

ATTITUDE FOR COMPLIANCE ABSENT

An attempt to judge North Carolina's position toward the Supreme Court desegregation order from the action of three school boards in deciding to abandon segregation must ultimately rest in assessing the state's attitude toward compliance. Despite the fact that state officials have tended to minimize the meaning of the high court's ruling by asserting that it does not require integration of schools, if the court is to be obeyed in good faith, the decision does require a basic change in attitude by the state with regard to the status of its Negro citizens. Apprehensive lest North Carolina join the solid core of resisting states, the great mass of law abiding citizens must be heartened by the fact of desegregation at Charlotte, Greensboro and Winston-Salem, it remains an open question as to whether this action is indicative of a change in attitude by North Carolina officialdom in the matter of compliance.

The state's attitude toward compliance is expressed in the Pearsall Plan, an instrument fraught with paradoxes and one genuinely representative of the system out of which it was spawned. The admitted purpose of the Pearsall Plan is to preserve segregation in the schools. But now it appears that to preserve substantial segregation its must provide for limited desegregation. But the intent of the plan is circumvention of the court decree and not compliance. It would allow a bit of desegregation over here to maintain a whole lot of segregation everywhere else.

The great weakness of the plan was the fact that so far in practice, it had failed to come up with any instances of desegregation. North Carolina's leaders, reading well the lesson of Virginia whose school assignment plan was destroyed by a federal court because it provided no desegregation, knew that unless the state could produce some desegregation under its plan, a federal court would treat it in a similar fashion. Thus, the stage was set for the sacrifice made last week in Charlotte, Greensboro and Winston-Salem.

The explanations by the school boards in these three cities were almost identical in referring to the plan as the basis for their action. They made it abundantly clear that they approved the Negro pupils' transfer only after it became apparent that they could do nothing else under the plan. Moreover, by their own admission, the three boards had acted in concert. They had met together in secret for over a year and heard advice from their legal heads in the state, including men who had helped draft the Pearsall Plan. One of the leading architects of the plan, Col. William T. Joyner, had as early as last December warned that continued life of the plan depended on the acceptance of desegregation somewhere in the state. It appears that the foremost consideration in the minds of the board members was the salvation of the Pearsall Plan, and the granting of a right to the Negro pupils a necessary, if unhappy, consequence.

It is apparent that the Pearsall Plan does not provide for compliance in good faith nor does it require the necessary change in attitude. It is of the genre of so many other southern techniques of maintaining absolute white control, even at the denial of constitutional guarantees to a part of its populace. It is no different from the technique of allowing a few Negroes the right to vote in a part of the state where their vote will be outnumbered while denying it to Negroes where it would really change things. It is basically a token grant of constitutional rights. The plan would grant the constitutional rights of twelve Negroes in the whole state while denying it to thousands of others.

With the apparent constitutional weakness of the plan shored up by action in the three Piedmont cities, the rest of the state can presumably forget about complying with the court order. A school board "down east" (where Negro population is heaviest) can refuse the right of a Negro pupil to attend a white school next to his house and plead its defense on the grounds that it was operating under a plan which had proved its constitutionality by permitting desegregation elsewhere. The board would be like a confessed murderer, asking for mercy on the contention that his father was law abiding, or, if you are a believer in religion, like a sinner believing he does not have to be virtuous because God is good.

The Pearsall Plan is an illogical, impossible monstrosity. It says to the state that segregation can be maintained and the Supreme Court order obeyed at the same time. It tries to defy while attempting to give the appearance of remaining within the pale of the law. This kind of thinking is indeed circuitous, and is a credit to the mental agility of our state leaders, though it says little for their morals. In fact, so staunch a segregationist as Dr. Beverly Lake, apparently a man whose mind cannot think in such obvious circles, said in effect last week that he could not see how one plan could say that a Negro pupil had the right to attend a white school in Mecklenburg County and at the same time say another Negro pupil had no right to attend a white school in Warren County. Apparently, the plan is too contradictory to make sense to Dr. Lake.

