

Meaning Of Little Rock

Many feared it. Nobody could believe it really would come. Now it is here—integration by military force. There is no possibility of interpreting it as anything else. For neither in his executive order sending federal troops into Arkansas nor in his explanatory address to the American people did President Eisenhower once suggest the troops were there to preserve the peace. He was careful to say, instead, they were there for one purpose, and one purpose only—to prevent interference with court orders (to integrate).

SAME EISENHOWER

This was the same Eisenhower who had said: "I can't imagine any set of circumstances that would ever induce me to send federal troops . . . into any area to enforce the orders of a federal court."

Why couldn't he imagine what happened in Little Rock? Court-ordered integration had brought disorders in other places, repeatedly. It would have taken little imagination to envision more of the same.

When he made the statement, Mr. Eisenhower was seeking enactment of the civil rights bill (which, as originally drawn, would have given him authority to use federal troops for just that purpose). At that time, his words were taken as a promise.

That was in July. In September, Little Rock was experiencing something closely resembling military occupation — "to enforce the orders of a federal court!"

MAN OF PATIENCE?

We are not suggesting the President deliberately lied. We are suggesting we were wrong when an editorial in last week's Press praised Mr. Eisenhower as a man of patience and forbearance. When that was written (the Friday before publication), the evidence seemed to justify it.

But when Mr. Eisenhower federalized the Arkansas National Guard and ordered federal troops to Little Rock, it was hardly the act of a man of patience.

The speed with which he acted — the ink was scarcely dry on his "cease and desist" proclamation before he signed the troop order; the size and character of the military force—1,000 paratroopers, in addition to the 9,900 national guardsmen; and the emphasis Mr. Eisenhower placed on his assertion the troops were there for the one purpose of enforcing the court order—all these suggest a man who was angry, through and through. It is an understandable anger, of course; because he is a man who all his life has had to brook neither questioning of, nor delay in obedience to, his every order.

END OF MODERATION

It may be 10 or 20 or even 50 years before the full significance of Mr. Eisenhower's action can be accurately appraised; and when it is, its major importance may be found to have nothing to do with integration.

This much, though, seems clear, even now: This is the end of the moderate approach to the racial issue. There is no longer any room for the moderate, no place for him to go. From now on out, citizens of the South, and of the nation, must be in either one camp or the other—committed to integration, by whatever means and at whatever cost; or committed unconditionally to segregation, come what may.

Welcome Discussion

The letter from Mrs. Biddle, appearing on this page, suggests to us we should re-emphasize a point we tried to make clear in the editorial to which she refers: No reflection either on Macon County teachers—whom we repeatedly have praised—or on Western Carolina College was intended. The last sentence of the editorial, in fact, said just that: "Macon County produces some excellent teachers, and W. C. C. is a good school, turning out fine teachers".

Mrs. Biddle's thoughtful letter, like all such letters, is welcome. And further discussion by other readers of The Press is invited.

Is 14th Amendment Valid?

"Is the so-called Fourteenth Amendment, under which 'integration' is being forced today upon an unwilling population in the South, really a valid part of the Constitution?"

That question, raised recently by David Lawrence in U. S. News & World Report, is made timely by today's situation. For the current crisis is the outgrowth of the Supreme Court's 1954 school segregation decision; and, insofar as it cited legal sanction for that decision, the Court leaned heavily on the Fourteenth Amendment. Furthermore, the amendment was quoted by President Eisenhower when he ordered federal troops into Arkansas last week.

Mr. Lawrence tells the story of how the South was forced to give the amendment lip-service approval:

"The Southern States, after the war was over, ratified the Thirteenth Amendment abolishing slavery and that was accepted as legal by the Federal Government. But

when the same legislatures in the South subsequently assembled lawfully and rejected in due form a proposed Fourteenth Amendment . . . Federal troops were ordered to take charge. Puppet legislatures finally did 'ratify' under duress."

That recalls some more history, perhaps not so familiar. Because the Southern states' ratification "under duress" is only one of a number of extraordinary circumstances surrounding the legalizing of the Fourteenth Amendment.

Here, briefly, are a few of the highlights: The amendment was submitted by Congress to the states in 1866. Nearly two years later, July 21, 1868, Congress declared it a part of the Constitution.

A change in the Constitution, of course, requires ratification by three fourths of the states. But how many states were in the Union in 1868?

There was a total of 37 states, North and South. But what about the 11 that had seceded? Were they in the Union or out of it?

