

Review of The Week: Supreme Court Kills Segregation

LEGAL BATTLE that began in 1951, through the years, has now been decided in the Supreme Court Building on Capitol Hill.

The case, which concerned the segregation of Negroes in public schools, is the most important in the history of the Supreme Court since the Civil War. It was decided by a vote of 5-4.

The majority opinion, written by Chief Justice Warren, held that the "separate but equal" doctrine established in Plessy vs. Ferguson in 1896 was unconstitutional in the field of public education.

The dissenting opinion, written by Justice Frankfurter, argued that the Constitution did not prohibit segregation in public schools.

The Background

For as long as there has been a United States of America, there has been a struggle over the rights of Negroes. In 1787, the framers of the Constitution agreed to give Negroes the right to vote in the States where they lived. But they also agreed to give the States the right to regulate the slave trade.

In 1857, the Supreme Court decided in Dred Scott vs. Sandford that Negroes were not citizens of the United States and therefore could not sue in Federal court. This decision was a major step toward the denial of Negroes the rights of citizenship.

In 1896, the Supreme Court decided in Plessy vs. Ferguson that segregation in public accommodations was constitutional as long as the facilities were equal. This decision was the legal basis for segregation in public schools.

The Decision

The case was brought to the Supreme Court by the NAACP. The NAACP had filed a lawsuit in Federal court in 1951, asking the court to order the desegregation of public schools in the State of Virginia.

The case was argued in the Supreme Court in 1953. The majority opinion, written by Chief Justice Warren, held that the "separate but equal" doctrine was unconstitutional in the field of public education.

The dissenting opinion, written by Justice Frankfurter, argued that the Constitution did not prohibit segregation in public schools.

Key Cases in Segregation Dispute

Case	Year	Result
Dred Scott vs. Sandford	1857	Supreme Court ruled Negroes were not citizens.
Plessy vs. Ferguson	1896	Supreme Court ruled segregation constitutional in public accommodations.
Brown vs. Board of Education	1954	Supreme Court ruled segregation unconstitutional in public schools.

Will End of Segregation Ease Overcrowding in District Schools?

The Supreme Court's decision to end segregation in public schools has raised the question of whether it will ease overcrowding in the District of Columbia. The District has a large number of Negro children, and the decision will allow them to attend schools in the white areas.

However, the decision will also allow white children to attend schools in the Negro areas. This will increase the number of white children in the Negro areas, and may lead to overcrowding.

The District has a long history of overcrowding in its schools. The decision will make it more difficult to manage the schools.



THE SUPREME COURT was the scene last week of the most momentous decision in the field of race relations since the time of the Civil War.



TARGET OF COURT'S BOMBHELL was 1,200,000 who live from Washington to Ft. Worth, where segregationists live in the heart of the nation's cotton belt.

The Decisions

The Supreme Court's decision to end segregation in public schools is a landmark decision in the history of the United States. It is the first time that the Supreme Court has ruled against segregation in public accommodations.

The decision is a major step toward the achievement of racial equality in the United States. It is a step toward the creation of a more just and more democratic society.

The decision is a step toward the end of the era of segregation in the United States. It is a step toward the beginning of a new era of racial equality and harmony.