The real danger of the plan, however, is not so much in the denial of the constitutional rights of many while granting those of a few. It is dangerous because it prevents the development of an attitude for compliance within the state. Tar Heel citizens are largely law abiding and have respect for the law, even when they don't like it. If they know that there is no other lawful course, given time and preparation, we believe they will take that course. But if they are entrenched in their mistaken belief that the state can preserve segregation in the public schools and yet remain law abiding, they will never find the opportunity to think in terms of compliance. And while eventually the Pearsall Plan may be assigned to the legal scrap heap by some federal court, it will have succeeded during the time of its operation to stifle resistance to compliance. When compliance is finally ordered by some federal court, it is subject to meet with the kind of violence which attended the Clinton action.

What is even worse, the plan, by permitting some desegregation, may lull Negroes into thinking that the state has seriously embarked upon a program of compliance. Once this happens, we may relax our efforts to obtain full freedom only to find ourselves, on reawakening, firmly entrapped by a neat network of legal and administrative barbed wire.

Desegregation in the three Tar Heel cities is an improvement over none anywhere. But we fear it was done for the wrong purpose. As T. S. Eliot put it: "the last temptation is the greatest treason, to do the right deed for the wrong reason."

FEAR INVADES FOURTH ESTATE

We have observed somewhat sadly the growing uneasiness and gradual capitulation of the editorial position of the state's major daily newspapers to what can be described in no other terms than an unwarranted fear of desegregation. Although immediately following the now historical court ruling, those newspapers located in the principal cities of Charlotte, Winston-Salem, Greensboro and Raleigh stated their opposition to the decision, they were quick to state that the wisest course lay in a gradual acceptance of the decree. However, as the time for some action on the issue draws nigh and as law suits in and around the state increase, the editorial pages of these newspapers, with the exception of the Raleigh News and Observer, have reflected something of this fear.

The Greensboro Daily News, despite its dislike for the court's position, has for some time been able to maintain in its editorial statements the logic which such writing demands. However, that newspaper, which now boasts of covering the second largest

city in the Carolinas, has shown some tendency to allow its feelings play havoc with its reasoning. A good example of this situation was displayed in one of its recent issues. The Daily News was commenting unfavorably on the Supreme Court and took the occasion to refer to that body as the "Warren court." Obviously, the intention was to engender disfavor for the court by labelling it with the name of a man who, largely because of his former political affiliation and his alleged contribution in rendering the historic desegregation decision, has acquired the stigma of dislike in this region.

During the heyday of the late Senator Joseph McCarthy, the Daily News fought in the front ranks of those who opposed the smear tactics of the late Senator. Now, in attempting to smear the Supreme Court with the aura of unpopularity, the newspaper is charging that the other justices have no mind of their own and are servilely following the opinions of the Chief Justice. It has taken a page from the Senator's book.

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LETTERS TO THE EDITOR

Editor's Notes Following is a letter from Miss Wilson Whitman, noted author and member of the Southern Conference Educational Fund Board, to Senator Ervin. The TIMES received Miss Whitman's approval to reprint the letter.

I write as a relatively new resident of North Carolina who, voting a straight ticket in ignorance of individual qualifications, voted for you. This gives me a nagging sense of responsibility for your public statements. Also I am interested in legal action in the South because my grandfather and my great-grandfather were pioneer jurists down in Texas.

In moving to North Carolina I was under the impression, not yet wholly abandoned, that this was the most enlightened and progressive Southern state. But in order that some shreds of this reputation may be retained, may I make a suggestion? In the civil rights fight, Senator, vote if you must against the bill. Talk if you must against it. In a filibuster, read into the Record at taxpayers' expense the works of Sir Walter Scott or the latest Reuters dispatch from Johannesburg. But please do not talk as you did on the air last night about "a government of laws and not men."

