

Supplementary Material

Chapter 8: The New Deal/Great Society Era—Equality/Race/Implementing *Brown*

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**The Reaction to *Brown***

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*The reaction to Brown was both mixed and one-sided. Public opinion polls indicated that a slight majority of Americans supported the judicial decision striking down legally segregated schools. Outside of the African-American community, however, few persons in the North danced in the streets when federal courts began ordering the desegregation of southern schools. By comparison, opposition in the South was intense. Brown empowered the most racial extremists in the former confederacy. Numerous southern political activists ran and gained office on platforms that proposed massive resistance to any federal effort to abolish Jim Crow. The Southern Manifesto, issued in 1956 and signed by almost every southerner in Congress, was a relatively mild expression of southern opposition to Brown. More typical was a claim made by George Wallace, who after losing an election to a racial extremist, swore he would never be “out-niggered” again. Wallace kept that promise.<sup>1</sup>*

*The Eisenhower administration temporized.. Administration officials abroad celebrated Brown as demonstrating American commitments to racial equality. Domestically, neither the president nor other executive branch officials had much to say on the Warren Court decision. Eisenhower broke silence only when the governor of Arkansas, Orval Faubus, called out the state national guard to prevent federal courts from desegregating schools in Little Rock. On that matter, Eisenhower was firm. Court orders were to be obeyed. Consider in this vein, Fred Greenstein’s claim that Eisenhower preferred operating behind the scenes to achieve policy goals. Do you think Eisenhower’s speech on Little Rock reflected only his commitment to rule of law values or did he understand that upholding the rule of law in this instance was also a means for achieving desegregation?<sup>2</sup>*

The Southern Manifesto<sup>3</sup>

...  
We regard the decisions of the Supreme Court in the school cases as a clear abuse of judicial power. It climaxes a trend in the Federal Judiciary undertaking to legislate, in derogation of the authority of Congress, and to encroach upon the reserved rights of the States and the people.

... The original Constitution does not mention education. Neither does the 14th Amendment nor any other amendment. The debates preceding the submission of the 14th Amendment clearly show that there was no intent that it should affect the system of education maintained by the States.

... The very Congress which proposed the amendment subsequently provided for segregated schools in the District of Columbia.

...  
As admitted by the Supreme Court in the public school case (*Brown v. Board of Education*), the doctrine of separate but equal schools “apparently originated in *Roberts v. City of Boston* (1849), upholding school segregation against attack as being violative of a State constitutional guarantee of equality.” This constitutional doctrine began in the North, not in the South, and it was followed not only in Massachusetts, but in Connecticut, New York, Illinois, Indiana, Michigan, Minnesota, New Jersey, Ohio,

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<sup>1</sup> Dan T. Carter, *The Politics of Rage: George Wallace, the Origins of the New Conservatism, and the Transformation of American Politics* (New York: Simon & Schuster, 1995), 96.

<sup>2</sup> See Fred I. Greenstein, *The Hidden-Hand Presidency: Eisenhower as Leader* (New York: Basic Books, 1982).

<sup>3</sup> 102 *Congressional Record*, 84th Cong., 2nd Sess. (1956), 4515.

Pennsylvania and other northern states until they, exercising their rights as states through the constitutional processes of local self-government, changed their school systems.

In the case of *Plessy v. Ferguson* in 1896 the Supreme Court expressly declared that under the 14th Amendment no person was denied any of his rights if the States provided separate but equal facilities. This decision has been followed in many other cases. . . .

This interpretation, restated time and again, became a part of the life of the people of many of the States and confirmed their habits, traditions, and way of life. It is founded on elemental humanity and commonsense, for parents should not be deprived by Government of the right to direct the lives and education of their own children.

Though there has been no constitutional amendment or act of Congress changing this established legal principle almost a century old, the Supreme Court of the United States, with no legal basis for such action, undertook to exercise their naked judicial power and substituted their personal political and social ideas for the established law of the land.

This unwarranted exercise of power by the Court, contrary to the Constitution, is creating chaos and confusion in the States principally affected. It is destroying the amicable relations between the white and Negro races that have been created through 90 years of patient effort by the good people of both races. It has planted hatred and suspicion where there has been heretofore friendship and understanding.

. . .

We reaffirm our reliance on the Constitution as the fundamental law of the land.

We decry the Supreme Court's encroachment on the rights reserved to the States and to the people, contrary to established law, and to the Constitution.

We commend the motives of those States which have declared the intention to resist forced integration by any lawful means.

We appeal to the States and people who are not directly affected by these decisions to consider the constitutional principles involved against the time when they too, on issues vital to them may be the victims of judicial encroachment.

. . .

We pledge ourselves to use all lawful means to bring about a reversal of this decision which is contrary to the Constitution and to prevent the use of force in its implementation.

In this trying period, as we all seek to right this wrong, we appeal to our people not to be provoked by the agitators and troublemakers invading our States and to scrupulously refrain from disorder and lawless acts.

Signed by: <sup>4</sup>

MEMBERS OF THE UNITED STATES SENATE

Walter F. George, Richard B. Russell, John Stennis, Sam J. Ervin, Jr., Strom Thurmond, Harry F. Byrd, A. Willis Robertson, John L. McClellan, Allen J. Ellender, Russell B. Long, Lister Hill, James O. Eastland, W. Kerr Scott, John Sparkman, Olin D. Johnston, Price Daniel, J.W. Fulbright, George A. Smathers, Spessard L. Holland.

MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES

Alabama: Frank W. Boykin, George M. Grant, George W. Andrews, Kenneth A. Roberts, Albert Rains, Armistead I. Selden, Jr., Carl Elliott, Robert E. Jones, George Huddleston, Jr.

Arkansas: E.C. Gathings, Wilbur D. Mills, James W. Trimble, Oren Harris, Brooks Hays, W.F. Norrell.

Florida: Charles E. Bennett, Robert L.F. Sikes, A.S. Herlong, Jr., Paul G. Rogers, James A. Haley, D.R. Matthews.

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<sup>4</sup> None of the four Republican Congressman from the former Confederate states signed. Lyndon Johnson, then a Senator from Texas and Senator Majority Leader, was not asked to sign.

Georgia: Prince H. Preston, John L. Pilcher, E.L. Forrester, John James Flynt, Jr., James C. Davis, Carl Vinson, Henderson Lanham, Iris F. Blitch, Phil M. Landrum, Paul Brown.  
Louisiana: F. Edward Hebert, Hale Boggs, Edwin E. Willis, Overton Brooks, Otto E. Passman, James H. Morrison, T. Ashton Thompson, George S. Long.  
Mississippi: Thomas G. Abernathy, Jamie L. Whitten, Frank E. Smith, John Bell Williams, Arthur Winstead, William M. Colmer.  
North Carolina: Herbert C. Bonner, L.H. Fountain, Graham A. Barden, Carl T. Durham, F. Ertel Carlyle, Hugh Q. Alexander, Woodrow W. Jones, George A. Shuford.  
South Carolina: L. Mendel Rivers, John J. Riley, W.J. Bryan Dorn, Robert T. Ashmore, James P. Richards, John L. McMillan.  
Tennessee: James B. Frazier, Jr., Tom Murray, Jere Cooper, Clifford Davis.

*Dwight Eisenhower, Address to the Nation on the Introduction of Troops in Little Rock (September 24, 1957)*

Good Evening, My Fellow Citizens: For a few minutes this evening I want to speak to you about the serious situation that has arisen in Little Rock. . . .

In that city, under the leadership of demagogic extremists, disorderly mobs have deliberately prevented the carrying out of proper orders from a Federal Court. Local authorities have not eliminated that violent opposition and, under the law, I yesterday issued a Proclamation calling upon the mob to disperse.

. . . Whenever normal agencies prove inadequate to the task and it becomes necessary for the Executive Branch of the Federal Government to use its powers and authority to uphold Federal Courts, the President's responsibility is inescapable. In accordance with that responsibility, I have today issued an Executive Order directing the use of troops under Federal authority to aid in the execution of Federal law at Little Rock, Arkansas. This became necessary when my Proclamation of yesterday was not observed, and the obstruction of justice still continues.

It is important that the reasons for my action be understood by all our citizens. As you know, the Supreme Court of the United States has decided that separate public educational facilities for the races are inherently unequal and therefore compulsory school segregation laws are unconstitutional.

Our personal opinions about the decision have no bearing on the matter of enforcement; the responsibility and authority of the Supreme Court to interpret the Constitution are very clear. Local Federal Courts were instructed by the Supreme Court to issue such orders and decrees as might be necessary to achieve admission to public schools without regard to race and with all deliberate speed.

. . . The very basis of our individual rights and freedoms rests upon the certainty that the President and the Executive Branch of Government will support and insure the carrying out of the decisions of the Federal Courts, even, when necessary with all the means at the President's command.

Unless the President did so, anarchy would result.

There would be no security for any except that which each one of us could provide for himself.

The interest of the nation in the proper fulfillment of the law's requirements cannot yield to opposition and demonstrations by some few persons.

Mob rule cannot be allowed to override the decisions of our courts.

. . . A foundation of our American way of life is our national respect for law.

In the South, as elsewhere, citizens are keenly aware of the tremendous disservice that has been done to the people of Arkansas in the eyes of the nation, and that has been done to the nation in the eyes of the world.

At a time when we face grave situations abroad because of the hatred that Communism bears toward a system of government based on human rights, it would be difficult to exaggerate the harm that is being done to the prestige and influence, and indeed to the safety, of our nation and the world.

Our enemies are gloating over this incident and using it everywhere to misrepresent our whole nation. We are portrayed as a violator of those standards of conduct which the peoples of the world united to proclaim in the Charter of the United Nations. There they affirmed "faith in fundamental human rights" and "in dignity and worth of the human person" and they did so "without distinction as to race, sex, language or religion."

And so, with deep confidence, I call upon the citizens of the State of Arkansas to assist in bringing to an immediate end all interference with the law and its processes. If resistance to the Federal Court orders ceases at once, the further presence of Federal troops will be unnecessary and the City of Little Rock will return to its normal habits of peace and order and a blot upon the fair name and high honor of our nation in the world will be removed.

Thus will be restored the image of America and of all its parts as one nation, indivisible, with liberty and justice for all.

Good night, and thank you very much.



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