Political Resistance Against Brown v. The Board of Education of Topeka 1954-1960

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The year 1954 was a major turning point in the civil rights struggle for African Americans living in the American South whom for so long were denied their basic rights and dignity as American citizens. Ninety-nine years after the American Civil War, the period known as Reconstruction followed. During this period, Southerners employed various methods to maintain the long-established racial hierarchy that has been in place since the founding of the nation. Violence and intimidation were the most common forms of white resistance against blacks that sought to assert their rights. Infamous white supremacist vigilante organizations such as the Ku Klux Klan murdered or threatened with violence those whom they deemed as a threat to the Southern way of life. Such organizations operated in the shadows anonymously which made any sort of effective resistance against such groups difficult. To make matters worse, Southern politicians sought to maintain their political support and therefore refused to protect the lives and property of black citizens. Additionally, some politicians were members of these violent groups and participated in the violence themselves. This did not mean, though, that political means were not employed to keep African Americans down. These rulings became known as “Jim Crow” laws, which included the segregation of schools and public facilities, literacy tests that prevented minorities from voting, and prohibited any sexual relationships between blacks and whites. During all this time, the Federal Government of the U.S. typically did not seek to challenge the Southern racial system despite the pleas of activists. However, this all radically changed with a Supreme Court case that forever altered the government’s role in the lives of its citizens.

What began as a simple case of the public school system of Topeka, Kansas refusing to enroll a local black resident’s daughter at the nearest elementary school in 1951, gained national
attention when the case was decided in Supreme Court on May 17, 1954. On this day, the court issued the statement that “racial discrimination in public education is unconstitutional”\(^1\) and can cause black students to “generate a feeling of inferiority as to their status in the community”.\(^2\) Furthermore, the court’s opinion delivered by Earl Warren stated that integration needs to be conducted “at the earliest practicable date”\(^3\) in order to prevent public schools from stalling integration via various means.

As expected, white Southerners were upset with the ruling and deemed it a threat to their way of life and sought to resist the Supreme Court’s decision. Violence was historically the most common form of white resistance; this was especially true during the Reconstruction years and the early 20\(^{th}\) century which saw mass membership of white supremacist groups such as the KKK. By the middle of the century, many whites that supported segregation began to prefer other methods than simply violence, for the use of such force only drew media attention and unwanted government intervention. Other means to ensure segregation were explored and many now turned to politics, unlike before, to maintain the racial hierarchy. As a result of the Brown V. Board of Education ruling of 1954, the American South began to rely more on political means in the attempt to delay or even stop integration, which was found in all levels of the American political system, from the highest levels of the national government to local citizens.

Eisenhower’s term as the 34\(^{th}\) president just concluded its first year when his administration would face its most controversial racial dispute of the 1950s, however, that is not to say that the president was ignorant of the struggles that Black Americans faced. Born in 1890 in Texas,
Eisenhower grew up in Kansas, where he did not see the same levels of discrimination as his native state practiced. It wasn’t until his career in the U.S. military that the future president realized the damage that racial discrimination can cause both at home and abroad. While serving as commander of Allied forces in Europe, he had to deal with racial tensions between white and black servicemen. These tensions included violent incidents and was informed of race riots that were a result of the integration of the munition factories such as Detroit. Such events shaped the administration’s and the president's policies on the domestic racial divide.

Criticism of the 34th president’s apparent lack of commitment to federal action on behalf of civil rights not only came from blacks, but also came from political figures such as Truman, who believed that Eisenhower was indecisive on his administration’s stance on the issue. The lack of federal action was not due to cowardice or indecision, but rather from Eisenhower’s preferred strategy of gradual integration, for he feared that any forced integration that was ordered by the Federal Government would only endanger the lives of blacks and the potential of civil unrest. Domestic political factors also played a role in this strategy as Eisenhower sought to restore the political power of the Republican Party after almost twenty years of exclusively Democrat presidents, those being Franklin D. Roosevelt and Harry Truman, who enjoyed black political support due to civil rights legislation. The Republican Party and the president sought to win many potential voters back by presenting the party as being “moderate” in terms of progressivism on issues such as civil rights. This desire to be viewed as moderate resulted in Eisenhower and his cabinet choosing to not provide any public statements that can be deemed to support segregationist

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or civil rights activists. One such example was that the commander-in-chief refused to condemn or condone the signers of the Southern Manifesto during a news conference.\footnote{Robert F. Burk, \textit{The Eisenhower Administration and Black Civil Rights}, (Knoxville: The University of Tennessee Press, 1984), 161.} This desire for moderation also influenced the president’s pick for the position of Chief Justice of the Supreme Court.

