

DESEGREGATION IN THE SOUTH

DR. BENJAMIN E. MAYS

President, Morehouse College, Atlanta, Georgia.

BRIEF HISTORY OF SEGREGATION

The Negro was brought to the United States in 1619 as a slave and not as a free man. He was property and not a person and this was his status in the United States until his emancipation at the close of the Civil War in 1865. From 1619 to about 1820 the Negro was not a problem in the United States any more than property is a problem today. He began to be a problem when Negro and white abolitionists began to cry out against the institution of slavery and became determined to emancipate the slaves. The Negro became a real problem in 1865. The question then was: what shall we do with the emancipated people? As a slave the Negro was welcomed, but he was not welcomed as a free man.

Several proposals were made as to what should be done with the newly emancipated Negro: one theory advocated sending him back to Africa; another theory advocated colonizing him in the United States; a third proposition was advanced to the effect that if you left the Negro alone, he would eventually die out, because he would never be able to compete in American life. None of these theories proved practicable. He was not sent back to Africa and he was not colonized. And instead of dying the Negro multiplied. The fourth and only program, until recently, that America has had for the Negro, was to segregate him. So, roughly speaking, between 1870 and 1910 the Negro was completely segregated in every area of life in the southern United States: government, employment, education, recreation, religion and politics.

THE NEGRO PROTEST

This situation could not endure forever because Negroes were being educated and they were protesting more and more against the inferior status that segregation placed upon them. Year by year Negroes were becoming more sensitive to the dehumanization of segregation and more determined to throw off its degrading yoke. Their eyes were opened, too, for they fought in two world wars to make the world safe for democracy. It did not make sense to the Negro that he could fight as an equal, die as an equal and pay taxes as an equal, but under no circum-

stances live as an equal in his native United States. All through this struggle, there were many white people in the United States who saw the inconsistency in what we proclaimed in our democracy and what we actually practised. They began to work with the Negro in various ways to help America become truly democratic.

THE SOUTH'S ASSURANCE SHATTERED

Southern United States was pretty sure that the segregated way of life was the solution to the race problem in America. The doctrine of separate but equal had been confirmed in the state constitutions and by the Supreme Court of the United States in 1896. People from many sections of the world came to study the policy of segregation, so sure were they that segregation was the answer to the problem of race not only here but in other parts of the world.

The famous 1954 Decision of the United States Supreme Court upset the South in a manner unknown to it since the Civil War. The South boasted for years that it had found the solution to the race problem and that that solution was segregation. But when the United States Supreme Court ruled on May 17, 1954, that segregation in the public schools was unconstitutional the political South became frustrated and furious. The Court maintains that to segregate a man solely on the basis of race or color is to deny him the equal protection of the law as guaranteed by the Fourteenth Amendment of the United States Constitution. For the first time since 1865 the South's segregated way of life was dealt a mortal blow from which it probably will never recover.

THE SOUTH INVITED THE DECISION

The South brought the Supreme Court Judgment upon itself. Though claiming the doctrine of "separate but equal" and though accepting in part the Supreme Court's Decision of 1896, the Southern states never in fact made separate equal. Since inequality is inherent in segregation and since there was no will on the part of the South to equalize educational opportunities, there could not be two separate equal educational systems. So the South accepted the separate part of the "separate but equal" doctrine but not the equal part. Statistics can be quoted to prove that in education the gulf of inequality in per capita expenditure on Negro and white students did not close with the years but widened. For example, thirteen southern states in the school year 1918-19 spent \$12.91 per capita for each white child of

school age; \$4.42 for each Negro child—a difference of \$8.49. In the school year 1924–25, these thirteen states spent \$27.95 per capita for each white child of school age; for the Negro child \$9.52—a difference of \$18.43. In 1931 these thirteen states were expending per capita for each white child of school age \$40.92; for the Negro child \$15.78—a difference of \$25.14. In other words, from 1919 up to 1931 the per capita expenditure for the white child increased \$28.01; for the Negro child \$11.36. In the meantime, Negro lawyers became skilled in the law and began around 1935 to challenge the inequality in education in the South. It might be added here that it was not until Negroes themselves became skilled in the law that the unconstitutionality of segregation began to be challenged on a large scale. So the South brought the Decision upon itself.

