

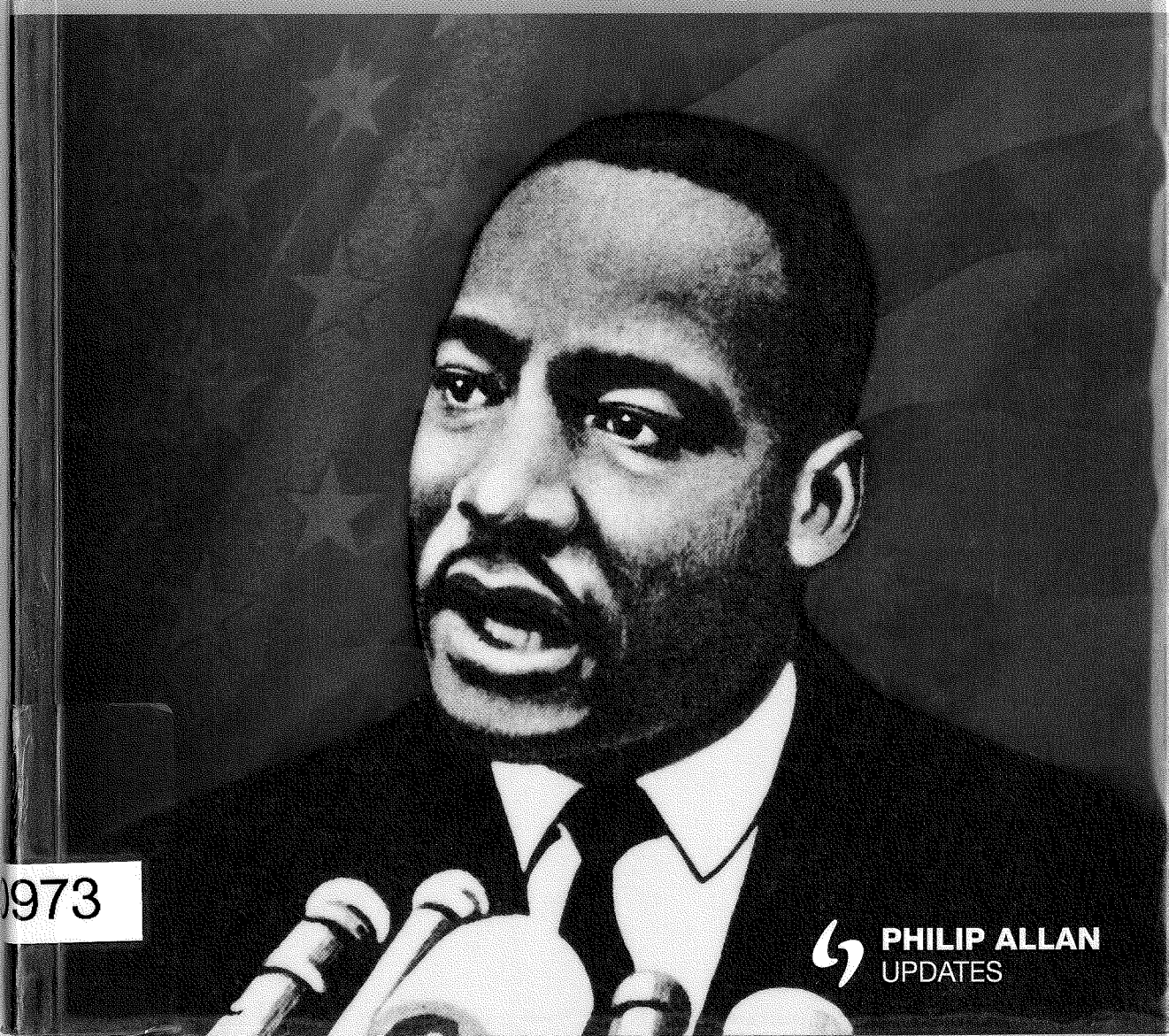
African-American Civil Rights in the USA

