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From Infogalactic: the planetary knowledge core

Samuel James "Sam" Ervin, Jr. (September 27, 1896 – April 23, 1985) was an [American](#) politician. A [Democrat](#), he served as a [U.S. Senator](#) from [North Carolina](#) from 1954 to 1974. A native of [Morganton](#), he liked to call himself a "[country lawyer](#)," and often told humorous stories in his Southern drawl.^[1] During his Senate career, Ervin was a legal defender of the [Jim Crow laws](#) and [racial segregation](#), as the South's constitutional expert during the congressional debates on [civil rights](#).^[2] Unexpectedly, he became a liberal hero for his support of [civil liberties](#). He is remembered for his work in the investigation committees that brought down Senator [Joseph McCarthy](#) in 1954 and especially his investigation in 1972 and 1973 of the [Watergate scandal](#) that led to the resignation in 1974 of President [Richard Nixon](#).

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Early life

Ervin was born in [Morganton, North Carolina](#), the son of Laura Theresa (Powe) and Samuel James Ervin. He served in the [US Army](#) in combat in France during [World War I](#) with the [First Division](#) at [Cantigny](#) ^[3] and [Soissons](#), and was awarded the [Distinguished Service Cross](#), the [Silver Star](#) and two [Purple Hearts](#).^[4] He graduated from the [University of North Carolina](#), where he was a member of [The Dialectic and Philanthropic Societies](#), in 1917 and from [Harvard Law School](#) in 1922. Ervin was fond of joking that he was the only student ever to go through Harvard Law "backwards", because he took the third-year courses first, then the second-year courses, and finally the first-year courses.

Already [admitted to the bar](#) in 1919, before completing law school (later calling himself "a simple [country lawyer](#)"), Ervin entered politics straight out of Harvard.^[1] Even before he had received his degree, Democrats in [Burke County, North Carolina](#) had nominated him in absentia for the [North Carolina House of Representatives](#), to which he was elected in 1922, 1924, and 1930. In 1927, in his role as attorney for Burke County, NC, Ervin served as the legal advisor to the local sheriff during the hunt for [Broadus Miller](#), a black man believed to have murdered a teenaged white girl. The county officials invoked the outlaw provision of the North Carolina constitution which permitted any citizen to kill a declared outlaw without formal charges being brought. Miller was shot down while being pursued and his body displayed in the local courthouse square. Ervin was also elected and served as a state judge in the late 1930s and early 1940s.

U.S. Senate career

Sam Ervin



United States Senator
from **North Carolina**

In office

June 5, 1954 – December 31, 1974

Preceded by [Clyde R. Hoey](#)

Succeeded by [Robert B. Morgan](#)

Member of the U.S. House of Representatives
from **North Carolina's 10th district**

In office

January 22, 1946 – January 3, 1947

Preceded by [Joseph W. Ervin](#)

Succeeded by [Hamilton C. Jones](#)

Member of the North Carolina House of Representatives

In office

1923

1925

1931

Personal details

Born	Samuel James Ervin, Jr. <div>September 27, 1896</div> <div>Morganton, North Carolina</div>
Died	April 23, 1985 (aged 88) <div>Winston-Salem, North Carolina</div>
Nationality	American
Political party	Democratic
Spouse(s)	Margaret Bell Ervin
Alma mater	University of North Carolina Harvard Law School
Religion	Presbyterian

Watergate scandal

Ervin was serving as an associate justice of the [North Carolina Supreme Court](#) when he was appointed in June 1954 by Governor [William B. Umstead](#) to fill the U.S. Senate seat of [Clyde Hoey](#), who had died in office. He ran successfully for the seat in November 1954.

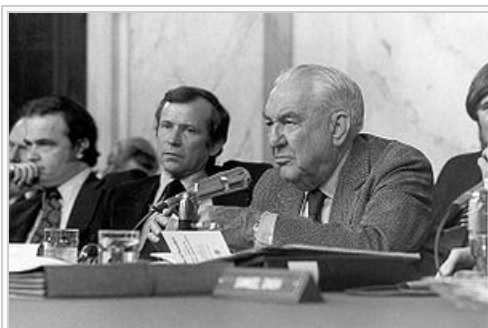
Ervin made a deep impact on American history through his work on two separate committees at the beginning and ending of his career that were critical in bringing down two powerful opponents: [Senator Joe McCarthy](#) in 1954 and [President Richard M. Nixon](#) in 1974. In 1954, then-Vice President [Richard Nixon](#) appointed Ervin to a committee formed to investigate whether McCarthy should be censured by the Senate.^[4] The [Senate Select Committee to Investigate Campaign Practices](#), which investigated [Watergate](#), was popularly known as the "Ervin Committee".

In 1956, Senator Ervin helped organize resistance to the 1954 *Brown v. Board of Education* Supreme Court decision calling for [desegregation](#) of schools by drafting [The Southern Manifesto](#); this influential document encouraged defiance of desegregation and was signed by all but a few of the Southern members of Congress.^[5] (In his autobiography, *Preserving the Constitution*, Ervin said he later changed his mind on the *Brown* decision, stating that the decision, to the extent it eliminated mandatory segregation, was correct, but that forced integration, required under later decisions, was improper.)