THE DECISION AND WORLD OPINION

The May, 1954 Decision of the Supreme Court was inevitable too because the United States emerged from World War II the leading democracy in the free world and the nine justices of the Supreme Court could not tell a billion or more colored people in Asia and Africa and the white people of Europe that the United States believed that a man should be segregated for no other reason than that his skin is black or colored. The justices of the Supreme Court, therefore, had to run the risk of America's losing its moral leadership in the world by allowing the continued practice of segregation or outlaw it and risk a social revolution in the South. Not only had world opinion on race changed since 1896 but the Negro's status in American life had also changed. So the nine justices of the United States Supreme Court living in 1954 and not in 1896 handed down a unanimous decision against segregation in the public schools.

INCLINATION TO COMPLY

At first several school boards in the South, outside the five areas involved in the suit, had decided to plan ways and means to desegregate their schools. But soon top state officials, principally governors and attorney-generals, took the position that the Deep South should not desegregate the schools immediately but rather wait for the directives which the Supreme Court was to hand down later. As a result, school officials who were ready to move forward toward integration abandoned the idea. One year later, May 31, 1955, the Supreme Court clarified its Decision. The matter of full compliance with the Court's orders

was left in the hands of district federal judges and the Court set no time schedule as to when desegregation in the schools was to begin and no time was set as to when integration had to be an accomplished fact. The Court made it clear though, that desegregation in Washington, D.C., Prince Edward County, Virginia, Clarendon County, South Carolina, Topeka, Kansas, and Wilmington, Delaware, must move along with reasonable speed.

Some areas involved had already begun to comply, for example, Topeka, Kansas, and the District of Columbia. But Virginia and



SEGREGATION'S LAST STAND

By courtesy of Fitzpatrick and the St. Louis Post-Dispatch.

South Carolina stubbornly stood pat on segregated schools despite the Court's orders. Since the Court's directives of May 31, 1955 were so reasonable and fair one would have expected the South to go along with the Decision in good faith. But this was not the case.

THE SOUTH REBELS

The Deep South states, Virginia, North Carolina, South Carolina, Georgia, Alabama, Florida, Louisiana and Mississippi, set about finding ways and means of circumventing the implementation of the Decision. Several state officials stated boldly that segregation would continue in their states. Nullification acts were passed by some states declaring the Decision of the Supreme Court null and void. Georgia, Virginia, South Carolina, Alabama and Mississippi passed acts of interposition.

In some areas the Ku Klux Klan was reborn, and White Citizens' Councils, a modern version of the Klan, were organized to maintain segregated schools, peacefully if possible, with violence if necessary. The reaction against the Supreme Court's Decision has been so ill tempered that nothing has actually been done to integrate the public schools in Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida and Louisiana. These are the hard-core states and will resist integration as long as they can. Efforts to desegregate the schools brought about rioting in Mansfield, Texas, Sturgis, Kentucky and Clinton, Tennessee. The Deep South has used the press, radio, and television in an effort to discredit the Decision and prove to the world that the Supreme Court made a mistake.

PROGRESS IN DESEGREGATION

Despite stubborn resistance in the eight states named above, desegregation of the schools has gone forward in Washington, D.C., Baltimore in Maryland, Delaware, Missouri, West Virginia, Kentucky, Oklahoma, and sections of Texas, Arkansas and Tennessee. Just recently the federal court ordered Charlottesville and Arlington, Virginia, to desegregate their public schools. Ninety-five law suits against segregation have been launched since May 17, 1954. Sixty-five of the cases have sought to end segregation in the public schools of the 17 states which traditionally had separated pupils by race. Twenty-eight of these have been filed since the beginning of 1956. Every state in the South has been the scene of at least one such action except Mississippi, according to the August issue of *Southern School News*.

As bad as the situation may look, in less than three years great strides have been made toward compliance with the Court's orders. A more detailed statement as to the state of desegregation in the public schools of the South or areas that practise segregation follows:

In the District of Columbia—147 of 169 schools have integrated classes and, in some instances, integrated faculties.

