**South Carolina General Assembly**

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**S. 601**

**STATUS INFORMATION**

Senate Resolution

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Summary: 60th anniversary of March to the State House

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/23/2021 Senate Introduced and adopted ([Senate Journal‑page 7](file:///h:\sj\20210223.docx))

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**VERSIONS OF THIS BILL**

[2/23/2021](file:///p:\pprever\2021-22\601_20210223.docx)

**A** **SENATE RESOLUTION**

TO RECOGNIZE AND HONOR THE COURAGEOUS, PATH‑BREAKING STUDENTS AND LEADERS OF THE CIVIL RIGHTS STRUGGLE IN SOUTH CAROLINA WHO MARCHED ON THE STATE HOUSE SIXTY YEARS AGO ON MARCH 2, 1961, SETTING THE STAGE FOR THE LANDMARK *EDWARDS V. SOUTH CAROLINA* OF THE UNITED STATES SUPREME COURT, WHICH PROTECTS THE FIRST AMENDMENT RIGHTS OF PEOPLE “PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES,” AND TO COMMEMORATE THE SIXTIETH ANNIVERSARY OF THIS LANDMARK CASE.

Whereas, on March 2, 1961, more than three hundred college and high school students from Columbia, Charleston, Greenville, Orangeburg, Sumter, and other cities, and their adult advisors, joined in a planned march from Zion Baptist Church at 801 Washington Street to the South Carolina State House grounds. The protestors’ stated purpose was “to submit a protest to the citizens of South Carolina and the state legislature on our feelings and our dissatisfaction with the present condition of discriminatory actions against Negroes”; and

Whereas, the students walked peacefully and orderly in two‑wide columns from the church to the State House grounds and then around the capitol building that holds the governor’s and legislators’ offices. The march was originally planned as a silent protest, but, encouraged by Benedict College theology student David Carter, the students clapped and sang patriotic songs, such as “The Star‑Spangled Banner,” and religious songs, such as the spiritual “We Shall Not Be Moved”; and

Whereas, the students were directed by law enforcement officers to disband and leave the grounds and were threatened with arrest for breach of peace despite their peaceful and orderly demonstration. When they declined to leave, police arrested one hundred ninety students. One hundred eighty‑seven were tried in magistrate’s court, convicted, and fined for a breach of peace, and the students appealed; and

Whereas, among the one hundred eighty‑seven defendants were NAACP leader and future South Carolina State Senator the Reverend Isaiah DeQuincey Newman; Dr. Benjamin J. Glover, pastor of Charleston’s Mother Emanuel AME Church; future United States Congressman James E. Clyburn; future South Carolina State Representative Leola Robinson, then state NAACP Youth Council president; and the first named defendant, Benedict College student James Edwards, Jr.; and

Whereas, the United States Supreme Court heard the arguments in *Edwards v. South Carolina* on December 13, 1962. From Columbia to Washington, D. C., the students relied on the legal work of South Carolina attorneys Matthew J. Perry, Jr.; Lincoln C. Jenkins, Jr.; and Donald J. Sampson. The case was argued before the United States Supreme Court by NAACP Legal Defense Fund Director Jack Greenberg, who said, “The *Edwards* [trial] record was indeed a jewel” because of the painstaking preparation and fearless, unrelenting courtroom work of Perry, Jenkins, and Sampson; and

Whereas, on February 25, 1963, in an 8 to 1 decision, the Court overturned the convictions and affirmed peaceful student demonstrations, concluding that the 1961 arrests of participants violated “constitutionally protected rights of free speech, free assembly and freedom to petition for redress of their grievances.” The Court’s landmark decision ruled that the 14th Amendment forbids a state “to make criminal the peaceful expression of unpopular views.” Writing the decision, Justice Potter Stewart said, “The circumstances in this case reflect an exercise of these basic constitutional rights in their most pristine and classic form”; and

Whereas, in the months and years following the victory, civil rights attorneys relied on the *Edwards* ruling to protect the constitutional rights of protestors throughout the country. In the Birmingham, Alabama, campaign, Bull Connor’s officers arrested the Reverend Fred Shuttlesworth and other citizens in the 1963 Good Friday parade, but the United States Supreme Court ruled, following *Edwards*, that it had “made clear” that such demonstrations were “entitled to First Amendment protection”; and

Whereas, on Sunday, March 10, 1963, in a jubilant event, about eighty of the original protesters returned to Zion Baptist Church to celebrate their Supreme Court victory. The Reverend Newman said, “While we have won, we must march again, and again, and again until the equality of man is recognized.” Now, therefore,

Be it resolved by the Senate:

That the members of the South Carolina Senate, by this resolution, recognize and honor the courageous, path‑breaking students and leaders of the Civil Rights struggle in South Carolina who marched on the State House sixty years ago on March 2, 1961, setting the stage for the landmark *Edwards v. South Carolina* of the United States Supreme Court, which protects the First Amendment rights of people “peaceably to assemble, and to petition the Government for a redress of grievances,” and to commemorate the sixtieth anniversary of this landmark case.

Be it further resolved that a copy of this resolution be provided to Columbia SC 63 and the University of South Carolina Center for Civil Rights History and Research.

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