

THE CHARLOTTE NEWS

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SATURDAY, SEPTEMBER 13, 1958

The Supreme Court And The Schools: Operation Successful But Patient Died

THE Supreme Court's decision to deny Little Rock a desperately needed breathing spell is regrettable. Strictly on the basis of legal principles, the ruling can no doubt be justified. There are, however, larger and infinitely more complex considerations.

The court is not dealing with pawns on a chessboard. It is dealing with men filled with passionate convictions and a great accumulation of resentments. It is dealing, too, with a social situation which has been festering for years. Tradition, environment, a sense of guilt, fear, misunderstanding and anger have all contributed to this regional tragedy.

There are no quick cures. The wound is too deep for that. The condition can be treated only if there is forbearance and restraint on the part of both doctor and patient. It will take time, and Americans—North and South, white and black—must have patience.

Perhaps Sen. J. William Fulbright got closest to the heart of the problem when he wrote in a brief filed with the Supreme Court in the Little Rock case:

"We are confronted here with a problem, novel and unprecedented in the history of our country and extraordinary in complexity. In our constitutional optimism, we Americans believe, or affect to believe, that social questions of the greatest difficulty may be solved through the discovery and application of a sovereign remedy that will forever dispose of the problem. Yet all this flies in the face of human experience."

"I would suggest, then, that the problem of school integration in Arkansas is more likely—bearing in mind that flesh and blood is weak and frail—to yield to the slow conversion of the human heart than to remedies of a more urgent nature."

THE Little Rock case, the Supreme Court has applied a sovereign remedy harshly and without any discernible sympathy for the facts of life before the Mason-Dixon line. We fear the harshness of the remedy will set in motion a chain of events which will do great harm to the very cause the court champions. It certainly endangers the cause of public education in the South.

The effect of the ruling cannot be limited to Little Rock. It implies to the entire region a strict, impatient and uncompromising interpretation of the 1954 desegregation decision and the 1955 implementation decree. The latter ordered school desegregation everywhere to proceed "with all deliberate speed" but with the qualification that "addi-

tion" would be allowed if school boards asking for it could demonstrate, to the satisfaction of the federal judiciary, that this "was necessary in the public interest and is consistent with good faith."

THE South must await the text of yesterday's judgment, spelling out the court's reasoning, before its full effect on the region as a whole can be known. Chief Justice Warren announced that it will be "prepared and announced in due course."

This formal opinion will no doubt spell out the court's views on the specific question of whether disorder and violence are sufficient grounds for suspending a plan of integration once it has been put in operation. But it ought to go further. It ought to spell out, in appropriate detail, guidelines for federal judges to use in interpreting the court's command, "with all deliberate speed," in dealing with local desegregation cases. It ought to give local communities, such as Charlotte, some idea of what constitutes good faith and deliberate speed. More important, it ought to reflect some sympathy for the South and its people and the terrible human problems they bear. There must, of course, be justice for all men but justice with mercy and understanding and wisdom.

HOWEVER it feels about the Little Rock situation, the court must give it the South as a whole the time and flexibility it needs to adjust. If it does not, if it applies impatient and uncompromising sovereign remedies to the entire region, the results will be tragic for all concerned.

Pressed to the wall, each southern state will simply come face to face with the terrible dilemma outlined recently by North Carolina's own attorney general, Malcolm B. Sewell:

"I know that the Supreme Court has said that denial of the right to attend public schools may not be made on the basis of color or race. At the same time I know that the Supreme Court cannot say to the State of North Carolina, 'You must have public schools.' And I know that if we in North Carolina should close our schools we would cut our own throats—economically, politically and spiritually. Our progress would come to an end, for progress comes through enlightenment."

Justice can be done—and must be done—without forcing the South to make a sudden choice between fully integrated schools or no schools at all.

Good-Bye To The Cloth Capped Chief

GIANTS among American labor, from Sam Geary to the Reuthers and George Means, have had their headaches sure enough. But to them, so far as we know, the question of raiment has never caused pain. Style, shape, fabric, fashion has scarcely bothered American labor, except as one of its great ambitions is always to wear a white collar.

But raiment remains a talking point with British labor leaders. It was the source of a zealous debate as far back as 1924, when Ramsay MacDonald led the first Labor Party cabinet into the government, and the question was whether or not Laborites would appear on state occasions in the ribbioned, white-tie, long-tail finery of the King's tradition. Some members of the cabinet did not even own a tuxedo.

The explanation of this clothes-consciousness lies in the Labor movement's identity with socialist ideals. Among the more ardent brethren, to adopt the styles of bourgeois or upper-class dress would be to betray those ideals. Those first cabinet members must have thought how tails would look among the cloth caps of the neighborhood pub. Labor in general may think with horror of the concrete esplanade of Whitehall, which at lunch-

time every day becomes a bastion of middle-class civil service respectability, fairly crammed with striped pants and morning coats.

All this is why we were interested to read of new twists of the sartorial warfare at the Trades Union's Bourne-mouth conference, in session last week. A conservative, middle-class British trade union chiefs are gradually beginning to look more like American trade-union leaders. Apparently, many chiefs had doffed the cloth-cap austerity of old and wore business suits.