David McGill

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 **PHILIP ALLAN**
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an effective challenge to any of the fundamental obstacles faced by blacks in the South. It had also failed to convince many that it represented the interests of 'ordinary' blacks, and some saw it as an elitist middle-class northern organisation. But to survive in the South the NAACP needed skilled professionals to lead it, as such people were able to retain a degree of independence. In the conditions of the 1930s, lawyers, doctors and church ministers were the only people able to join the NAACP without losing their jobs and livelihoods, although some other black groups enjoyed a degree of autonomy and were able to organise to defend their interests. Blacks in federal employment enjoyed some protection from arbitrary sackings and were also well paid. Black postal workers formed an elite labour group within the community and were well represented with their own union, the *National Alliance of Postal Employees (NAPE)*. This union had supported the NAACP from the start and so helped give it a wider appeal. The creation of Youth Councils also broadened the NAACP's membership — its director of branches was Ella Baker, who would become a key figure in the 1950s. It was out of these various factions that the civil rights movement was to grow, but it needed a major cause to unite and mobilise it.

Challenging 'separate but equal'

The various challenges mounted by the NAACP throughout the 1930s and 1940s had helped to raise its profile but had not really broken through any of the major barriers maintained by the segregated system in the South. Its challenges to segregated graduate schools had met with some success, but such victories made little difference to the great majority of blacks living in the South. The NAACP decided to attack segregation more openly, arguing that 'separate but equal' was unconstitutional and contrary to the Fourteenth Amendment. It also decided to challenge the 'separate but equal' judgement on its own terms, arguing that separate could never be equal: to be equal, education (and other areas) had to integrate. Now it was a matter of finding the right case with which to challenge the system. The NAACP realised it had to choose its battleground carefully, and waited to find a case that would allow it to challenge the whole system of educational segregation. The organisation mounted a challenge in South Carolina on behalf of a group of parents led by Harry Briggs, but this was rejected by the federal district judge. The NAACP (as ever) appealed to the Supreme Court, and in the meantime looked for other cases.

An obvious candidate soon appeared. Linda Brown, who lived in Topeka, Kansas, had to travel across town to a black school, while there was a good white school only seven blocks away. Her father, a minister, had tried to enrol her here

but had been turned away. He approached the local NAACP branch for help. The NAACP backed the case and sent two lawyers, Robert Carter and Jack Greenberg, to prepare the case. Little did they realise that this would become one of the defining moments in the civil rights struggle. In *Brown v Board of Education of Topeka* the NAACP's counsel Thurgood Marshall challenged the whole system of school segregation. The case was finally heard in December 1952, the Brown case having been amalgamated with other challenges being mounted by the NAACP against segregation — *Briggs v Clarendon County*, already mentioned, and *Davis v County School Board of Prince Edward County*, challenging segregation in Virginia. A further two more cases were added: *Bolling v Sharpe* (challenging segregation at the John Philip Sousa junior high school in Washington, DC) and *Gebhart v Belton* (challenging segregation in Delaware).

All five cases would be heard together, which presented a major challenge to Thurgood Marshall, the lawyer arguing the case. He challenged the segregated school system on the grounds that it was unconstitutional and unequal, and the case dragged on as the Supreme Court deliberated for months without coming to a decision. It was again postponed when the principal judge, Chief Justice Vinson, died of a heart attack in September 1953. The new Chief Justice, Earl Warren, was appointed in October and heard a summary of the case in December 1953. He realised that the decision of the Supreme Court would have to be unanimous, and by all accounts he had a challenging time securing it. However, by May 1954 he was ready and on 17 May he gave his verdict. In his judgement he stated that the court could not determine whether the Fourteenth Amendment had aimed to end segregation but that the 'separate but equal' doctrine had been put forward in 1896. Since then times had changed and 'separate but equal' was no longer valid:

To separate them [blacks] 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.

He went on to say: 'We conclude that, in the field of public education, the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal.'