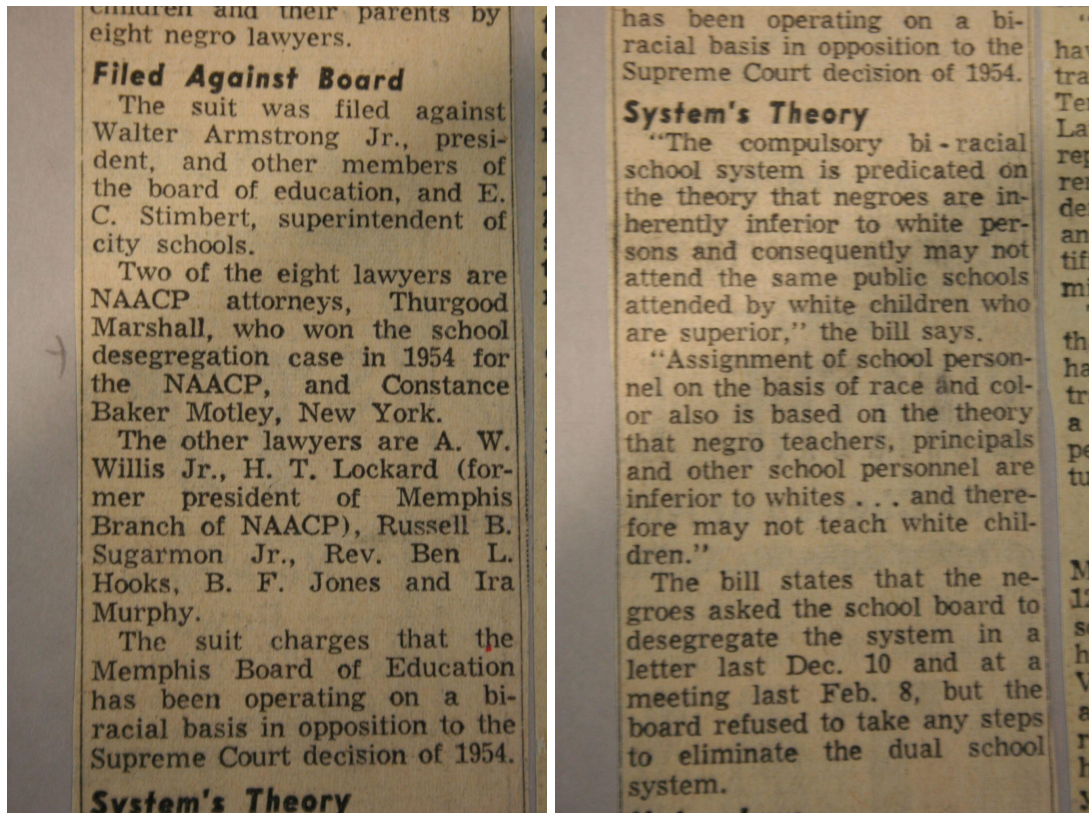
How Many in Reaction?

The Supreme Court's decision to end segregation in public schools has caused a great deal of reaction in the United States. There have been many protests and demonstrations in support of the decision.

There have also been many protests and demonstrations in opposition to the decision. Some people believe that the decision is a violation of the Constitution and that it will lead to chaos and disorder in the United States.

The reaction to the decision is a reflection of the deep divisions in the United States over the issue of race. It is a reflection of the struggle for racial equality and harmony in the United States.

Evening star. [volume] (Washington, D.C.), 23 May 1954.
 Chronicling America: Historic American Newspapers. Lib. of Congress.
<https://chroniclingamerica.loc.gov/lccn/sn83045462/1954-05-23/ed-1/seq-29/>



A clipping of a newspaper article describes a suit filed by several attorneys against the Memphis City Schools Board of Education. According to the suit, Memphis City Schools had been illegally operating a segregated school district on the basis of a theory of white supremacy in violation of the Supreme Court decision in *Brown vs. Board of Education*.

Item 9

MEMPHIS BRANCH OF THE N.A.A.C.P.
234 Hernando Street
Memphis, Tennessee

December 17, 1961

FOR: RELEASE, DECEMBER 17, 1961, 6:00 P.M.

FROM: (MRS.) MAXINE A. SMITH, EXECUTIVE SECRETARY, MEMPHIS BRANCH NAACP

During 1961 some advances have been made in the field of civil rights. Though much work remains to be done toward civil rights advancement, some progress has been noted in some of the following areas.