You see, Senator, this is precisely what our civil rights trouble involves. If the South were satisfied with a government of law, new legislation would be unnecessary. The Constitution, fairly interpreted, already gives

Delta Negroes the right to vote. It is men in Mississippi who have seen fit to deny these legal rights, and been sustained by other men on juries who laughingly flout the law of the land. Civil Rights Legislation is intended to remedy this on the theory that in localities where the law is unfamiliar or unwelcome, judges who must swear to support it are more reliable than jurors.

Certainly an illustration of this is furnished by the current Knoxville trial in which members of the segregated jury have already expressed prejudice against the law. And, as a fifth-generation Southerner, I understand your fear that legislation designed to implement voting rights might also be used to insure schooling rights, not only for Delta Negroes but for the white children in North Carolina who have a right to learn in school how to live in friendship with other children whose skin color is, in the world as a whole, more popular.

But let's be honest about it, Senator—this fear is in itself an admission that all along the line, from schooling to voting, Southern men have been conducting a filibuster against federal law ever since the Dred Scott decision was nullified. Keep it up if you must but don't talk "a government of law instead of men," or some smart Yankee will hear you and low-rate the intelligence (or the sincerity) of North Carolina.

Yours very truly,
WILSON WHITMAN

Life IS Like That

By H. ALBERT SMITH

AN INESCAPABLE IMPRESSION

I have a card in hand from an out-of-town person who has been receiving issues of our paper by mistake. This happened because the paper was subscribed for by a local citizen bearing the same name. Quite by accident, the name was listed under the city of our out-of-town friend. The card explains the incidence of being billed for a subscription he never took out, and requests that sending the paper be discontinued. Under the circumstances, that was a proper procedure because nobody wants to pay for something sent to him without his authorization.

A Confusing Word

The tone of the communication is in the main polite. But it concludes with a statement, not only out of harmony with the tone of preceding statements, but which leaves me puzzled as to the author's real reason for the requested discontinuance; although, on the surface, the reason seems quite evident.

The statement is this: "I am a white citizen therefore do not want your paper." If the statement had been made verbally in a face-to-face contact, this difficulty would hardly exist. Voice inflections, the pitch and tone of spoken utterance, plus facial expression, would have clearly indicated what the written word failed to do. No writer, however brilliant he may be, or alive his composition, can put on paper meaningful inflections of voice and expressions of face. And so it remains that the gentleman's written word: "I am a white citizen therefore do not want your paper," makes it hard for me to shake off the impression that somehow he has reached the conclusion that he, because he is white, should not read a Negro publication.

Unshared Feeling

If that is his feeling (I hope it is not), I am thankful that there are many white people who do not share it. I personally know a few who read Negro publications... this paper in particular. This I know because I sold them.

With the editorial policy of this paper, the vast majority of white people in this section would quite naturally disagree. Although, I suspect that, when confronted with the realities of their own consciences, they secretly endorse the spirit and viewpoint this policy reflects. Vested interests and privilege, white or black, in no age can be expected to agree with and espouse a philosophy that calls for change in their status. Human nature does not work that way, although it can work that way.

One white man with whom I talked said to me: "I not only read the editorials of the paper; but I agree with them."

May his tribe increase!

I have seen entire editorials of this paper reprinted in white newspapers. This did not mean any acceptance or endorsement of the editorial viewpoint of the Times, or inclination to support its position on the race question. But it loudly proclaimed that white people read our paper, white people of no mean intelligence and good sense.

A Deeper Reason

I take and read two local non-Negro papers a day. Their editorials, as regards race, fall far short of being liberal. But, by reading them, I at least know what is being thought by white people whose viewpoint those papers reflect.

Should I decide not to read them, it will not be because "I am colored, therefore, I do not want your papers." My reason would have to have rootage in a reality more solid than racial prejudice.

I trust that the author of the card which inspired this comment did not mean what he said—that his statement was just an unfortunate use of words, that his spirit is not as little as his words imply, and that his evaluation of an idea is not determined by the color of its originator.

Author Chides Ervin On Civil Rights Stand

NEW ORLEANS, La.