At the time, there were two answers to that question. Presidents Lincoln and Johnson held that secession was illegal, and that the Southern states, therefore, never had left the Union. Congress had a very different answer. It held that the Southern States, by seceding, had "committed suicide" as political entities, and that the South now was "conquered territory". And since, shortly after Lincoln's death, Congress gained complete control, it was the Congressional doctrine that prevailed. Accordingly, Congress set up the conditions under which the Southern states could re-enter the Union. (Approval of the pending Fourteenth Amendment was one of them.)

Acting on its theory that the conquered states were out of, not in, the Union, Congress consistently barred their duly elected representatives and senators from the halls of Congress; the Southern states, being out of the Union, were entitled to no representation in the government.

But when it came to tallying the votes of the states on adoption of the Fourteenth Amendment, not only were the Southern states required to vote "aye", but the votes of these "dead" states were counted. Their votes, that is, helped to change the rules of an organization of which they were not members.

Why this inconsistency? The most logical explanation seems to be the lack of enthusiasm for the amendment even among the Union states. The evidence indicates; in fact, that, had the Confederacy won its independence, thus leaving a United States of only the Northern states, the amendment never could have mustered the required three-fourths vote among those 26 states. Those states not only were slow to act; seven of them—that is, more than a fourth—either by lack of action or on first or second thought, rejected the amendment.

By the end of 1866, only five states in the North had ratified. It was 15 months later, March, 1868, that the count among the 26 Union states stood like this: California had failed to act (and it never has); Delaware, Kentucky, and Maryland had rejected the amendment outright; and the other 22 finally had ratified.

Meanwhile, Ohio and New Jersey had withdrawn their ratifications—the New Jersey legislature over the vote of that state's governor. That left just 20 states in the ratifying column, a bare three fourths of the Union states. (Oregon's withdrawal of its ratification came after the amendment was proclaimed law.) Even with the emotionalism of the Reconstruction period, the amendment barely carried in the North; it never would have without that emotionalism.

Did Congressional leaders sense this Northern opposition, and thus decide to reverse themselves and count the votes of all 37 states, knowing it would be possible to pressure as many of the "dead" states in the South as might be needed to get the necessary number? Whether they deliberately planned it that way, nobody knows; but that is exactly what they did.

With all the 37 states counted, an affirmative vote of 28 was required; and on July 9, 1868, a "puppet" legislature made a Southern state the 28th to ratify the amendment. Among those 28, however, were Ohio and New Jersey, which had withdrawn their ratifications, the previous January and February, respectively.

How, then, did Congress arrive at the necessary total of 28? By the simple procedure of counting Ohio and New Jersey as having voted "aye". Congress held that the legislatures of those states had the authority to act affirmatively on this amendment, but did not have the authority to repeal their actions.

A little later, enough "puppet" legislatures in the South did ratify to bring the total up to and beyond the necessary 28. But at the time Congress declared the amendment a part of the Constitution, it actually lacked two votes of the number required.

In summary: To get this amendment into the Constitution, Congress got the votes it needed by applying pressure in the South; it counted the votes of Southern states it had consistently ruled were not in the Union; and it counted as voting "yes" two Northern states that, most recently, had voted "no".

That is a part, a rather small part, of the background of the Fourteenth Amendment. But never once in these 89 years has the Supreme Court cast a questioning eye on the legitimacy of this particular part of "the law of the land".

Casualty Of Little Rock



Strictly Personal By WEIMAR JONES

An interesting phase of the out-breaks against racial integration is the attitude of the crowds toward newspaper, television, and radio people.

At Little Rock, 11 newsmen were reported assaulted in a single day, and in most other cases of violence the crowd has been considerably less than friendly toward reporters.

Why? Chances are those most angry could not put into words their reasons. Any thoughtful newspaperman, though, because of his knowledge of how news stories are put together, could come up with a pretty good guess.

It has been traditional in American journalism that a news account should contain facts and nothing else; opinion, all right on the editorial page, has no place in a news story. The public has become accustomed to that, and, subconsciously, has come to expect it.

But in recent years there has come into vogue in journalism the theory that "it no longer is enough to tell the facts about the truth, it is now necessary to tell the truth about the facts". And so we have "interpretive report-

ing"; it is based on the assumption that, in today's complex world, the reader is incapable of understanding and appraising the facts. There is truth in that, and I have no objection to interpretive reporting, when it remains just that. But what has happened is that some reporters have assumed that the advent of interpretive reporting gave them license for free and often reckless expression of pure opinion — their own or that of their newspaper or station. Thus sometimes news accounts mix opinion so inextricably with fact that the reader is left confused as to which is which.

