

# A MONUMENTAL PEOPLE'S VICTORY

*An evaluation of the historic Supreme Court decision outlawing segregation in the public schools and the task remaining to us*

*By William L. Patterson*

**M**AY 17 and 24, 1954 will forever be recorded as historic moments in the monumental struggle for Negro rights. On those days for years to come we will commemorate victories for democracy that reflect the interests of all Americans. On May 17 the Supreme Court outlawed segregation throughout this country's public school system. On May 24 it ruled against segregation in colleges, theaters and some places of public recreation. This is not a blanket ruling, however, and applies only to the places complained against. Both events are magnificent victories for the people.

The Supreme Court was driven by the pressure of the people to retreat from a position which that court took in 1896 when it made the infamous ruling that separate would constitute "equal" where Negroes were concerned. The doctrine of "separate but equal" which came out of the case of *Plessy v. Ferguson* subverted the Bill of Rights and the 14th Amendment. More than that, it established segregation as a policy of government.

That racist doctrine was consistent with the demands of the rising industrialists. It reaffirmed the theory of white supremacy so seriously weakened by the military defeat of the slave oligarchy. It laid the basis for a split in the ranks of labor and the American people along the "color line" which has resulted in the super-exploitation of the Negro people and the growth among the majority of white Americans of a national chauvinism reviled the world over. Every branch of government consistently nourished and furthered this racist doctrine until this victory was wrested from the Supreme Court.

Let there be no illusions about charitable and benevolent concessions. This magnificent victory comes at the most critical period in American history. We face a crisis of national morality and of constitutional liberties here at home. This has been brought on by the political skulduggery of the McCarthyites; the antics of Herbert Brownell's traveling troupe of highly paid and more highly trained perjurers and informers; the war-mongering of Mr. Dulles' atomaniacs; the loyalty hearings and congressional inquisi-

tions. The sum total of these attacks upon labor and the rights of the people, we call McCarthyism. Its existence creates grave doubts as to the future of America's democratic institutions. Its complete victory would literally wipe out the Supreme Court ruling. None of this was lost to the Supreme Court.

The anguished cries of the people of the Marshall Islands against the genocidal effects of our atomic bomb explosions; the voice of the wife of the President of Panama at the Caracas conference protesting our export of racist doctrine; the revolt against Yankee racist arrogance in Asian lands—these manifestations against the international phases of McCarthyism forced the doors of the cloistered hall of the Supreme Court. No one can fully measure the degree to which this world reaction of peoples seeking freedom from the American policy and practice of racism affected the thinking of those who dictate foreign policy and the decisions of our Supreme Court.

## *A Victory of the Negroes and Their Allies*

But this great victory, led in its legal phases by the National Association for Advancement of Colored People and fully supported by its splendid membership, belongs to the Negro people, those who waged the battles for the life of Willie McGee and Wesley Robert Wells, for the Trenton Six and the Martinsville Seven, for the apprehension and conviction of the murderers of Harry T. Moore, for the freedom of Rosa Lee Ingram, and those who see in the legal and extra-legal lynch practices and the psychological warfare constantly waged against the Negro people through Jimcrow and segregation as violations of the United Nations convention against genocide.

The victory belongs as well to the growing army of allies of the Negro people, to the labor and progressive forces daily increasing in American communities. These forces are beginning to understand that democracy is indivisible.

The Jewish people have played a conspicuous part among these elements. From the American Jewish Congress and B'nai B'rith to the left thinkers of American Jewry have come leaders demanding an end to segregation. Jewish organizations have closely cooperated on the legal phases of the battle to end segregation.

Out of their world-wide experiences in struggles against

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fascist reaction the Jewish people bring lessons extremely helpful to the embattled Negro people.

The Supreme Court decision is a victory that can only aid a world seeking an end to racism and national chauvinism. It must therefore be viewed as a part of the struggles for peace and against American fascism. The main people's struggle in America today is against the scourge of McCarthyism. Even while we celebrate this victory, men and women, Negro and white, who over the years contributed mightily to the fight for Negro rights are being labelled subversive and un-American and imprisoned for years. The McCarthyites must be beaten if this victory is not to be wiped out. Fascism will destroy every vestige of democracy.