Defenders of Ervin argue that his opposition to most [civil rights legislation](#) was based on his commitment to the preservation of the [Constitution](#) in its pristine formulation that he repeatedly stated encapsulated civil, [human](#) and [equal rights](#) for all. There is little if any evidence that he engaged in the racial demagoguery of many of his Southern colleagues. Some historians consider Ervin's position to be one of "[cognitive dissonance](#)" because he opposed federal legislation to combat race-based discrimination, but did not do so in harsh, ugly terms. While he once maintained that Americans were entitled to "their prejudices as well as their allergies", he did not seem to be motivated by prejudice himself, but more by his suspicion of federal power. Ervin said he didn't like what the [Warren Court](#) "has done to the Constitution".^[6]

Ervin was also a staunch opponent of the [Immigration and Nationality Act of 1965](#) which abolished nationality quotas beginning in 1968. He felt that the principle of tying allowed numbers of immigrants from a given country to the number of people who had ancestral origins in that country and lived in the United States should be retained.^[7]

Meanwhile, Ervin's [strict construction](#) of the [Constitution](#) also made him a [liberal](#) hero for his support of [civil liberties](#), his opposition to "[no knock](#)" search laws, and the growing intrusions of [data banks](#) and [lie-detector](#) tests as [invasions of privacy](#). In 1966, Senator Ervin played a major role in the defeat of Sen. Everett Dirksen's Constitutional amendment^[8] to allow [prayer in public schools](#). Ervin also favored the [exclusionary rule](#) under the [Fourth Amendment](#), which made illegally seized evidence inadmissible in criminal trials.



Sam Ervin (right), as chair of the Senate Watergate Committee

When the Senate voted on the [Equal Rights Amendment](#) in 1971, Ervin proposed an amendment that would exempt women from the [draft](#); Ervin's amendment to the ERA overwhelmingly failed.^[9] However, he was a staunch opponent of the ERA and after it passed the Senate Ervin used his influence to dissuade the [North Carolina General Assembly](#) from ratifying it, maintaining that it was the "height of folly to command legislative bodies to ignore sex in making laws".^[10]

He got his start in investigative matters, even before [Watergate](#), when in January 1970 it was revealed by [Christopher Pyle](#), an investigator for Ervin's [Judiciary Subcommittee on Constitutional Rights](#), that the [U.S. Army](#) was performing domestic investigations on the civilian population.^[11] Ervin's further investigations on the matter over the following years, together with the [Church Committee](#) inquiries, led to passage of the [Foreign Intelligence Surveillance Act](#) (after Ervin had left office).

Ervin gained lasting fame through his stewardship of the Senate Select Committee to Investigate Campaign Practices, also known as the [Senate Watergate Committee](#), from the [1972 presidential election](#). Senate Majority Leader [Mike Mansfield](#) chose Ervin because it was unlikely Ervin was going to run for re-election in 1974 (and in fact did not^[12]), because he had no aspirations beyond his office, because of his knowledge of the law and the Constitution, and because



Watergate complex

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V · T · E

he was an even-keeled, conservative, independent-minded Democrat. President Nixon thought at first that Ervin might potentially be partial to him, but that turned out to not be the case.

Later life

Ervin resigned in December 1974, just before his term ended. After retirement, Ervin practiced law, wrote several books, and appeared in various commercials for products. As a lawyer, he served as a co-counsel with [Womble Carlyle Sandridge & Rice PLLC](#) on several high-profile cases, including a successful appeal in *Joyner v. Duncan*.^[13] In 1973, Ervin was recorded on [CBS Records](#) on the LP record, *Senator Sam at Home*, which featured tracks of Ervin speaking his mind and telling anecdotes, separated by tracks of him singing popular songs. One of those songs, "[Bridge Over Troubled Water](#)" was released as a single,^[14] and subsequently appeared on the 1991 compilation album *Golden Throats 2*.

Sam Ervin died in 1985 at a hospital in [Winston-Salem, North Carolina](#), from complications of [emphysema](#). He was 88 years old.

Legacy

Ervin's son, [Samuel J. Ervin, III](#), was appointed in 1980 to the [United States Court of Appeals for the Fourth Circuit](#) by President [Jimmy Carter](#).^[4] His grandson, [Sam J. Ervin, IV](#), was elected in 2008 to the [North Carolina Court of Appeals](#)^[15] and in 2014 to the North Carolina Supreme Court. ^[5]^[6] Another grandson, Robert C. Ervin, was elected in 2002 as a North Carolina [Superior Court](#) Judge for District 25A.