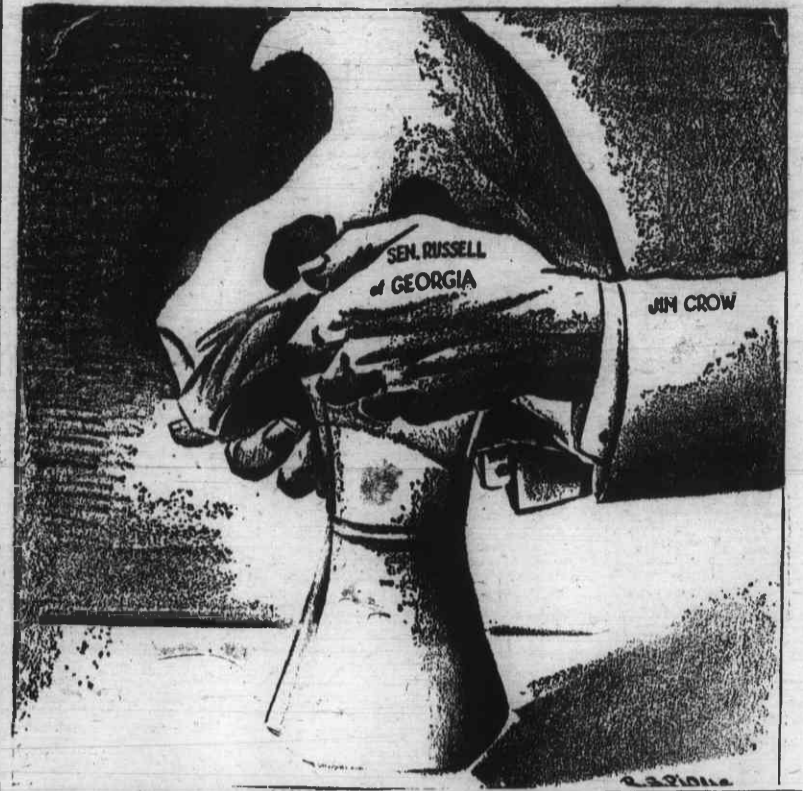
Miss Wilson Whitman, author and SCEF board member of Southern Pines, North Carolina, wrote to her Senator, Sam J. Ervin, Jr., chiding him about his Civil Rights broadcast. "Please," Miss Whitman wrote, "do not talk as you did on the air last night about 'a government of laws and not of men.'"

"You see, Senator, this is precisely what our civil rights trouble involves. If the South were satisfied with a government of law, new legislation would be unnecessary."

"...As a fifth generation Southerner, I understand your fear that legislation designed to implement voting rights might also be used to injure schooling rights, not only for Delta Negroes but for the white children in North Carolina who have a right to learn in school how to live in friendship with other children whose skin color is, in the world as a whole, more popular.

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"His Idea Of Civil Rights Law Will Destroy Our World Leadership"



Spiritual Insight

"FILLING HIS PLACE"

By REVEREND HAROLD ROLAND
Pastor, Mount Gilead Baptist Church

"To take the place in this ministry from which Judas turned aside..." Acts 1:25. He failed to fill his place of honor. These are sad and tragic words. Have you ever failed in a place of honor? One of the highest honors in the history of man went to each of those humble men chosen by Jesus to be called Apostles. Eleven of the chosen filled this rare place of honor with an eternal kind of glory. But one man had this place of honor but he failed ignobly. Yes, Judas failed to fill his place of honor granted him by the Son of God, the Savior of the world. He betrayed a sacred trust, and forsook one of history's rare places of honor in his spiritual blindness. Judas failed in his rare place of honor. Thus his place had to be filled by another. It is always a sad affair when a human being fails to fill a place of honor. Have you ever faltered or failed in

a place of honor? The engineer falls at the switch. A parent slumbers in moral decay and lets the children down. A teacher loses her self respect and falters with children committed to his or her care. Judas failed in his place of honor. How did he lose his place of honor? In spiritual blindness he chose greed rather than sacrifice. He chose greed rather than self-forgetting service. Thus he lost his place of honor and it had to be filled by another. Are you living up to the noble possibilities of that place of honor you hold? What is your record in your place of honor? Do you have the sense of duty required by your place of honor? Are you faithfully filling your place of honor? Are you careless? Are you really filling that place of honor with honor and dignity? Do you use that place of honor selfishly or are you working for the edification and enrichment of