White resistance

The Supreme Court had overturned *Plessy v Ferguson* and supported fundamental change in the South — but the problem was how to implement it. The judgement was greeted with delight by the NAACP, and the black community in the South was heartened, but there remained some serious difficulties. The



first was that Chief Justice Warren argued desegregation could be gradual. Second, many state authorities in the South refused to recognise the judgement. Typical of such views was that of the governor of Georgia, Herman Talmadge, who stated that desegregation would result in what he called the 'mongrelisation of the races'. Governor James F. Byrnes of Carolina went further, stating that the end of segregation would 'mark the beginning of the end of civilisation in the South as we have known it'. It was a landmark decision, although the *Washington Post's* declaration on 19 May that it was a 'new birth of freedom' — a reference to Lincoln's Gettysburg Address — was viewed by many as going too far. It was clear that, as ever, certain parts of the political establishment in the South would mobilise to try to prevent the decision being implemented. The fact that the Supreme Court had ruled that desegregation should proceed with 'all due deliberate speed' gave segregationists the loophole they were looking for. They would simply drag their heels and hope the issue lost its momentum. Oliver Hill, an NAACP lawyer on the *Brown* case, was well aware of this. He said, 'As white folks interpreted it, due deliberate speed meant as long as hell, if any time at all.'

Such deep-rooted resistance to change would be difficult to overcome. James Jackson Kilpatrick, editor the *News Leader* in Richmond, Virginia, succinctly summarised white feelings about segregation when he wrote an article, 'The southern case for school segregation', saying:

In the South, the acceptance of racial separation begins in the cradle. What rational man imagines this concept can be shattered overnight?...The ingrained attitudes of a lifetime cannot be jerked out like a pair of infected molars...Here and now, in his own communities, in the mid-1960s, the Negro race, as a race, plainly is not equal to the white race.

Many would argue that somehow the southern way of life could not coexist with black equality. Others in the South would be subtler, arguing for more time and greater patience. **Integration** would be gradual but it would come. Many whites who argued this were really using it as a delaying tactic, without ever intending to implement it, as could be seen in the states that resisted segregation over the following decade.

Attitudes were not uniform across the South. Some states moved quickly towards integration, while others remained resolutely opposed and would not give in without a major fight. This became apparent within a year of the *Brown* decision. In this period more than 500 school districts in the South desegregated. In other areas there had been no change. In Georgia, Governor Talmadge stated that there would be no 'mixing of the races in the public schools or any other tax-supported institutions'. In many areas white 'Citizens' Councils'

formed to prevent desegregation, and the Ku Klux Klan enjoyed a resurgence as it adopted terror as a tactic against the Supreme Court ruling. In March 1956, 96 southern Congressmen issued a 'Southern Manifesto'. It denounced the *Brown* ruling and called for 'all lawful means' to be employed to 'reverse this decision which is contrary to the Constitution'. The pace of integration began to slow and it was clear that the federal government would have to take further action to force it on a reluctant southern establishment.

This marked the beginning of a pattern in the early years of the civil rights campaign. Local communities in the South would challenge segregation and be met with opposition. They would involve the NAACP, which would try to mount a legal challenge in support of them. This would often end up being referred all the way to the Supreme Court, which on a number of occasions in the 1950s and 1960s supported the challenge. The southern states would then try to resist the Supreme Court ruling with a variety of tactics, mostly delaying ones. This would force the black community and the NAACP to mount further challenges in an attempt to compel the local states to implement the Supreme Court rulings. If this failed they would try to push the situation into one of open conflict, forcing the federal government to intervene in support of the civil rights activists and against the segregationists. These mass mobilisations increased during the 1950s, and then in the 1960s they took on their own life as local community activists mounted spontaneous challenges to the system through actions such as *sit-ins* and '*freedom rides*'. Violent reaction to such actions by police or paramilitary forces was counterproductive, as it forced the federal government to step in to protect activists and undermined the states' powers further. However, this was not always apparent at the time, and many were killed or injured in attempts to achieve this goal.

The wider world

Another important reason for the growing success of the civil rights movement was that the context had changed. The Cold War had brought the USA into conflict with the USSR. This was an ideological as well as a military conflict, in which the USA positioned itself as 'defender of the free world' against a tyrannical opponent, the USSR. The Truman Doctrine had strengthened the USA in its foreign commitments. The doctrine promised American help to countries everywhere as they fought 'internal' and 'external' enemies that wanted to end freedom. America intervened in Greece to support the government against Communist rebels, and also fought the Korean War from 1950 to 1953 to prevent the spread of communism. An important element of this conflict was