VOTING - At the beginning of 1961 there were 76,000 registered Negro voters in Memphis and Shelby County. Of this number 8,000 were dropped for failure to vote during the past 4 years. The 1961 Voter Registration Campaign resulted in 4,000 additional registered Negro voters, bringing the total back up to 72,000. This figure represents an estimated 63% of the eligible Negro population qualified to vote. The voting potential of the Negro has brought about other political achievements. During 1961 Negroes were hired, elected and appointed to positions, commissions and committees that heretofore were traditionally filled by whites. Negroes have been appointed to the Traffic Advisory Commission, the Memphis Transit Authority, to the County School Board and as Assistant Public Defender.

EDUCATION - As a result of suits filed by the NAACP, some progress has been made in the integration of educational institutions. Thirteen Negro first graders peacefully and quietly entered four previously all-white schools. The medical school of the University of Tennessee has desegregated its facilities where one Negro medical student is enrolled. Some of the restrictions placed on students matriculating at Memphis State University have been lifted.

A press release from the Memphis chapter of the National Association for the Advancement of Colored People dated December 17, 1961. The release details some progress in civil rights on the issues of voting and education made in 1961.

“We thought we would do something different, and that is start with first grade. In all the other places they started with high school. Our contention was that no, those white high schoolers are already tainted. First graders, no. Let’s go with first grade.”

- Reverend Billy Kyles, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].

, braved first day

done everything they could enforcing Brown '54," said , an NAACP activist.

und willing parents by loors in areas where black near white neighborhood said.

cial Appeal reported that rded Bruce, Springdale, don schools as school of- l the city with the first rs that October morning. ry," Sharon Malone said at Gordon.

then the 5-year-old son ck attorney A.W. Willis, the young pioneers. er changed his name to

simple," Fombi said. elt. Why y'all hate me "

