

Segregation Rule Confronts South

By DOUGLAS B. CORNELL
WASHINGTON—A momentous Supreme Court edict, that segregation of Negro and white children in public schools is unconstitutional, confronted the South and Border states today with vast social and economic problems.

But an actual road to segregation still is months and perhaps years away.

There were those who said it would never come—that by one device or another the South would get around the Supreme Court decision. But others predicted a peaceful, if gradual, compliance.

The court declared unanimously yesterday that segregation "solely on the basis of race" violates the Constitution, regardless of whether schools for Negroes appear to be as good as those for whites.

The court said segregation of itself deprives Negro children of equal opportunities.

The justices tempered the impact of their ruling by holding off a formal decree to put the decision into effect. More arguments were ordered for next fall on how and when the decision should be carried out.

COMPULSORY
 So, pressing down on the 17 Southern and Border states where segregation is compulsory are weighty problems of remodeling school systems, reorganizing school districts, readjusting and reassigning teachers, changing school bus routes and building more schools.

If some states or communities or school districts should balk at complying with the Supreme Court's ruling, more legal tangles would be in prospect. Associate Justice Jackson has predicted "a generation of litigation."

Senators Sparkman (D-Ala.) and Holland (D-Tex.) said it may be years before school segregation ends in the South.

The states most directly affected are Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia—plus the District of Columbia. Something like two thirds of the nation's Negroes live in the 17 states.

Three other states—New Mexico, Wyoming and Kansas—permit but do not require segregation. The Supreme Court ruling affects them too.

DECISION
 For purposes of yesterday's decision, cases involving Delaware, Kansas, South Carolina, Virginia and the District of Columbia were lumped together in arguments that began in 1952 and were repeated last December.

Segregation in the schools was the one big issue at this term of court. And when the decision came, reaction ran the range from mild to acid, within Congress and within the states involved.

Gov. James F. Byrnes of South Carolina, a former Supreme Court justice, said he was shocked by the decision but urged "all our people, white and colored, to exercise restraint and preserve order" until the final Supreme Court degree on mechanics. Then, he said, it will be up to the State Legislature to fix the course for South Carolina.

Some Northerners hailed the decision as sound and a triumph for democracy.

In the South, there were some who urged caution, patience and moderation. Others took the ruling grudgingly or even bitterly.

Said Sen. Eastland (D-Miss.): "The South will not abide by nor obey this legislative decision by a political court. . . . We will take whatever steps are necessary to retain segregation in education."

SOUTHERN REACTION
 Rep. Winstead (D-Miss.) called it a "tragic ruling" but not too surprising in view of "the caliber of men" on the court. Sen. Russell

(D-Ga.) said the court has become a "plant tool" of the executive branch of the government. (The Eisenhower administration, as did the Truman administration before it, had urged the court to outlaw segregation.) The decision, Russell said, was a "flagrant abuse of judicial power."

All the present court members except Chief Justice Warren were appointed in the Franklin D. Roosevelt and Truman administrations.

Gov. Herman Talmadge of Georgia said the decision made the Constitution a scrap of paper, "blatantly ignored all law and precedent," usurped from Congress and the people the power to change the Constitution and from Congress the power to make laws, and raised "a grave question as to the future course of this nation."

But Sen. Humphrey (D-Minn.) lauded the decision as "another step in the forward march of democracy." Rep. Keating (R-NY) called it "sound."

Thurgood Marshall, New York Negro who was special counsel for the National Assn. for the Advancement of Colored People (NAACP) in the segregation arguments before the Supreme Court, predicted the South will abide by the decision and "the people will get together for the first time and work this thing out."

MANEUVERS
 South Carolina, Georgia and Mississippi already have made preliminary maneuvers to ward off abolishing their public school systems as they now exist, in anticipation of the Supreme Court's ruling.

There has been talk in the South of putting white children in schools run by churches, educational foundations or private individuals, or organizations, with the states putting up the money for states put up for payments to parents who would pass it on to the schools.

Some states have spent large sums in attempts to provide schools for Negroes on a par with those for whites, in hopes the Supreme Court would stand by the doctrine that separate but equal facilities are constitutional.

