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THE ROLE OF EDUCATORS II

*Omer Carmichael**

Almost exactly five years ago, the United States Supreme Court handed down its historic decision to the effect that compulsory racial segregation in the public schools is unconstitutional and must end. During these five years, momentous changes have taken place in the areas most directly affected. Some of these changes have been gains and others have been losses. This is a good time to evaluate these gains and losses and to have a look at the future.

One of the serious losses in many parts of the country has been the almost complete drying up of free public discussion. Notre Dame Law School, in providing this symposium, makes an important contribution to the preservation of free and enlightened discussion. The planning committee is to be commended on the breadth of the symposium. While the decision of the Court is specific with respect to public schools, the obligations of other groups to assist in the solutions of the problems which arise are fundamental to success. It is good that we have in the symposium representation from schools, colleges, churches, the legal profession, the negro community and public officials. Each group has an important share in the total program and it is important that all work together.

Preliminary to discussion of the question from the point of view of public schools, a few simple comments on legal aspects of the question may be helpful. The decision of the United States Supreme Court on May 17, 1954 settled the question in principle. The decision should have come as no surprise to anyone who had carefully followed the Court decisions for the past two decades. Decisions handed down in regard to the franchise, public transportation, restrictions on ownership of property and higher education gave clear indications of the philosophy of the Court on such questions. The unanimity of the decision was fortunate. The much criticised phrase "with all deliberate speed" was also fortunate in that it has given a flexibility which was, and is, greatly needed in carrying out the decision. Many forget — and it is important for us all to remember — the rather unusual consideration which the Supreme Court gave to the areas of the country most affected in arriving at the second decision of May 31, 1955. After the first decision, the Court extended an invitation to the governors of all the states most directly affected to assist the Court in developing the most satisfactory plan for carrying out the decision. Some states cooperated, some did nothing and some resisted. What a difference it would have made had there been whole-hearted cooperation on the part of all the states!

It is interesting to note how consistent the final decision of the Court in regard to the carrying out of the provisions of the decision is with our

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philosophy of public education. In every state, the public schools have been kept very close to the people. In this decision, the Court placed responsibility on the local board of education to carry out its decision. This was as close to the people as it could get. Also, the court with jurisdiction over cases arising is the district federal court — again as close as the federal court could get to the people.

What have the local boards of education done about the responsibility placed on them by the courts? In the seventeen states which, prior to the decision of the Court on May 17, 1954, either required or permitted racial segregation, what is the score now, after five years? In six of the states — Alabama, Florida, Georgia, Louisiana, Mississippi and South Carolina — there is still no desegregation at all in the public schools. According to *Southern School News* for May 1, 1959, the other eleven states have 791 school districts in which there is some degree of desegregation and there are eight other districts which have adopted policies authorizing desegregation but currently have no negro children to enroll in schools. The number of desegregated districts by states, reported by *Southern School News* is as follows:

Delaware	12
Kentucky	123
Maryland	21
Missouri	211
Oklahoma	237
Texas	125
West Virginia	43
Arkansas	8
North Carolina	4
Tennessee	3
Virginia	4

The desegregation districts vary in size from large metropolitan districts such as Baltimore, Washington, Louisville, San Antonio, Nashville and Norfolk to small rural districts. The number of negro children in the school enrollment varies from a very few in some districts to 30% in Louisville, for example, and 71% in Washington. The successful programs in the large districts have received widespread attention and recognition. It should be remembered that the problems are much the same in the small district and the leadership there should have the recognition which is due.

The degree of desegregation varies greatly. In some districts there are only a very few negro children in the schools which had previously been all white. In other districts, there are schools which have percentages of negro children varying from as little as one to as much as 50% and more. In some school districts, desegregation was begun first in senior high schools and is gradually being introduced at other grade levels. In other districts, desegregation has been begun in the first grade with extension to second grade, the following year, and to the other grades, one at a time, thus taking twelve years for the completion of the program. Still other districts have integrated from first grade through senior high school at one stroke.

All these variations in the pattern of desegregation are possible through the flexibility provided by the phrase "with all deliberate speed." Some

district courts have approved plans requiring as long as twelve years for completion and, in other areas, other district courts have refused to approve similar plans or even some with shorter periods of completion. This may be the result of the difference in philosophy of the judges of the different district courts and may depend, also, on the progress which may have been made in the community in race relations before the plan came to court for review. The flexibility which the much criticised phrase makes possible is exceedingly important.

Generalizations can be dangerous, especially in matters involving complex and complicated human relations. It seems safe, however, to state that those programs of desegregation have worked best which have been initiated by the school leadership of the district concerned, prepared with the cooperation of the professional staff of both races with wide community participation and the support of other local governmental authorities as well as political leaders. When there is common understanding and acceptance of the program by school and community, agitators, whether local or from elsewhere, have difficulty in getting a following. Also, incidents which arise in school are less likely to become group problems.

When the program of desegregation is the result of court orders, there are psychological factors which make it more difficult for pupils, teachers, parents and the community as a whole to identify themselves with the program and feel the responsibility for it that comes more easily when the program is locally initiated. Whether the program is locally initiated or is the result of a court order, if local or state governmental authorities or political leadership undertakes to interfere, the problems are immeasurably increased.

In evaluating the program of desegregation to date, we should be careful not to paint success too brightly, over-emphasize the failure or near failures or minimize the problems and difficulties which have been involved. It is well to remember that only a small number of school districts have had problems of violence. These have naturally attracted attention and there is danger that we may overlook the fact that almost 800 other districts have achieved some degree of desegregation without the violence which these few have suffered.