Earl Warren’s appointment for the position was expected by the members of the Supreme Court not only due to political payoffs, such as when the future Chief Justice helped fend off Taft’s (a rival Republican candidate) forces during the 1952 Republican convention, but also due to Warren’s reputation of being able to relax tensions in the court, something that was much needed in the upcoming racial debates.\footnote{Paul Moke, \textit{Earl Warren and the Struggle for Justice} (Lanham, Maryland: Lexington Books, 2015).} Warren gained national recognition during his term as the Governor of California in 1942 but infamously he did support the internment of Japanese Americans. The internment, which became known as the infamous Executive Order 9066, resulted in the placing Japanese Americans in concentration camps during World War II.\footnote{Paul Moke, \textit{Earl Warren and the Struggle for Justice} (Lanham, Maryland: Lexington Books, 2015).} This very support later haunted Warren and he admitted that it was a major mistake to support this policy, therefore, he began to be associated as a Republican liberal in matters of race. Eisenhower believed that when he chose Warren for the position, he found someone who shared his views of gradual desegregation.\footnote{Michael A Kahn, “Shattering the Myth About President Eisenhower’s Supreme Court Appointments” \textit{Presidential Studies Quarterly} 22, no. 1 (1992): 47–56.}

When Warren and the rest of the Supreme Court ruled that segregated schools in the American South were unconstitutional, Eisenhower agreed and admitted that “the judgment of the Supreme Court was right”\footnote{Robert F. Burk, \textit{The Eisenhower Administration and Black Civil Rights} (Knoxville: The University of Tennessee Press, 1984), 144.} to his most trusted allies but refused to make any statement of support
public. Although he agreed that school segregation was wrong, the decision did cause concern for the president, as not only the actions of the Court be viewed as a challenge to the Southern way of life, but also Warren’s ruling that integration needs to be done as fast as possible.\textsuperscript{12} Warren’s approach to the civil rights issue will result in clashes between Eisenhower and the Supreme Court.

Differences of opinion on how to proceed with the desegregation of public schools resulted in the president calling his appointment of Warren the “biggest damfool mistake” of his presidency.\textsuperscript{13} In addition, the 34\textsuperscript{th} president began to take measures to slow down rapid integration which he feared will only cause civil unrest in the American South and can damage the image of the Republican Party. Eisenhower’s first act of resistance was refusing to endorse the result of the \textit{Brown Case}, this was especially true to the issue of the speed of school desegregation. Secondly, the White House refused to authorize any new investigative procedure in handling segregation complaints in the aftermath of the case.\textsuperscript{14} Finally, the administration continued to fund programs for segregated schools such as libraries in states such as Alabama, Georgia, Mississippi, and South Carolina which received \$7.5 million ($55 million in 2023) in government funding.\textsuperscript{15} Eisenhower’s resistance to the rapid integration of the public education system was minor compared to other levels of the government.

The document that became known as the Southern Manifesto, was a direct reaction to \textit{Brown V. The Board of Education} and the most prominent example of Southern political backlash against the ruling of the Supreme Court. Drafted by three Democrat Senators, Richard Russell,

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\textsuperscript{14} Robert F. Burk, \textit{The Eisenhower Administration and Black Civil Rights}, (Knoxville: The University of Tennessee Press, 1984) 145.
\textsuperscript{15} Robert F. Burk, \textit{The Eisenhower Administration and Black Civil Rights}, (Knoxville: The University of Tennessee Press, 1984) 201.
Strom Thurmond, and Harry Byrd, and was presented to Congress on March 12, 1956.\textsuperscript{16} Until the 1960s, the majority of pro-segregationist belonged to the Democratic Party rather than the Republican Party. Senator Thurmond proposed the creation declaration of the South’s views on the integration policy in early 1956 and therefore the creation of the Manifesto began.\textsuperscript{17} The Manifesto went through various committees that were made up of Southern politicians that shared Thurmond’s outrage at what they viewed as judicial overreach and could potentially threaten their own political careers.