Keenest resentment has appeared to be directed toward Time and Life, and for a very good reason; ordinarily, those publications make no pretense of being objective. Henry Luce, their publisher, years ago said, in substance: "Complete objectivity is impossible. Why, then, try to be objective?" So he and his editors determine which are the "right" and "wrong" sides of questions, and slant their reporting accordingly. And they do it with such consummate skill, it sometimes is almost impossible to say exactly how and where they convert the reader, via purported accounts of

the facts, to the viewpoint of Time and Life.

The practice of writing pure opinion into news stories, though, no longer is confined to those two publications. It occurs often.

Consider, for example, the Associated Press account of what happened in Little Rock September 23. In one dispatch I counted more than a dozen statements, or conclusions inferred, that the reporter would find it hard to prove to be true. To cite three:

"... officials feared the fighting-mad crowd would become an uncontrollable mob." Some of those in the crowd probably were angry, possibly every individual in the crowd; it is possible that every person in the crowd was angry enough to fight. But did the reporter KNOW that? Could he, or anybody else, prove it? Wasn't the phrase, "fighting-mad", an expression of opinion — not of undoubted fact? Besides, the adjectives in that sentence were wholly unnecessary. Wouldn't the reader have known all the essential FACTS if the sentence had read simply, "... officials feared the crowd would become a mob?"

"... a wild day of hate and violence . . ." How did the reporter know it was hate? It could have been an effort to protect what the whites honestly felt were the rights of their children. It could have been resistance to what these citizens considered unlawful invasion of their own and their state's rights. It could have been excitement. I am not saying it was any of these. I am not saying it probably was any of these. I am not saying even that it wasn't hate. What I am saying is the reporter stated as a fact what he could not possibly know.

"... the snarling crowd turned its venom on newsmen . . ." Exactly what does a crowd do when it "snarls"? and does it "snarl" as one man, or do certain individuals in the crowd, perhaps, "snarl"? And how did the reporter know, when he used the word "venom", the crowd was motivated by such a poison? He didn't! Furthermore, he expressed, indirectly, two other opinions; by use of the words "snarl" and "venom" he subtly suggested the kinship of those making up the crowd with dogs and snakes.

Every day in the week there are other stories equally opinionated; and of course they are not confined to the subject of integration.

Well, the people of this nation are not fools. The average reader, of course, lacks both the time and the training to make such a detailed analysis every time he reads a newspaper. But, subconsciously, he knows he isn't getting what he is paying for; that the label of "fact" taken for granted on news stories is spurious.

And so — and what better time to face it than during National Newspaper Week! — more and more people are losing confidence in both the reliability and the integrity of the news media.

And someday, unless newsmen wake up to the responsibility their freedom imposes, the people will rise in their wrath and take that freedom away.

Letters

Comments On Editorial

Dear Mr. Jones:

I feel called upon to make a few comments on your editorial "Intellectual Inbreeding" (September 19 issue). It is the second of such content I have noticed in less than a year.

In my opinion it is in conflict with previous editorials you have written which concern an improvement in our county in order to bring Macon County young people back home to reside and work. This I wholeheartedly applaud!

However, Mr. Jones, there is an inconsistency in your articles. Perhaps you should say in your next editorial: "We

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DO YOU REMEMBER?

Looking Backward Through the Files of The Press

65 YEARS AGO THIS WEEK (1892)

The melon-colic days are about ended. Good green coffee at 5 lbs. to the dollar at Cunningham's.

Key To Wealth (From Atlanta Constitution)

Broke, broke, broke, By the sad gray sands of the sea, Is the man who failed to advertise, As he surely ought to be!

25 YEARS AGO (1932)

The next highway letting is October 18, when contracts are expected to be awarded for the surfacing of No. 28 west of Franklin to Murphy.

The Misses Charlotte B. and Esther H. Elliott and Miss M. E. Hugher have returned to their home in Highlands, after a six-months tour of Europe.

10 YEARS AGO

Three Franklin veterans of World War 2 — Dean Carpenter, Frank Dean, and Frank Plyler — received their private operators' licenses last Sunday when the first class of pilots was graduated from the Cooper Flying Service school here.

Nearly 9,000 books are available to the people of Macon County at the Franklin Public Library.

Most Western North Carolina towns get their municipal water supplies from watersheds, with gravity carrying the water from impounding basins or reservoirs to the towns, a survey shows.