Ervin's office and personal library has been preserved as the "[Senator Sam J. Ervin Jr. Library and Museum](#)", which is housed in the Phifer Learning Resource Center at [Western Piedmont Community College](#) in his hometown of Morganton



Entrance to Ervin Library at Western Piedmont Community College in Morganton

Accolades

- 1972: [Paul White Award](#), [Radio Television Digital News Association](#)^[16]

In popular culture

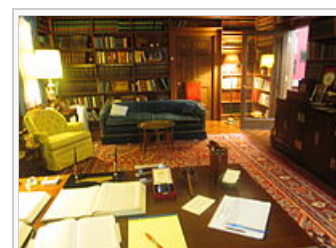
In 2001, Steve Bouser, a North Carolina journalist who interviewed Ervin, wrote a one-man play titled *Senator Sam*. The play is set on Ervin's porch in Morganton during the evening of Richard Nixon's resignation. Sam recalls his life, both personal and political. The play debuted in Morganton in 2001. In 2005, The Blowing Rock Stage Company in [Blowing Rock, NC](#) produced a new production starring Gary Lee Smith that later toured several states. There is also a one-act version for school audiences.



Ervin's Senate desk

Quotations

In an interview^[17] on [William F. Buckley's Firing Line](#) program, Ervin suggested that people in public life need to have more "backbone", and Buckley playfully suggested [Gordon Liddy](#) as a model to which Ervin responded, "Well, Gordon Liddy has a little too much backbone. I'll have to admit that I have a sort of sneaking admiration for a fellow like Gordon Liddy that does have an excess of backbone. His backbone exceeds his intelligence, really."



A glimpse of Ervin's restored office

Sam Ervin was as a staunch opponent of the [polygraph](#) calling the tests "20th century witchcraft":

Probably no instrument in modern time so lends itself to threats to constitutional guarantees of individual freedom as the polygraph or so-called lie detector. The threat of its use or the intimidation inherent in its use restricts free expression and communication of ideas, intrudes on an individual's subconscious thought, makes him fear to speak his thoughts freely, or compels him to speak against his will. To my mind, the entire purpose of these machines is to invade a man's mind and find what lurks in the innermost part of his mental consciousness for reasons which have nothing to do with his ability to perform a job. If the right of privacy means anything at all. and if it is a right to be cherished in our .society, it means that people should be entitled to have thoughts, hopes, desires, and dreams that are beyond the reach of a bureaucrat, an employer, or an electronic technician. This is something which enthusiasts for these machines do not seem to understand. They do not understand and they do not appreciate how important privacy is to each American, and as long as that lesson is not understood, we all will find our right to privacy constricted if not abrogated entirely. I propose this legislation to ban the use of the polygraph for employment purposes in the hopes that Congress will pause for a moment, step back, and take a long look at the issues involved in the unrestrained use of the polygraph. Legislation is necessary to bring some order and control to the practice...^[18]

He also famously said of religion and government:

Political freedom cannot exist in any land where religion controls the state, and religious freedom cannot exist in any land where the state controls religion.^[19]

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External links



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- Military Surveillance: Hearings Before the Subcommittee on Constitutional Rights of the Committee on the Judiciary. United States Senate, 93rd Congress, Second Session, on S. 2318. April 9 & 10, 1974.
- A film clip "Longines Chronoscope with Samuel J. Ervin, Jr." is available for free download at the Internet Archive

United States House of Representatives		
Preceded by Joseph W. Ervin	Member of the U.S. House of Representatives from North Carolina's 10th congressional district January 22, 1946 – January 3, 1947	Succeeded by Hamilton C. Jones
United States Senate		
Preceded by Clyde R. Hoey	U.S. Senator (Class 3) from North Carolina 1954–1974 Served alongside: Alton Asa Lennon, William Kerr Scott, B. Everett Jordan, Jesse Helms	Succeeded by Robert B. Morgan
Political offices		
Preceded by John L. McClellan Arkansas	Chairman of Senate Government Operations Committee 1972–1974	Succeeded by Abraham A. Ribicoff Connecticut

V T E	United States Senators from North Carolina	[Expand]
V T E	Chairmen of the United States Senate Committee on Homeland Security and Governmental Affairs	[Expand]
V T E	Jesse Alexander Helms, Jr.	[Expand]

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was an American politician. A Democrat, he served as a U.S. Senator from North Carolina from 1954 to 1974. A native of Morganton, he liked to call himself a "country lawyer", and often told humorous stories in his Southern drawl.[1] During his Senate career, Ervin was a legal defender of the Jim Crow laws and racial segregation, as the South's constitutional expert during the congressional debates on civil rights.[2] Unexpectedly, he became a liberal hero for his support of civil liberties. Sam J. Ervin IV — Samuel James Ervin IV (born November 18, 1955) is a lawyer, North Carolina Utilities Commissioner, and candidate for the North Carolina Court of Appeals in 2008. He is the grandson of U.S. Sen. Sam Ervin. Biography Ervin was born and raised in... ... Wikipedia. Sam Irvin — For United States senator, see Sam Ervin. Sam Irvin Photo by Stephen Paley Born June 14, 1956(1956 06 1 ... Wikipedia. Sam — V. «tío Sam». * *