There are those who hope that the Negro people will not see their fight in these larger aspects. They hope that the attention of the Negro people can be diverted from the larger struggle by this turn of events. American reactionaries hope that the Negro people over-excited by this victory can now be tricked into a reserve of forces for the war program and the attacks upon labor and militant leaders of the people now staged by the McCarthyites under the slogan: "We Must Beat the Communist." These intriguers hope that the colonial peoples will be led to believe that the Supreme Court decisions mark the death of racism and national chauvinism as domestic and foreign policies of the rulers of the United States. That can only happen if the struggles of the people are broadened and deepened. That is the task and a major problem of the victors. To consolidate the May victories the fight against McCarthyism must be sharpened.

### ***Fight for Implementation***

More specifically, the victory of the people on segregation is not complete as yet. For the ruling of the judicial branch of government is left without implementation. The attorney general appeared in behalf of the executive branch before the court with a brief supporting the complainants. But what branch of government will enforce the order? The 14th Amendment has always held that all forms of segregation are illegal but the federal government pliantly yielding to the theory of State's Rights permits its flagrant violation. We have now a unique situation—a federal government powerful enough to force the United Nations to send armed forces to Korea in the name of democracy, powerful enough to force the remilitarization of the nazis of Western Germany, of rearming the warlords of Japan and unequal to summarily ending the daily violation of the human dignity and the Constitutional liberties of 15 millions of Negro nationals. The executive branch of government can enforce this order and without great difficulties.

Herman Talmadge, fascist-minded governor of Georgia, has said that even federal troops can not give black Americans their constitutional rights in Georgia. Jimmy Byrnes, governor of South Carolina, has said his state will find a

way to violate the law of the land. So, too, has the governor of Mississippi. The implementation of the historic order of the Supreme Court is a monumental job for the people.

How will it be done? The Supreme Court will hear no argument on this momentous issue until its fall term. People's delegations should wait upon the President, requesting the formulation by the executive branch of government of steps to insure enforcement. These can come from the ranks of labor, the church and all manner of community groups.

Attorney General Herbert Brownell has brought about the introduction of measures in the legislative branch of government destructive of the constitutional rights of progressive organizations and leaders. His influence is clear. Let him be asked to immediately seek the introduction of enabling legislation around the Supreme Court order.

But most important of all is the development of broad people's struggle around every violation of the constitutional rights of the Negro people; the fight to end Smith act prosecutions and the use of the Subversive Activities Control Board to destroy people's organizations. The governors of Georgia, Mississippi and South Carolina pose some interesting questions for S.A.C.B.

The fight for implementation can be won at an early date if the people are not now divided by the government's red-baiting campaign. A united front of the people in defense of free speech and assembly is indispensable to a successful struggle for the implementation of the orders of May 17-24.

It is necessary to denounce the State's Rights doctrine that is always honored by the federal government when some state denies to the Negro people the rights they have won with their blood. All acts of Jimcrow and segregation must everywhere be instantly challenged. The right of the Negro people to respect for their dignity as human beings is not an issue. The issue is how long will those who call themselves democrats permit this violation. Rose Lee Ingram, Ben Davis and Wesley Robert Wells must be freed. Amnesty should be granted those imprisoned because of the militancy of their fight for Negro rights.

The events of May 17th and 24th have set the stage for the enlargement of the resistance movement against McCarthyism and for a complete victory against all forms of racism and national chauvinism.

### ***Jewish Bodies Greet Decision***

THE historic Supreme Court decision of May 17 outlawing segregation in public schools was greeted by numerous Jewish organizations. The National Community Relations Advisory Council, coordinating body of the American Jewish Congress, Jewish Labor Committee, Jewish War Veterans, all Jewish religious bodies and many local groups, issued a statement hailing the decision as "another major chapter in the history of the growth of true equality under law." The American Jewish Committee, the Anti-Defamation League and many individual rabbis also greeted the ruling.