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WEDNESDAY, AUGUST 27, 1958

School Board Makes A Sound Decision

THE UNDERTAKING desegregation last fall by the City School Board was motivated chiefly by a desire for the preservation of the public schools and their local control.

In declining to assign additional Negro students to white or predominantly white schools this year the board has been moved by the same motivation.

Though the decisions are different, both resulted from a consistent application of the same principle. The principle is correct; it has been applied in good faith, and the decisions deserve the support of all the people of Charlotte.

To the great credit of the board, it brought to the making of the current decision the same earnest and studious concern that was so evident in its deliberations of a year ago. It has not been unmindful of any of its several pressing obligations—to the school children, the schools, the state and the law—and it has not been dominated by a fixed political view. The business of the school board is education, and it is trying its best to do it without running to the bounds of extremism.

It would be a mistake, we think, for anyone to read meanings into the board's decision not to proceed with desegregation this year. Further admission of Negro students in the future is not foreclosed. Neither is it promised. The board's purpose, as conferred by a problem racked with uncertainties on the national level, is to use its own judgment in maintaining a local program of education.

Judgment may be questioned in the courts. Indeed it would seem that some of the Negro students denied admission to white or predominantly white schools this year have a legal right to enter them as far as they individually are concerned. But if individual rights are the sole factor, school boards can be dispensed with and judges substituted for them.

Conceivably over a long period of time, the assignment of school children without reference to color can come to pass. But that time has not been reached, and it is anything but certain that its approach will be hastened by promiscuous use of court orders. Resort to the courts, it is true, is a matter for individuals to decide. They are there to be used.

But it can be useful to recall that what the Supreme Court decreed was a great social experiment. It admitted as much in its implementation decree assigning original jurisdiction in segregation cases to federal district courts. This recognized conditions and attitudes varying from state to state and from district to district.

It also is true that attitudes and conditions vary within single communities. They vary in Charlotte, from one school to another, and to thicken the complexity, from time to time. The attitudes in this community today are not the same as they were a year ago.

We cannot define the difference. But in any public matter compounded of much variables, in any matter so patently experimental in nature, somebody must exercise judgment and controls.

This judgment must be exercised by the school board. It is composed of members of the community, and it is elected by the people of the community. So long as the school board is mindful of its several obligations, judicial interference can only be harmful. While it might be easy for a court to apply legal yardsticks—when those yardsticks finally are arrived at—the school board is in the best position to determine what is practical.

Charlotte's school board has exercised its own judgment on segregation matters for two years now. In both instances, THE NEWS believes, its judgment was sound.

By ROWLAND EVANS JR.
 WASHINGTON
 THE STORY really began that day in May, 1954, when the Supreme Court handed down its historic decree which desegregated the schools.



SEN. LYNDON JOHNSON
 The Gun Was Loaded

gation in the public schools was unconstitutional.

It ended, or at least a vital chapter ended, in a dramatic climax late on a recent night in the Senate.



SEN. PAUL DOUGLAS
 The Flag Was Red

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Senate. A remarkable display of legislative bludge, a strange and occult art for which Sen. Johnson is justly famous, kept the Senate from passing the bill. The potent weapon of rebuke that the anti-court coalition had wheeled up against the Supreme Court.

This bill, already approved in the House, would not directly have touched the school decision. But as a symbol it was a supreme test for both sides. In a word, its approval would have established the court's vulnerability. Who could then be certain that new, more daring attacks would fail? Having been taken to the congressional woodshed once, the high court might easier be taken there again.

SEN. NIXON'S ROLE

The Smith Bill, in short, had to be sent back to committee and by a combination of ingenious plays legally was fully exposed. The fortunes of Vice President Richard M. Nixon were brandished by both Democratic and Republican sides. They would surely require Vice President Nixon to break the tie and he would be rebuked and abused no matter how he voted.

The same precise strategy, realigned 180 degrees, was conducted by the Democratic leaders. Sen-

eral Democrats, inclined to support the anti-court coalition, were privately warned that Johnson had lined up the required votes to defeat the court-curbs if they would only withhold their own votes. If they voted, they were told, they risked locking the Senate in a tie. Who could possibly profit from a tie but Vice President Nixon who would get all the glory?

So it went. One surprised Democrat, hurrying back from a trip just in time to vote in favor of the court-curbs, was whisked into a cloak-room and, yielding to his leaders' appeal, sat tight right there until the vote was completed.

BALANCING THE OLDS

Consider what Sen. Johnson and Sen. Dirksen, Sen. Knowland's heir apparent as Republican leader, were up against. Only the previous night the Senate had refused, by a generous seven-vote margin, to kill the Smith Bill. Johnson had carefully balanced the odds on that impending vote. Alert lieutenants, buttonholing senators and totting

up practice rollcalls, had assured him that ample votes were available.

But both Johnson and his incomparably able staff had fatally misjudged the emotional impact of Sen. Douglas's red-flag amendment. Douglas demanded that the Senate vote its "full support and approval" of the court's school integration decree. Three and possibly four votes that Johnson had counted as secure disappeared in the inflammatory debate that followed the Douglas amendment. When that first vote came on the Smith Bill, Johnson had for the moment lost control.

