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John Perdue

### HOW THE CIVIL RIGHTS BILL IS BEING SUBVERTED IN MISSISSIPPI

Mississippi school officials, with the full cooperation of President Johnson and the nation's press, have completely subverted the Civil Rights Act's ban on school desegregation. Despite Congress' overwhelming approval of cutting off federal aid to school systems which discriminate, Mississippi schools for the most part will continue to be segregated and they will also get almost \$70 million in federal money to help them pay the bill for operating two schools in place of one.

Here's how the Civil Rights Act has been subverted so far. First, enforcement was delayed six full months after it became law until December, 1964, allowing schools a full year free of worrying about the law. In January, the office of the U.S. Commissioner of Education, Frank Keppel, announced that local school boards would by March 4 have to sign agreements to integrate, either gradually or all at once. Many boards didn't do anything, so on April 29 Keppel announced school districts would have to integrate at least four grades a year, except in "extreme cases", to get federal aid.

Meanwhile, through the winter and spring, various political leaders in Mississippi announced that the state shouldn't sell out to integration for a "mess of pottage". The governor, playing for time, urged local school boards not to sign anything until the legislature determined state policy, and he promised a court challenge of the Civil Rights Act. Gradually, however, state leaders started passing the buck to local officials, who they said had responsibility to determine policy.

The national press has led us to believe all along that federal aid would force the most reluctant racists to desegregate. But Vice President Humphrey had already come up with the joker in the deck on February 5, when he said that "your government wants to walk the extra mile" by cutting off funds only as a last resort". The same day, the U.S. Commissioner of Education announced through an interview in the Memphis Commercial Appeal some new regulations: (1) Instead of flatly refusing aid to segregated systems, the Office would continue aid until it reviewed a district's compliance plan. (Later the Office complained that it was understaffed and couldn't review plans promptly.) (2) Before federal money was cut off, the Commissioner would wait on the state board of education to notify him of a board's failure to comply, contact local officials to see what the trouble was, arrange a hearing with local officials, wait on the Secretary of Health, Education and Welfare to approve a cutoff of funds and notify the Senate and House Committees on Education and Labor of that fact, and then wait for thirty days. Then and only then would aid be stopped.

Each one of these steps in effect represents an opportunity for powerful southern Congressmen and local officials to delay the procedure indefinitely. Finally, if a school board agreed to desegregate and then did not do so, penalties would be imposed on the school officials only under the following conditions: "it would depend on the precise facts of the case. The Office

of Education would report the situation to the Department of Justice, which would investigate and determine if any action could or should be taken." This whole procedure is laughable to anyone who has seen the federal government sit on its hands and utter endless excuses for racists even in the most urgent situations. If it cannot find its way to jail the killers of Schwerner, Chaney and Goddman and all the other victims of recent lynchings, can the Justice Department be expected to prosecute school officials?

The key to federal aid and desegregation in Mississippi, however, is this: Almost all school aid from Washington is distributed by state boards of education, which must merely agree to handle funds without discrimination. The Mississippi State Board of Education signed a plan of compliance which was accepted on May 17. Since funds are sent out from July 1 to July 1, it is reasonable to assume that the Mississippi board already has the more than \$70 million allotted to it.

With no fear of prosecution, what is to prevent the state board (composed of Secretary of State Heber Ladner, Atty. Gen. Joe Patterson and State Supt. of Education Jack Tubb) from giving out money to segregated school systems, without regard to the Civil Rights Act?

In any case, the Office of Education has said schools which don't comply this year will still get whatever federal money they would have gotten, only later.

How many schools will be desegregated in Mississippi this fall? Supt. Tubb stated on July 23 that he expected "a great number" of compliance plans to be accepted "very shortly". Many of these, he said, promised to desegregate only two grades a year. Sure enough, twenty plans were accepted four days later, but news reports did not say how many grades would be affected. Expect to see more mysterious announcements between now and the first day of school.

The U.S. Office of Education and the leadership of Mississippi, in their quiet attempt to get around the Civil Rights Act, have more jokers in the deck than just Hubert Humphrey. Just in case things did not work out, the Dept. of Agriculture (presumably under the influence of Mississippi Delta Congressman Jamie Whitten) had during the spring announced it would not require school districts to desegregate to receive school lunch aid, which in Mississippi amounts to more than \$10 million. The state's newspapers, expecting this aid to be cut off, had calculated that the price of school lunches would rise from thirty cents to forty-five. Such a move would probably have aroused the public in the state to the point where it would demand desegregation.

At least seven school districts have raised, supposedly to cover lost federal aid. One district, Jackson City, raised taxes in June and within a month declared it would comply with the federal demand to integrate four grades a year.

And the state's Citizens Councils have so far set up 22 private (white) schools, after having extracted from the legislature a commitment to pay \$185 per pupil to support parents who want to escape the Civil Rights Act.

So far the Civil Rights Act has brought to Mississippi a bit of desegregation, a flood of misleading statements from politicians, and a steady collaboration between the President's man in Education and the defenders of divided education in Mississippi.