When the document was presented to Congress, about eighty percent of Southern Congressmen added their names to the document.\textsuperscript{18} Johnson was one of three Southern Senators who did not sign his name, both for political and moral reasons. He was not asked to sign by his fellow politicians due to not wanting to compromise his position as majority leader of the Democratic Party.\textsuperscript{19} Although his fellow Southern politicians did not pressure him to add his name to the Manifesto, it did not mean that they would not have welcomed having such an influential name join their ranks. The few other politicians that did not add their names mostly did it for political reasons, such as to avoid any possible ramifications when running for reelection. One famous figure who recruited signatories was Orval Faubus, who was in Washington at the time. Faubus convinced several moderate politicians to join their fellow Southerners by persuading them that if they failed to do so, then it would be the “Ku Klux Klan and the extreme Citizens’ Councils” that will gain control in the counterrevolution, not the politicians which can potentially lead to

\textsuperscript{17} Strom Thurmond. “Origin of the Southern Manifesto” (1956).
\textsuperscript{19} Tony Badger, “Southerners who Refused to Sign the Southern Manifesto” \textit{The Historical Journal} 42, no. 2 (1999): 519.
federal intervention. Finally, it was the future president’s own experiences as a director for an organization for Texan youth that helped him begin to understand the “prejudices that existed in the inequity of our school system between whites and browns.” The future 36th U.S. President would be known as the champion for civil rights legislation by signing such laws such as the Civil Rights Act of 1964 and the Voting Rights Act of 1965. While a politician from Texas will become associated with the Civil Rights Movement during the 1960s, a decade earlier a convention of Southern politicians gathered to draft a document with the intent of resisting the integration of schools.

The Southern Manifesto was written to address multiple objectives of anti-integration forces. Strengthening the resolve of the South was the primary purpose of the Southern Manifesto for politicians and citizens alike and to present a united front to pro-integration activists. Both drafters and signers of the Manifesto wanted their white constituents to have no doubts about their elected official’s position on the integration issue. Finally, the Southern Manifesto defended the segregationist culture of the American South and argued that the Brown decision was a breach of the American judicial system. The intended audience of this document was not fellow Southerners, but the rest of the American population. It was hoped by the writers that their arguments would generate support across the country, especially in the more liberal Northern states that typically supported the efforts of civil rights activists in various forms.

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Under the close eye of Harry Byrd, the Manifesto went through numerous drafts with the intention to make it acceptable to the largest number of Americans as possible.\textsuperscript{24} Harry Byrd ensured that the published edition of the Southern Manifesto was devoid of any racist ideology, even though the signers of the document were fighting to preserve segregation. The reason for the softening of the document was not only to ensure mass appeal but also to potentially suppress northern white liberal support for southern racial reform which can damage the efforts of civil rights organizations such as the NAACP.\textsuperscript{25} Veteran civil rights activist A. Philip Randolph recognized that the Manifesto is starting to impact liberal forces in the North by “greatly water-down their expression of interest in the fight for desegregation”.\textsuperscript{26} Instead of employing racial rhetoric the Southern Manifesto’s authors sought to defend the Southern position via steadfastly American touchstones that included historical shared memory, the Founding Fathers, the Constitution, and the judicial system.\textsuperscript{27} Although the Manifesto lacked any obvious racism such as stereotypes and ethnic slurs, Southern racial paternalism was still noticeable, such as the claim that federal intervention was “destroying amicable relations between the white and negro races that have been created through 90 years of patient effort by the good people of both races”.\textsuperscript{28} Such paternalism revealed that the document’s authors still held traditional Southern racial beliefs and did not view African Americans as equal to whites, therefore, white guidance was justified in the South’s racial hierarchy and culture.

The crux of the Southern Manifesto’s argument for maintaining segregation was not among racial divisions but rather a matter of legality. According to the infamous document’s writers, the Supreme Court’s decision was “unwarranted” and charged that this was the result of “when men substitute naked power for established law.” In sum, Southern Senators and Congressmen held the belief that the Supreme Court was attempting to increase its power at the cost of Southern culture through de-segregation. Furthermore, they accused the Supreme Court of betraying the principles of the nation’s Founding Fathers who created a system of Federal Government that ensured checks and balances. To further supplement their argument, the pro-segregation politicians pointed out that the Constitution does not mention education and therefore is a state issue.

Another counterpoint that the Southern Manifesto entailed was that segregation was declared legal at the Plessy V. Ferguson Supreme Court case of 1896 and therefore the 1954 ruling contradicted the established law of the nation. The final argument presented was that the U.S. government had no right to interfere in the traditions and daily lives of American citizens. The Manifesto concludes with the writers and signers of the document pledging to “use all lawful means to bring about a reversal of this decision which is contrary to the Constitution.” Such an act of defiance from high-ranking Southern politicians will go on to encourage their state government counterparts to become active participants in the struggle against integration.