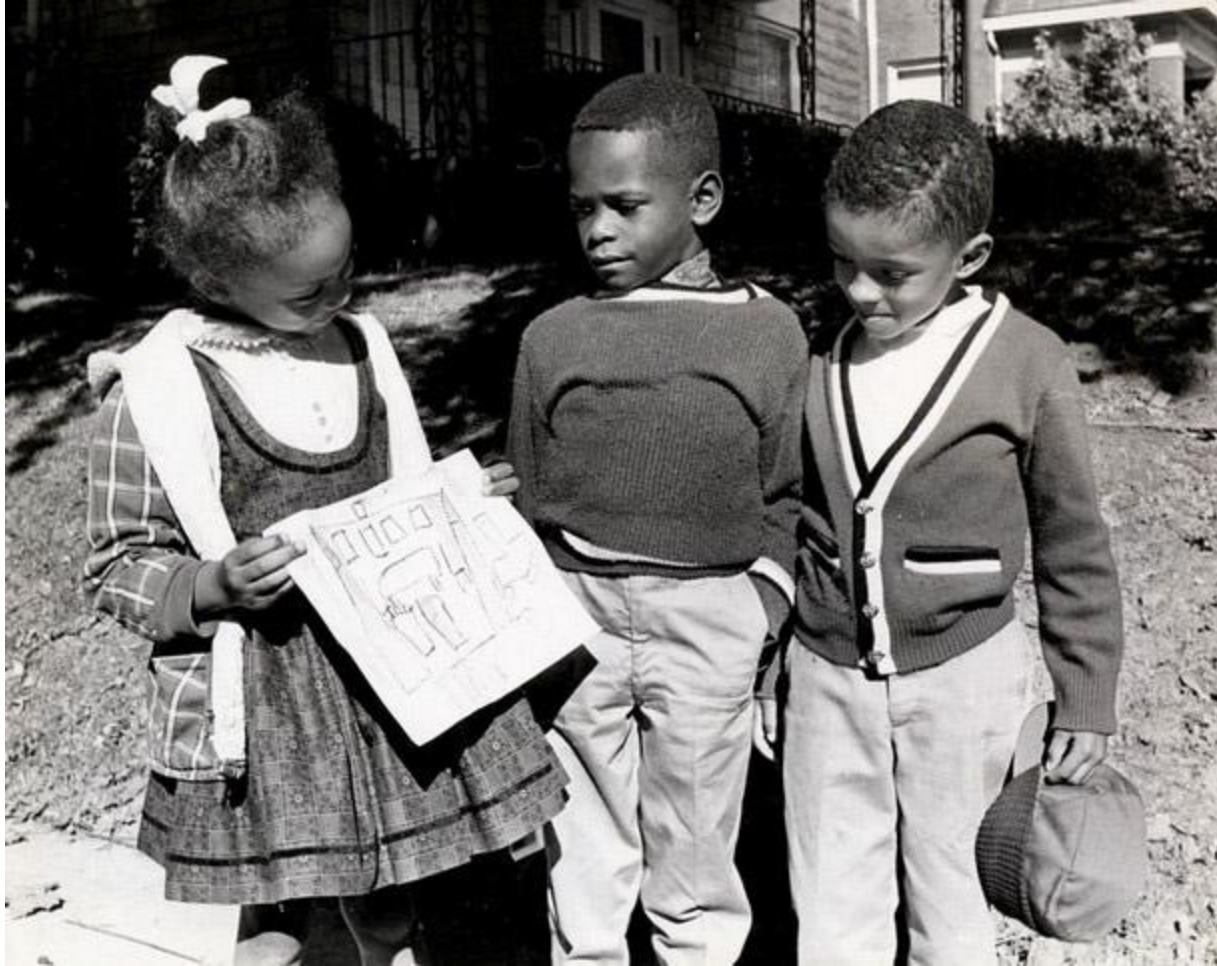


Twins Sheila (left) and Sharon Malone were transferred Oct. 3, 1961, to Gordon Elementary School, which was closer to their home than all-black Klondike Elementary.

See **FIRST**, A21

By Ernest Withers

Sheila Malone (left) and Sharon Malone (right), twin sisters who were part of the Memphis 13. Photograph is by Ernest Withers, a Memphis-based photographer known for the images he captured of the Civil Rights Movement.



Dwania Kyles (left) shows a drawing to Harry Williams (center) and Menelik Fombi, known as Michael Willis at the time (right). The three children together integrated Bruce Elementary School as part of the Memphis 13.

"I was scared. There was days I didn't want to go, you know, but then, my mom was the backbone, you had to go. You need an education, so that's one of the things she inspired us. You go get your education and you can be anything you want to be. So that's what I did."

- Harry Williams, Bruce Elementary, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].

"I can remember on one of those days you were asked so what do you want to be when you grow up. I knew what was acceptable to say, and I knew what would not be acceptable to say because I would be discouraged. Because at that time it was the entertainment business. You know, and it probably would have come out a movie star or something like that because I remember I was in elementary school and saying, 'I will not say that and have them rip my dream apart.' So I said 'a nurse,' cause I knew that was something I could probably (nods). Cause it's very difficult being in a situation where you never get to see images of your self in a positive light."

-Dwania Kyles, Bruce Elementary, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].

“And my first-grade teacher, she was so nice that you didn't feel threatened. I didn't feel scared or threatened or anything because she was so nice. It made you feel like you didn't have nothing to worry about.”

- Alvin Freeman, talking about Algine Cifelli, Teacher at Gordon Elementary, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].

"I used to hold my hand up all day to ask a question and they wouldn't let me answer it. Like if I knew the answer. And at first she called on me, but then she stopped calling on me and I'd just be holding my hand up the whole day."

- Pamela Mayes, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].

MEMPHIS, TENN., WEDNESDAY MORNING, OCTOBER 4, 1961

Nuclear Force Is 'Only Way'

Harding College President Says U.S. Is 'Helpless Debating Society'

By LOUIS SILVER The only force Russia understands is international force...

Negative Proof That Positive Must Be There

By BILLY GRAHAM How can one believe in God when there is so much sin and evil in the world?

Dr. Benson, president of Harding College at Secor, Ark., told the Civitan Club...

Prison Paroles Are Approved

Companion Of Policeman Among Those Released By Board

By JAMES W. HARRIS The State Board of Pardons, Paroles and Probation Tuesday approved the conditional release...