That, the court refused to do. The crux of its decision, in an opinion written and read by Chief Justice Warren for himself and the eight other justices, was this: "We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority of equal educational opportunities? We believe that it does."

REFERENCE
 With particular reference to Negro children in grade and high schools, Warren said: "To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone."

A spokesman for the NAACP said the court's language clears the way for legal attacks on segregation in other tax-supported areas like hospitals, public beaches, state parks and housing projects.

Specifically, the court held that:

1. Segregation violates the "equal protection laws guaranteed by the 14th Amendment" to the Constitution. This amendment was adopted after the Civil War to protect the right of freed slaves.

2. So far as schools are concerned, the "separate but equal" doctrine laid down by the Supreme Court in 1896 with respect to transportation does not apply. In this doctrine, the court decided there was no violation of the Constitution in segregating a Negro on a train so long as he had accommodations equal to those for whites.

DOCTRINE
 Attorneys for the states involved in the segregation cases contended the court should apply the "separate but equal" doctrine to the public schools.

But in language that appeared to cover universities and colleges supported by the states, as well as grade and high schools, yesterday's opinion said: "We conclude that in the field of public education the doctrine of 'separate but equal' has no place."

3. Segregation in the District of Columbia schools imposes on Negro children "a burden that constitutes an arbitrary deprivation of their liberty in violation of the due process clause" of the Fifth Amendment to the Constitution.

This amendment says all persons in court cases involving federal matters shall have the right of due process of law. The District of Columbia is under federal supervision and Congress makes its laws.

In considering the segregation issue, the Supreme Court said, "we cannot turn the clock back" to 1868 and the 14th Amendment nor to 1896 and the "separate but

equal" doctrine. The decision, it said, could not turn, either, on a mere comparison of such tangible factors as buildings, curricula, qualifications and teachers' salaries.

"We must consider public education," the opinion said, "in the light of its full development and its present place in American life throughout the nation."

That, the court said, is the only way to determine whether segregation in the schools deprives the Negro plaintiffs of equal protection of the laws.

"Today," the court declared, "education is perhaps the most important function of state and local governments. . . . It is required in the performance of our most basic public responsibilities. . . . It is the very foundation of good citizenship. . . ."

"In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms."



THESE ARE THE WINNERS of the two \$1200 scholarships, awarded to children of employees of the Weyerhaeuser Timber Company and subsidiaries. Left—Myron Robert Hurlburt, 17, Henley High school senior and right, George LeRoy Knight, 17, KUHS senior. The two scholarships were among 10 given in the entire nation. Both boys will go to Oregon State College and both will study engineering.

Social Security Manager Reminds Student Workers

School vacation time is close at hand and Everett Eaton, manager of the local social security office, reminds students who expect to work this summer, that now is the time to make sure they have a social security account number card.

Eaton points out that most employers insist that each new employee show his social security card before he starts to work, so that failure to have your card may jeopardize your chance of obtaining the job you are looking for. Since most jobs in this area, except seasonal farm work, are now covered by the Social Security Act, your employer will deduct the 2 per cent social security tax from your earnings and forward it to the government with his contribution in the same amount. However, Eaton stated, if your employer does not have your correct social security number your wages cannot be credited to your social security account.

Eaton advises students to form the habit of showing their social security card to their employers the first day they go to work; this practice will insure that their social security account will be correct when a claim for benefits is filed in the future. Applications for social security cards may be obtained from the local office a Room 306, in the post office. If you have lost your card be sure to apply for a duplicate card as you

Academy Plans Alumni Meet

Sacred Heart Academy Alumni Association will hold its annual Alumni-Senior Banquet Thursday, May 20, at 6:30 p.m. in the gymnasium.

Honored guests will be the graduating class and members of the class of 1929 who this spring are celebrating their silver anniversary as graduates.

Featured speaker of the evening will be Walter P. Hannon, formerly of Klamath Falls and now of Eugene, one of the first graduates from S.H.A. with the class of 1922. Bernard Cavanaugh will be toastmaster.

Alumni may take guests to the dinner and dance following. Seniors will have as their guests their parents. The remaining students of the high school and the eighth graders will also be present.

The Lay-A-Brick Committee will prepare and serve the meal. Music for the formal dance following will be Baldy's Band.

Graduates are urged to complete their reservations immediately by

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