While most state governments of the South participated in the schemes to subvert the intent of the Brown decision, the border states such as Kentucky, West Virginia, and Missouri agreed to

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racially mix their schools with little to no resistance. This was because these states’ populations were mixed with both Northern and Southerners and therefore were typically more liberal than the rest of the Southern United States. On the other hand, the former Confederate States passed a series of “pupil placement” laws, which slowed racial integration to a mere trickle. 33 While some Southern state governments sought to simply slow down the process of desegregation, others pushed for its complete halt. In Louisiana, a mandatory segregation bill won the state’s legislative approval, and the state invoked its police powers to block federal enforcement of public-school integration.34 Georgian governor Herman Talmadge, like the writers of the Manifesto, declared that *Plessy V. Ferguson* “solved” the integration issue, and therefore the 1954 ruling is void.35 Talmadge concluded his statement by supporting a bill that will block all Supreme Court rights to “interfere with state-operated educational institutions” to stop those who seek “to destroy what our forebears wrought”.36 Other states like Louisiana joined their fellow Southern governors and passed legislation that mandated segregation.37 Other states such as Tennessee sought to present itself as supporting desegregation to the Federal Government by implementing a program of “voluntary” desegregation, this plan was eventually shut down by the Supreme Court in 1957.38 Such acts of resistance proved to be effective in maintaining segregation; by 1959-1960 only 6.4 percent of Southern black students in grade or high schools attended desegregated classes.39

The states of Virginia and Arkansas will receive worldwide attention due to their resistance that extended beyond the bounds of their fellow Southern state governments. Virginia’s Supreme Court, with the support of the state’s governor, ruled that forceful integration that resulted in the closure of public schools “violated Virginia Constitution’s guarantee of free public education”. Virginia Governor Almond, like so many of his fellow segregationists, accused the Supreme Court of seeking to “overthrow the customs, morals, and traditions of a way of life which has endured in honor and decency for centuries.” With such self-assurance of their own political and willpower to defeat desegregation, the state began to employ the doctrine of “Massive Resistance” that sought to fight for the right to maintain segregation across the entire state. Such rhetoric troubled the U.S. Federal Government because Virginia was not only attempting to fight against the integration of their public school system, but rather for all institutions in the state. Virginia created a system of private schools with the intention of enrolling mostly or only white students, however, in 1959 federal district court ruled that this plan was unconstitutional and therefore the state had to begin integration.

Although Arkansas produced no segregationist laws in the aftermath of the Brown decision, the Little Rock Incident proved to be the most infamous example of a state’s resistance towards integration. Despite the lack of any official political resistance towards desegregation, the state had no need for such a position because segregation was so strongly entrenched in the state’s culture. This all changed when Virgil T. Blossom, the superintendent of Little Rock Public School District, forced the federal government to institute desegregation in the state’s public schools.

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Schools, discussed with Arkansas’ Governor Orval Faubus about the issue of integrating Little Rock’s schools.\textsuperscript{44} Blossom sought to have Faubus make a public statement with the promise to maintain order and to ensure a peaceful integration of black students into Little Rock High School, but Orval refused, and the die was now cast.\textsuperscript{45}

What drove the state governor to refuse this request was not the result of his personal beliefs on race but rather he felt that “segregationist sentiment was too powerful to be defied by elected politicians” and feared the potential political damage that would result if he supported desegregation.\textsuperscript{46} Much of this pressure that Faubus faced came from the Citizens’ Councils across the state that persuaded many whites that segregation was possible to maintain and therefore coerced many politicians, such as the governor, to follow suit.\textsuperscript{47} When the Little Rock showdown began, Faubus called upon the state’s National Guard to prevent the nine black students from entering the school. Faubus would later defend these actions as fulfilling his duty as governor by attempting to prevent “violence and death in the disorders” towards the black students at the hands of the white mob that had gathered.\textsuperscript{48} In truth, the guard was called to prevent the school’s integration, and when this became obvious, a federal judge ordered the school to proceed with desegregation and the Federal Government deployed the famous 101\textsuperscript{st} Airborne Division to protect the new African American students which ended the crisis.\textsuperscript{49} It was not only these two actions that paved the way for integration, but also economics, as the town’s business owners felt the monetary

\textsuperscript{44} N. V. Bartley, “Looking Back at Little Rock” \textit{The Arkansas Historical Quarterly} 25, no. 2 (1966): 110.
\textsuperscript{46} Tony Badger, “‘The Forerunner of Our Opposition’: Arkansas and the Southern Manifesto of 1956” \textit{The Arkansas Historical Quarterly} 56, no. 3 (1997): 360.
impact of the situation and therefore began to pressure political officials to allow for integration.\textsuperscript{50} Such support for desegregation from white citizens was rare and many more resisted any form of integration between whites and blacks.