FIRST DAY ENDS—Deborah Ann Holt and Jacqueline Moore, first graders who entered Springfield School yesterday as the first Negro children to do so, were called for by their mothers when they were dismissed at 2:30 p.m. The group left as it had entered in the morning with police officers standing by, and without incident.

Schools Quiet, Armour Reports

'Everything Went Just As Expected,' Commissioner Of Police Says

By RICHARD T. ALLEN Police Commissioner Charles A. Armour said yesterday "everything went just as expected" during the first day of desegregation of four of the city's elementary schools.

Rail Yard Study OK'd By City

MHA Is Given Permission To File Application For Funds

The Memphis Housing Authority was given permission to file an application for federal funds...

City Commission Actions In Brief

The City Commission yesterday took action on several items, including a motion picture and a hearing on a hearing.

Chamber Leader Voices Support Of School Plan

Heads of Local Business Groups Praise Desegregation Plan

The Chamber of Commerce yesterday voiced its support for the city's desegregation plan...



LEAVING EARLY—Two Rozele School students are escorted from the area by their mothers. The boys were escorted from the area by their mothers.

Bar Association To Hold Election

Directors Push Candidates

The Memphis Bar Association will hold an election for its officers and directors...

Students Involved In Transfers Listed

Thirteen Are New Children

The 13 Negro children who are involved in the transfer of students from the Rozele Elementary School...

Day Out One For 13 Negroes In City Schools

Parents Praise Police

The day's events at the four schools included the work both of school authorities and the Memphis Police Department.

P-TA President Praises Police

Smooth Operation Cited At Gordon School

Gordon School Parent-Teacher Association president Mrs. W. E. Lackey of 1183 Paxon was one of the first to praise the police...

Salaries Are Sliced

Take Pay Cuts

The Memphis Chamber of Commerce announced that it will be taking a pay cut...

Havening Teacher Is Dead After School-Bus Wreck

Second Grade Teacher at Whitehaven's Havening School Killed

A second grade teacher at Whitehaven's Havening School was killed in a school bus accident...

Stolen Auto Case Ends In Conviction

Federal District Court Jury Convicted a Man of Violating the Three Act Statute

A Federal District Court jury convicted a man of violating the three act statute...

Tennessee Avenue Displaces Evans

Washington, Oct. 3—(AP)—Tennessee Avenue in Washington, D.C., will be widened...

Washington, Oct. 3—(AP)—Tennessee Avenue in Washington, D.C., will be widened...

Space Conference Opens

Leading Scientists Meet at the Smithsonian Institution

A conference of leading scientists on space exploration opened at the Smithsonian Institution...

HAMBONE'S MEDICATIONS

By J. P. ALLEY ZEKI BROTHERS... THE NEW... HAMBONE'S MEDICATIONS

An inside page of the Commercial Appeal from October 4, 1961, including articles about school integration and a photograph of white children being escorted away from Rozele Elementary School by their mothers.

“Memphis is unique in the fact that we were babies...I wonder sometime what would have happened had they done it the other way. That could have been disastrous. I don't know if there's a perfect time to go through fire if you're wearing a suit made of gasoline.”

- Menelek Fombi, Bruce Elementary, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].

“I knew that I was not equal. I felt that when I was a kid. That’s the knowledge I gained.”

- Clarence Williams, Rozelle Elementary, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].

“I’m glad my mom chose for us to go to Gordon. I’m glad she did that. In fact I’m glad all 13 of us parents they stood up for that because why, why should our kids not have the same?”

- Sheila Malone Conway, Gordon Elementary, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].

“And it just made you think that why wasn’t it like this all the time? Why did have to be a Black school and a white school? It seem like it should have been like this all the time. It shouldn’t have had to take a lawsuit. I was glad I was one of the first 13. It did, to me, make you grow up to be a better person.”

- Alvin Freeman, Gordon Elementary, in Kiehl, D. (Director). (2012). *The Memphis 13* [Documentary].