

§ 64.2 A question in debate whether it was a parliamentary inquiry to ask that a bill be printed in such a way that the Republicans could understand it was held in order.

On Mar. 31, 1938,⁽⁵⁾ Mr. Clare E. Hoffman, of Michigan, demanded that the following words used in debate by Mr. Thomas F. Ford, of California, be taken down: "Mr. Chairman, is it a parliamentary inquiry then to ask that the bill be reprinted in words of one syllable so that the Republicans can understand it?"

Speaker William B. Bankhead, of Alabama, ruled that the language was clearly not objectionable under House rules.

§ 64.3 Where a Member characterized another Member's comment on a pending amendment as a "dumb interpretation in my opinion,"

5. 83 CONG. REC. 4484, 4485, 75th Cong. 3d Sess.

the words were taken down but withdrawn by unanimous consent before a ruling was made.

On June 10, 1964,⁽⁶⁾ the Committee of the Whole was considering an amendment to a pending bill offered by Mr. Olin E. Teague of Texas. Mr. H. R. Gross, of Iowa, described his view of the amendment's effect, and Mr. Teague replied "It is a dumb interpretation in my opinion." Mr. Gross demanded that the words be taken down but Mr. Teague asked unanimous consent that the words be withdrawn before any ruling was made.

§ 64.4 A reference in debate to a Member as one who was incapable of ascertaining whether a document has been forged was held to transgress rules of debate.

On Mar. 1, 1940,⁽⁷⁾ Mr. Clare E. Hoffman, of Michigan, referred in debate to Mr. Frank E. Hook, of Michigan, as a person "who never can tell whether a document has been forged or whether it has not." Mr. Hook demanded that the words be taken down, and Speaker William B. Bankhead, of Ala-

6. 110 CONG. REC. 13254, 88th Cong. 2d Sess.

7. 86 CONG. REC. 2229, 76th Cong. 3d Sess.

bama, ruled that the language violated the rules of debate since directed to the personality of another Member. The words were stricken from the Record.

§ 65. —Race and Prejudice

It is not in order in debate to accuse a Member of bigotry or racism.⁽⁸⁾ However, a Member may express the opinion in debate that another Member is by his actions and words doing a disservice to a minority race if terms not objectionable in themselves are not used.⁽⁹⁾

Remarks Relating to Race Generally

§ 65.1 A statement in debate expressing the opinion of the Member that if he were a Negro he would avoid association with non-Negroes was held not to reflect on any Member of the House and therefore to be in order.

On Apr. 5, 1946, Mr. Adam C. Powell, Jr., of New York, offered to H.R. 5990, the District of Columbia appropriation bill of 1947, an amendment to deny funds to

⁸. Compare §§ 65.5–65.7, *infra*.

⁹. See § 65.4, *infra*.

any agency, office, or department which segregated citizens on the basis of race, color, creed, or national origin.⁽¹⁰⁾ In commenting on the amendment, Mr. Powell stated:

If you do not believe that segregation is practiced here by the District government may I say look at me, one of your fellow Congressmen. I cannot get a card to play tennis, for instance, in any of the parks of the District of Columbia. . . .

Mr. John E. Rankin, of Mississippi, then commented as follows on the amendment:

Mr. Chairman, this amendment to deny funds to separate schools here in Washington is another one of those communistic movements to stir up race hatred in the District of Columbia. . . .

If I were a Negro I would want to be as black as the ace of spades, and I would not be running around here trying to play tennis on a white man's court. I would go with the other Negroes and have the best time in my life. . . .

Mr. Powell demanded that the last paragraph of Mr. Rankin's remarks be taken down. The Committee of the Whole rose and Speaker Sam Rayburn, of Texas, ruled as follows:

The Chair would think and would be compelled to hold that there is nothing

¹⁰. 92 CONG. REC. 3227, 79th Cong. 2d Sess.