In West Virginia—41 of the 44 counties have integrated.

In Kentucky there are 177 bi-racial district public schools.—92 have integrated and 17 plan to integrate soon.

Missouri has 177 high school districts—166 have integrated. 85 per cent of Negro school children attend integrated schools.

Oklahoma has 261 school districts and 182 of them have Negro students enrolled.

Maryland has 210 desegregated schools.

In Texas—104 school districts have begun or completed desegregation.

One county is desegregated in Delaware, one slightly desegregated, and the third county has not begun to desegregate.

Three communities in Arkansas have desegregated schools. Texas, Delaware and Arkansas are now in the process of moving more rapidly toward desegregation.

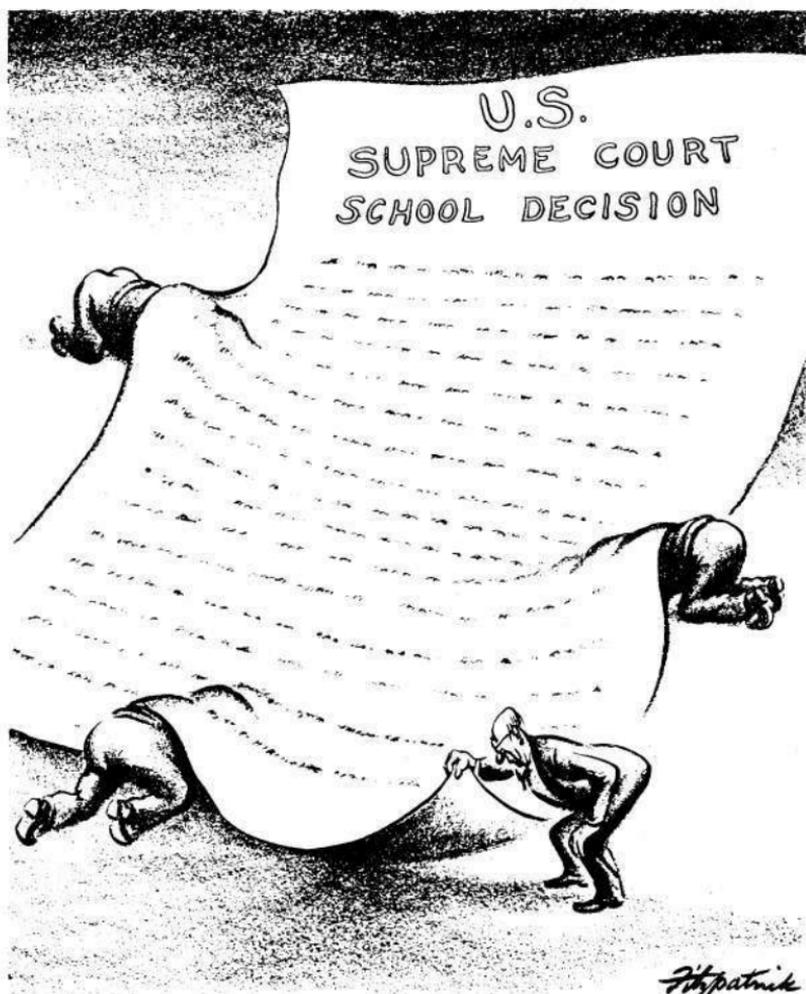
Though not a part of the public school controversy, 110 of 208 tax-supported colleges and universities now admit Negroes.

On the optimistic side, it may be surprising that so much progress has been made in so short a time and with so little violence.

SLOW PROGRESS IN THE DEEP SOUTH

What the future will hold relative to integration in the eight Deep South states listed above, no one can predict with precision. It seems clear that these states will resist as long as they can. They care little if anything about world opinion. They prefer segregation based on race and color to a thorough-going, functioning democracy. The state officials in these states prefer segregation to a functioning Christianity. Some of them may even fear integration more than they do communism. It is the belief of this writer that prejudice against the Negro in some southern states is so deeply rooted that if the Deep South had to choose between democracy with an unsegregated South and communism with segregation, these states would choose communism.