those committed to your stewardship? Are you a faithful steward in your place of honor? Are you just and impartial in your place of honor? Do you work bigheartedly and fairly in your relations and dealings with others? Could it be that you hold grudges and do spite work in your place of honor? Faithfulness in fulfilling a place of honor brings one of the deep abiding satisfactions in this life. There is no substitute for duty in honor done. It leaves a sweet fragrance in the soul. If you have been honored with a place of honor, fill it with dutiful, faithful service. For this is the way to satisfaction and true fulfillment in this life. Strive diligently to fill your place of honor to the glory of God and the best welfare of man. And your place will not have to be filled by another.

By Robert Spivack

Watch on the Potomac

The Assault On The NAACP
The right of freedom of assembly and freedom of association is guaranteed by the U. S. Constitution. The men who founded this nation reduced those guarantees to writing in the First Amendment, which has come to be regarded as the cornerstone of the Bill of Rights.

The right of free association is now under severe attack in several of the Southern states. The attack is directed primarily against the National Assn. for the Advancement of Colored People, in retaliation for its effective work in breaking down bias and segregation.

The severity of the attack and the violence it does to American constitutional guarantees is being overlooked these days as the Great Debate over civil rights continues in the U.S. Senate.

Those who are concerned with civil liberties, as well as civil rights, are, therefore, indebted to the American Jewish Congress for compiling all the available data in a booklet entitled, "Assault Upon Freedom of Association."

The story begins in the Spring of 1956. The Attorney General of Alabama started a

lawsuit against the NAACP. He charged it with failure, as an out-of-state organization, to register a copy of its Certificate of Incorporation and with having broken other Alabama laws.

Of course, what he was really concerned about was the NAACP's work in the Autherine Lucy case and later in the Montgomery bus boycott. The organization was found guilty of contempt (without a jury trial) and fined \$100,000.

From Alabama the efforts to "get" the NAACP spread through the South. In Jan., 1957, the Arkansas legislature passed two bills designed to "frustrate" anti-segregation activity. They were signed by Gov. Orval E. Faubus.

Although Faubus is considered a liberal on many issues, his liberalism was not apparent this time. Winthrop Rockefeller, who is very powerful in Arkansas politics, warned Faubus that the state anti-NAACP laws "would set up what you might call an Arkansas gestapo. No organization would be safe from embarrassment of an investigation and behind closed doors, too."

This is what has happened in other states:

Florida—The Governor was given new "emergency" authority under which he could cancel a peaceful NAACP meeting called to discuss school integration.

Georgia—The attack here has been via tax statutes. Al-

though incorporated as a non-profit organization, Georgia Revenue raided the NAACP's office, demanded all records, including membership lists, presumably to find out if the organization "owed any state taxes."

Louisiana—The NAACP was accused of failing to register under a 1924 law that applies to "fraternal, patriotic, charitable, benevolent, literary, scientific, athletic, military or social organizations..." The law has never been invoked against the KKK.

Mississippi—The legislature established a 12-man State Sovereignty Commission which Gov. Coleman said would "enable us during the next two years to maintain a successful fight for preserving separation of the races in this state." Its budget is \$250,000.

THE SCAPEGOAT—Few Southern politicians ever blame themselves for racial tensions. It's all the doing of those "outside agitators."

In this connection we are inclined to agree with the Rev. Eugene C. Blake, president of the National Council of Churches of Christ:

"No one who knows the facts can blame the NAACP for the racial problems in our country or think of this organization as made up of extremists. It's all the doings of those who make up the other side who make up the White Citizens Council and the Ku Klux Klan."

Keep it up if you must but don't talk "a government of law instead of men," or some smart Yankee will hear you and low-rate the intelligence (or the sincerity) of North Carolina. The full text of Miss Wilson's letter appears on page two.