A question of deep concern to many thoughtful parents is whether the quality of education may be preserved in desegregated schools. They know that almost all studies that have been made indicate that, in the states concerned, the negro child on the whole is substantially behind the white child in achievement. They fear that the quality of education for the white children will be lowered as a result of negro children being brought into the same classroom. One of our principals on sabbatical leave for graduate study has written a doctor's dissertation on what happens to pupil achievement in the process of desegregation in a good sized school system (Louisville). A generalization from this study is that during the first two years of desegregation in the Louisville Public Schools, there was definite improvement in the quality of work on the part of negro children without any loss in quality of work on the part of white children in so far as standard tests measure achievement. Similar generalizations have been given by superintendents of schools in other districts where such studies have been made.

Time does not permit detailing of many practices and procedures which have contributed to the success of desegregation programs which have gone well. Some, however, are so important that time should be taken for them.

Nothing is more important than forthright acceptance of leadership responsibility by the superintendent and the board of education and careful and thorough preparation for doing the job. The preparation should involve the superintendent and the board of education, the principal and faculty, the pupils and their parents and, so far as possible, the entire community. In Louisville, the first semester of our two year period of preparation was spent in intense study of the question by each of our 79 faculties. While the faculty studies were in progress, each of the 1800 teachers was working with her children with the aim of having them ready, when desegregation would begin, to meet any other children more than half way. This work of teachers with their children continued, less intensively, throughout the two year period of preparation. Teachers were encouraged to discuss with their friends and neighbors what they were doing in faculty meetings. Children did not have to be encouraged to discuss in their homes the questions which they were talking about in their classrooms. All this resulted in unusual readiness on the part of parents and many others in the community for the public meetings which were begun early in the second semester under the leadership of our Parent-Teacher Associations.

In many communities, ministers contributed very greatly to the creation of public opinion favorable to the program of desegregation. Some ministers preached sermons vigorously supporting the principles involved, calling a spade a spade, so to speak. Others preached on good human relations, touching guardedly and tactfully, if at all, on desegregation, while school leaders were pointing out that desegregation was just one facet of good human relations. Many ministers arranged for study of desegregation by various groups in their churches. All these approaches are helpful. The ministers were strengthened in their support of the program by the fact that the governing or coordinating bodies of most, if not all, the major denominations had taken official action supporting the decision of the Supreme Court. Perhaps a list, without discussion, of some of the guiding principles which have been found helpful in successful desegregation programs may be useful to other districts as they prepare for the change.

1. The Court has placed responsibility on local boards of education.
2. The local board of education and the superintendent of schools must recognize this responsibility and be willing to assume the role of leadership.
3. Preparation should be careful and thorough.
4. In the program of preparation, involve all pupils, all school personnel, all patrons, and so far as possible, the entire community.
5. Be sure that the Negro has a share in the developing of the plan. Do not let it be a plan developed *for* the Negro. It should be a plan developed by all for all.
6. When a tentative plan has been developed, give opportunity for all co-operating groups to offer suggestions for its improvement.

7. Before finally adopting a plan, be sure that it is one on which the superintendent and the board can stand firmly. Any change under pressure can cause real trouble.
8. In every relationship both in preparation and in administration of an adopted plan, let leadership be frank, honest, kind and human but firm and positive.
9. Enlist constructive leadership in every area and at every level of community life.
10. Enlist the cooperation of all other local governmental agencies.
11. Make generous use of newspapers and radio and television in getting information to the community.
12. Emphasize the human and moral side of the question as well as the legal.
13. Make all use possible of the ministers and church leaders.

What will happen in the six states with no desegregation and the four with little desegregation is hard to predict. In all these ten states and in some of the others, legislation has been passed designed to circumvent the decision of the Court or, at least, delay its enforcement. Many believe that those who have created these "massive resistance" laws know that they will ultimately crumble before state and federal courts and can only delay, but not prevent, final enforcement of the Court's decision. In a number of these states, leaders of the "massive resistance" programs have permitted, if they have not actually encouraged, the rank and file of citizens to believe that the Supreme Court can be disobeyed and defied and the public school systems preserved. A few go so far as to indicate willingness to destroy the public school system rather than comply with the decision of the Court.

In recent months, decisions of the state and federal courts have destroyed most of Virginia's "massive resistance" legislation. This has resulted in a beginning of desegregation in four Virginia school districts. More important than this, it has caused many thoughtful citizens to lose confidence in leadership which had encouraged them to believe that they could defy the Court and preserve their public schools. New resistance legislation has been passed but it is less severe than that which had been knocked out by the courts. There seems some reason to hope that, as Virginia's "massive resistance" laws encouraged other states to enact similar legislation, Virginia's now softening attitude may have its influence on other states.

Earlier, reference was made to the fact that in many parts of the South, free public discussion of the question of desegregation no longer exists. For the same reason that free public discussion no longer exists, the moderates, who are so important in resolving controversial issues, have been almost destroyed. It has been very difficult for them to avoid going into one or the other of the extreme camps. A very great need in these areas is some plan by which there may be again free public discussion for citizens of good will to work with one another and with resistance leaders to develop workable plans for compliance with the Court's decision.

In the deep South, there are certain assets which, in the long run, will prove helpful in promoting acceptance of the Court's decision. Important

among these are belief in education for all, equality of opportunity, distaste for disorder, and respect for law.

Industry is rapidly moving into the South and contributing much to its economic development. Danger of driving industry out if confusion develops over desegregation will help industrial leadership to be realistic in appraising the gains and losses involved. Another important consideration is the great accomplishment in race relations and the fundamentally good feeling between white and negro people before the Court decision. Since the decision, there has been loss in these areas but patience and understanding can regain the lost ground.

Finally, there must be recognition of responsibility on the part of both negro and white leaders. Negro leadership must be patient but white leadership has no right to drag its feet.