It must be remembered that a Supreme Court decision speaks to a specific situation rather than to a general one. People of good intent and good will would not require years of litigation when the highest court of the land has spoken. But I am convinced that not many communities in the Deep South will desegregate on their own. Many of them have made up their minds to sit tight until sued in federal court. They know beforehand that they will lose any suit entered to end segregation. But it takes money and time to wage a suit. In the meantime, the



THE GREAT GAME OF HOW-NOT-TO

By courtesy of Fitzpatrick and the St. Louis Post-Dispatch.

delay will give them a longer time to worship at the shrine of their vanishing god, segregation.

There will be more federal suits. They will have to be pushed and paid for by Negroes and for the most part Negro lawyers will have to argue the cases. White lawyers in the Deep South will be afraid of social pressure from their white friends and will not argue for desegregation. If nothing is done by the federal government to speed up the process in the Deep South and if Negroes must sue county by county, segregated schools will be around a long time. Complacency on the part of Negroes in most communities of the Deep South, the attitude of newspapers, governors and other state officials, the methods of intimidation which school officials and White Citizens' Councils will use to block the initiative being taken by Negro teachers, and the fear of some teachers that they will lose their jobs in integrated situations will further slow up the speed of integrated schools in the Deep South.

SIGNS OF HOPE

There are hopeful signs, however, and segregated schools are definitely on their way out. Integration in the Deep South may come faster than anyone can now predict. The Deep South is already being surrounded by non-segregated states. The process of integration will continue in southern states like Arkansas, Texas, and Tennessee. With the recent federal order that Arlington and Charlottesville, Virginia, must desegregate, it will be easier to get other Virginia counties to follow. Then North Carolina may follow Virginia in due course and so on down the southern line. The fact that rioting and interference with integration were ordered stopped by the United States Justice Department in Clinton, Tennessee, may say to the South that the federal government is not playing.

Then, too, segregation is crumbling in other areas and this may assist the Deep South to get rid of its fears of integration in the public schools. Passenger stations are desegregated in interstate travel. Interstate railroad travel is desegregated. Recently the United States Supreme Court has declared segregation on the buses in the city of Montgomery and in the state of Alabama unconstitutional. Also a federal judge in Miami, Florida, has declared segregation on buses in that city unconstitutional. These related cases will in ways not now predictable have their influence on speeding up desegregation in the public schools of the Deep South. The very fact that segregation based on race and

color is unconstitutional in every area will make it increasingly difficult for public schools to hold out too long.

The moral argument must not be overlooked in this controversy. Apart from the unconstitutionality of segregation, to segregate a man because he is colored or because he belongs to a particular race cannot be defended on moral grounds. Those who fight to maintain segregation must do so with an uneasy conscience, knowing perfectly well that their position can be sustained neither by science nor religion and not by the Federal Constitution. They know that their position is untenable and that they are fighting a losing battle.

This writer believes that there are millions in the South, though preferring segregation, who are law-abiding and if political leaders did not keep things stirred up, would come out boldly for obedience to the Supreme Court. These people are timid and afraid now but in time they will in all probability have their say. It is as plain as day that segregation based on race supported by federal law is gone in the United States and this writer believes it is gone forever.

Negroes in the South will never accept segregation again. They know that there can never be equality in segregation. They know that the objective of segregation is to set the segregated apart so that he can be treated as an inferior. They also know that segregation is designed to make the Negroes themselves accept and believe that they are inferior, that segregation has inflicted a wound upon their souls and so restricted their minds that millions of them now alive will never be cured of the disease of inferiority. They don't intend this to happen to their unborn children. Segregation damages the soul of both the segregated and the segregator. It gives the segregated a feeling of inherent inferiority which is not based on fact, and it gives the segregator a feeling of superiority which is not based on fact.

All Negroes feel this way and millions of white people in America feel this way. So it may not be too long before segregation by law will be gone in every area of American life.

Finally, segregation has no respectable standing in the world. World opinion is against branding a man because of his race and color. The United Nations is against it. Segregation on the grounds of race can find no support in science, none in Judaism and the Christian Religion and none in democracy. The moral weight of the universe is against it. It cannot stand.