

Citizen action is the cure for lawlessness and official laxity

Pattern of Violence

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WHEN asked why he had disbanded the Ku Klux Klan, General Nathan Bedford Forrest said, "I was trying to suppress the outrages."

General Forrest and his fellow ex-Confederates had learned in 1868 a simple truth that in 1949 is still ignored in parts of the South. They had found that whenever individuals are permitted to take the law into their own hands—whatever their aims might be—unbridled lawlessness is the result.

The leaders of the early Klan conceived of it as a protection against what they considered the dangers of the "radicals," the scalawags," and the newly freed slaves. They soon found that they had created a monster they could not control. A secret membership, operating outside the law and in elaborate disguises, could not properly be called an organization. Instead, it was a deadly weapon which could be used by anyone and against anyone. It could be used for personal revenge and personal profit, for theft, for murder, and for the sheer love of violence. It was not even possible to limit its brutality to Negroes and "anti-Southern" whites. No one was safe.

General Forrest lived in a tragic time. It is perhaps understandable that he lost sight of the deep meaning of the Constitutional guarantee that no citizen shall "be deprived of life, liberty, or property, without undue process of law."

It is less understandable that today we are still having difficulty living up to this basic principle of our democracy. Recent instances of extra-legal violence and intimidation fall into an alarming pattern. They show a growing tendency on the part of irresponsible individuals and groups to set themselves up as judge, jury, and executioner. Frequently decent citizens are either too afraid or too indifferent to protest in the interest of justice. It is not uncommon for law enforcement officers to stand by helplessly—or sympathetically—while the law is mocked. In some cases, officers themselves are the chief offenders.

Most disturbing of all is the failure of some elected officials to take measures against lawlessness. A marked example was the tabling of a bill to unmask the Klan by the lower house of the Georgia legislature. In the debate, several legislators vigorously defended the hooded organization, one of them describing it as the upholder of "our way of life."

The Ku Klux Klan (or the "Association of Georgian Klans" as it now calls itself) is by no means directly responsible for all the acts of mob violence which occur. Its importance lies in the support it lends to a pattern of lawlessness. By its very nature the Klan is a denial of "due process" and an affront to our legal system. It stands as a reassuring symbol for all those who would escape responsibility for vicious activities.

The decline in the number of lynchings in recent years has been rightfully hailed as an important advance in the right of everyone to be secure in his person. But it should be remembered that a lynching is only an extreme example of a general lack of regard for the individual. The climate which produces lynchings is one of daily insult, intimidation, and the lesser forms of violence, directed against a whole segment of the population. The prevalence of such incidents shows that such a climate still exists—and that the gap between our ideals and our practices is still dangerously wide.

Some persons place the blame for the spread of mob psychology on the civil rights controversy in Congress and the nation during the past year. Violence, they say, is the logical result of efforts to “interfere” with Southern practices and institutions. As an explanation, this is doubtful. As an excuse, it is contemptible. Those who accept such reasoning have a low regard indeed for the character and citizenship of the Southern people. For what they suggest is that the people of the South are not capable of settling civic disputes in an orderly, democratic way—that Southerners will not support the law-making and law-enforcing machinery of our society.

Fortunately, there are better explanations.

Although differences of opinion continue, people respect the law when it is properly enforced. In much of the South, lawlessness is not winked at, but is punished swiftly and effectively. Atrocities are not condoned because they are committed in the name of “Southern tradition” or any other doctrine, however popular. Where this is not true, the failure is one of government: Legislators, and even governors, refuse to act; city and county officials enter into silent conspiracy with terroristic elements; sheriffs shrug off their responsibilities; policemen degrade the law they are sworn to enforce.

The remedies for this evil lies well within reach of public opinion. The majority must speak with a voice at least as loud as that of the anti-democratic minority. Useful examples have already been set in many places throughout the South. For instance, heightened Klan activity in the deep South has prompted many responsible citizens to speak out strongly in protest. An increasing number of church women, civic clubs, ministers, and newspapers have condemned the Klan and its principles and have called for local ordinances to curb it. In some cities such ordinances have been passed, and in others they are pending.

A remarkable demonstration of effective citizen action took place last January in Milledgeville, Georgia. There some six hundred people, incensed by a series of lawless acts, rallied at the courthouse. They called on police officials to carry out their duties more fairly and efficiently. They urged a grand jury investigation of conditions in the county. Finally, to make certain their recommendations would be followed up, they appointed a continuing “law and order” committee.

Many local improvements can contribute to a solution. Better paid and better trained policemen will help. A more earnest effort to meet the basic needs of people—in housing, health care, education, and public services—will do much to remove the tensions that breed violence.

But most urgently needed is strong public sentiment in support of legal procedures, insistence that those in positions of authority move forcefully when law is flouted, and determination that offenders shall not escape punishment.