NO RETREAT

But there could be no thought of turning back. The long dreary fight to limit the effect of some of the Supreme Court's decisions had the support of all the orthodox Southern Democrats and almost all the orthodox mid-Western Republicans, angered not by the school decision but by the court's handling of subversion and sedition cases. Joining this formidable team were a few other Republicans who would like to dam-

age Chief Justice Warren's reputation.

There could be no retreat by Johnson and Dirksen. Skillful use of the Nixon ploy, and the voluntary "delay" in Sen. Frear's official return from the South, changed the composition of Senate forces. So did the decision of three senators to switch their votes from the previous night's rallying Sen. Lausche, Sen. Bennett and Sen. Malone, all recorded as against tabling, now voted for recommitment. Finally, two "live" votes available to be cast against recommitment were persuaded to pair with absent senators who favored recommitment. The effect of "pairing" is to wash out both votes, in effect neutralizing the "live" vote.

When all the black magic had wrought its wonders, the vote was 41 to 40. And there assuredly ended the most determined legislative assault on the Supreme Court since Reconstruction. Of such fragile stuff are great decisions made.

Editors' Note: Rowland Evans Jr. is substituting for Joseph Alsop, who is on vacation.

'Why Did You Have To Curl Up With My Good Book?'



Bathrooms Working

The Jets Arrive

By ROBERT C. RUARK

NEW YORK

Whether we like it or not, the jet age has commercialized the jet age. It has made late fall the 80-mile-an-hour jets will be darting to all the ends of the earth.

In terms of clock time, this would mean London in a couple of hours from New York. In terms of actual time, it would mean six-and-a-half hours. Pan American and American, as well as the forerunners, are just about to solve these soundless, senseless aircraft onto commercial schedules. Speaking for American, you will be able to leave New York, do nearly a full day's work in Los Angeles, and get back home in time for dinner.

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Congress Worked And Stayed Sober

THE 85TH was a Congress that rose to no heights and sank to no lows, but managed to enact a remarkable amount of constructive legislation.

If there was anything really distinctive about the 85th, it was the absence of any sustained exercises in naked partisanship, and the marked presence of the great parliamentary skill possessed by Democratic Majority Leader Lyndon Johnson. Sen. Johnson did not come out of the session as a figure towering above the American political scene, as some political experts had predicted in the sharp post-sputnik disillusionment with the President. Good, bad or indifferent, American presidents are pretty hard to obscure.

But Johnson's skill and driving energies were responsible in more than one instance for the passage of vital legislation, and for the defeat or moderation of bad legislation. Had it not been for his role, the record would be poorer.

With some modifications, Congress came through with the President's "must" legislation—foreign aid, defense reorganization and extension of reciprocal trade. More than satisfied were administration requests for defense funds. But happily unsatisfied was a fear in Congress that the nation is not doing enough for its own defense, and is not showing enough initiative in foreign policy. The fear never crystallized in such form that the question was posed forcefully to the people and the administration. But it kept cropping up and we will be fortunate if it results in the next Congress mounting a constructive challenge to the administration in these fields. It's all very fine to pursue middle-of-the-road when we are in no danger of being run over by Soviet power, but no such certainty is apparent. It is important that Congress keep the fire going under an administration not noted for exceptional vigor and alertness.

In some ways, the 85th was a history-making Congress. It banished the three-stamp and brought in the 49th state. It created a space agency, the nation's first, and passed a civil rights bill, the first since Reconstruction. It moved, but not far enough, in the interests of national security to stimulate the nation's educational system. It wrestled mightily with the recession, and passed some legislation designed to ease it. But it stopped short of a tax cut whereby great political profits might have been made.

The great shortcoming of Congress was in the field of public morality. It exposed, through Sherman Adams and others, the administrations' fictional claim to superior moral virtue. It proved, through the McClellan hearings, the shocking abuses of some labor bosses. But in its most pronounced exhibition of naked partisanship, it failed to pass corrective legislation in the labor field. It also failed to assess fully the causes for the ethical standards in government, including its own contribution to the laxity, and it acted not at all to raise those standards.

But overall the record was substantial, and the cheap theatrics were at a minimum. The Congress reacted soberly to most of its sober responsibilities, and those responsibilities were many.

From The Richmond Times-Dispatch

STILL BUZZIN' AROUND

YOU SEE, this fellow invented a machine that would disintegrate the atoms of any object placed in it and then re-integrate them back into the object's original form at another place. So after he was sure it was working right, the man got into the machine himself and turned it on. But what he didn't notice was that a fly had gotten into the machine with him, and his atoms and the fly's atoms got all mixed up and he came out with a fly's head and the fly came out with a man's head.

Except very close up, the fly looked like any other fly except that it had a white head, and the man's wife nearly went crazy trying to catch the fly with the white head so that the fly and the man could be put back into the machine and disintegrated again in the hopes that their atoms would straighten themselves out.

There's a lot more in the movie about Tux Fly, but that's enough to explain why some people who've seen it are looking carefully before swatting these days. Fortunately, we've encountered no white-headed flies and happy to say, there seem to be fewer of the up-and-down ordinary traditional variety around than was the case a few years ago.

But there's still plenty, and they make a mockery of the predictions of about 10 years ago that the fly was headed for extinction, thanks to DDT. One day in 1947 we carried on this page

a reprint article from another paper with the glorious title, "The Fly Is On the Way Out!"