Segregationist politicians depended on the support of white Southerners and various white supremacist organizations, the most prominent being the Citizens’ Councils that enjoyed high membership across the South. These organizations were created in the aftermath of Brown with the intent to organize resistance against integration and to deny the socio-political equality of black Americans.\textsuperscript{51} The very movement began in Mississippi with former Mississippi State University football star, and World War II paratrooper, Robert B. Patterson, who called for nothing less than total white solidarity to achieve white solidarity and national salvation.\textsuperscript{52} Such calls for white unity prompted many fellow Southerners to join the councils. By 1956, over 300,000 Southerners were official members of the Citizens’ Councils, this vocal minority will become the voice of the Southern resistance during the ten-year period of 1954-1964.\textsuperscript{53}

Although sympathetic to the goals of the Ku Klux Klan, the Citizens’ Councils typically held the KKK in contempt for various reasons. The primary reason was that the Councils’ abhorred the Klan’s use of violence, not due to morality but rather because the use of violence brings governmental and national attention. Patterson remarked that the Citizens’ Councils need to “keep our ranks free from the demagogue, the renegade, the lawless and the violent” or they will gain a

\textsuperscript{50} Elizabeth Jacoway and David R. Colburn, Southern Businessmen and Desegregation. (Baton Rouge: Louisiana State University Press, 1982) 26.
reputation as a “fearful, underground, lawless organization.”

Moreover, while Klan membership was typically made-up of economically lower class and rural Southerners, Council members were mostly economically middle and upper-class educated, including professions such as politicians, judges, lawyers, physicians, bankers, and shop owners. Despite such negative views of the KKK, it was not unheard of for Citizens’ Council members to also have Klan membership.

Abstaining from violence forced the organization to employ a variety of strategies to pursue its goals of maintaining discrimination throughout Dixieland. The fight against the Civil Rights Movement and integration was often waged through propaganda in various forms. Publications that spouted pro-segregation rhetoric officially endorsed by the Councils included newspapers, pamphlets, and books all intended for mass consumption. A newspaper titled The Citizens’ Council from 1956 claimed that the Councils simply sought “the maintenance of peace, good order, and domestic tranquility” while withholding the fact that the Councils wanted to achieve this by withholding the rights of African Americans. The Councils did not shy away from printing material that was intended to teach children about the supposed superiority of whites over blacks by citing “evidence” that included differences in jaw shape, size of lips, and intelligence. Electronic news services such as weekly telecasts and radio programs begun in 1957 and enjoyed much popularity. Although not uniformly so, much of the electronic propaganda was polished and typically a cut above the crude productions of other segregationist groups. This avalanche of

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propaganda reflected the Council’s zeal to encourage white resistance against what they viewed as the fight to preserve, as a 1956 black publication noted, “an untainted racial heritage, culture, and the institutions of the Anglo-Saxon race.”

Propaganda was not the only form of crusading the Citizens’ Councils participated in during their lifetime. Rallies attended by devotees of racist ideology were held commonplace. An FBI file noted that one such rally in Atlanta, Georgia in 1956 was attended by an “estimated twelve thousand persons” in which the state’s Attorney General assured his fellow Southerners that he will not “permit racial suicide” of the white race. In addition, wealthier members of the White Citizens’ Councils funded political candidates that supported white supremacy and lobbied for pro-segregation legislation. The Councils also took the offensive and were known to harass the NAACP via lawsuits and investigations by legislative committees and state sovereignty commissions for supposed infractions. Such procedures took time and money; therefore, the Council’s members usually used the tactics of red-baiting to discredit the NAACP. Pro-segregationist charged activists with being communist subversives that sought to “wreck America’s entire social system.” Such claims were effective in damaging organizations that supported black rights due to American fears of Soviet activity during the Cold War era.

The Supreme Court’s choice to integrate the public school systems of the Southern United States prompted a counterrevolution in the American political system. Such resistance was to be found in all levels of America’s government, from the Oval Office to local politicians. Although the actions taken by such white supremacists did not stop school desegregation it did make the

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process more difficult and complicated for the Federal Government and civil rights activists. Such actions of white supremacist groups serve as a testament how the American system of government can promote liberty for minority groups but can also be manipulated to enforce inequality.