To be sure, the Labor party has always had its Etonian middle-class line in matters of clothes, so let us give what they wear. But we hope this new twist to the orthodox of middle-class style does not herald a concession to the "grab as grab can" philosophy already whittling away the ideals of American labor.

We adhere strictly to the "de gustibus" line in matters of clothes, so let us give what they wear. But we hope this new twist to the orthodox of middle-class style does not herald a concession to the "grab as grab can" philosophy already whittling away the ideals of American labor.

W. E. H. In The Sanford Herald

FRONTIER WEDDING

COMMUNITIES had no public diversions and weddings were anticipated eagerly, both for the sumptuous feast served at the bride's home, where the vows were usually exchanged, and for the merry-making and fiddling and dancing afterwards.

On the day of the wedding, the groom and his attendants assembled at his home, set out to reach the bride's home by noon, often the hour of the day when the sun was at its height. When they got to a mile from the gal's home, the men raced horseback to her door; the first one there won a bottle of liquor.

After the ceremony, the company sat down to a backwash of beer, pork, sometimes bear meat, or venison, with vegetables, spread on a table made of a large slab hewed out by a broadaxe and supported by four legs in augur holes. Meanwhile, the younger members of the company were trying to steal the bride's shoe; it cost a dollar to redeem it and the bride could not dance until the forfeit was paid.

After dinner, dancing began, lasting till morning. During the late evening bridesmaids slipped the bride out and put her to bed; the groomsmen then stole off to the groom and escorted him snugly by her side.

Then instead of the bride throwing her bouquet as now, the attendants amused themselves "throwing the stocking." The maids stood in turns at foot of the bed, threw a rolled up stocking over their shoulder; the first to succeed in touching the bride's head with the stocking would be next wed. Groomsmen did the same.

Meantime festivities during and drinking continued indoors, with the typical toast: "Here's health to the groom, not forgetting myself, and here's to the bride, thumping luck and big children."

These days it's hard to tell whether you are walking behind a man who needs a haircut or a woman who's just got one. —CLEVELAND (GA.) COURIER

How Will We Get Around The Next Corner & The Next?

By JOSEPH ALSOP

TAIPEH, Formosa. AT first there is not even a whisper. The hope is that the Chinese Communists will finally content themselves with seizing one or more of the rocky islets, such as Tungting, which are not on the Washington "must defend" list of offshore islands.

If this is the outcome, the crisis in the Formosa Strait will finally subside down into a relatively harmless firestorm of propaganda, claims and counter-claims. But even if we get off this cheaply, no one should forget for an instant that the American armed services intended to use nuclear weapons to defend Quemoy and the Matus.

That is the present intention. That is what is going to happen if we are drawn into serious fighting here, unless Secretary of State John Foster Dulles persuades or forces the Pentagon leaders to change their plans. Dulles is convinced that a firm stand must be made. But Dulles is also convinced that everything possible should be done to avoid fighting a nuclear war for Quemoy.

WORK OUT OUT

Yet Dulles will have his work cut out for him to prevent the use of nuclear weapons, if his firm stand brings American forces into the fight. For one thing, as pointed out in a previous report, the armed services have strong arguments on their side. They have been gravely weakened by budgetary reasons. And this weakness has been theoretically compensated for by presidential directives authorizing the use of nuclear weapons in almost any sort of fighting.

For another thing, the defense planning based on these directives has deeply influenced service and staff departments. They have been gravely weakened by budgetary reasons. And this weakness has been theoretically compensated for by presidential directives authorizing the use of nuclear weapons in almost any sort of fighting.

BETTER LOGIC

Again, one is told with better logic, that it is "unthinkable for American ground forces to con-



Will This Be World War III's First Battleground?

front the formidable Chinese Communist ground forces. Yet using nuclear weapons without the use of force in order to return to the mainland, to renounce—that is to say—the fact that the Chinese are in Formosa and that it will recover the rest of China.

Were it proposed seriously by us in a serious negotiation with Red China, the Dulles formula would almost certainly mean the downfall of Chiang's government. For under the formula the Chiang government would lose the reason for its existence, and the mainland Chinese who in Formosa would find themselves exiles from China and prisoners on the island. There would be no good reason left why they should not make their peace with Peking, accepting some one of the tempting offers which reach them publicly and through private channels.

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IS what ought to be made to happen. But it cannot come to pass because of our entanglement, which has engaged our honor, with Chiang.

ASYLUM FOR CHIANG If we were free of that entanglement, we could have a Formosa policy which, though unacceptable to Peking, would command wide support in the world. The principle of our policy would be that the island of Formosa is not under the law of the Japanese peace treaty as yet a part of China, and that in fact Formosa has been many generations not been governed from the mainland.

ASYLUM FOR CHIANG If we were free, we would, in short, go to the United Nations and propose that Formosa be constituted an autonomous territory, neutralized and demilitarized under international supervision. It would be a corollary of such a proposal that the bulk of the mainland Chinese in Formosa should be repatriated to the mainland and that Chiang and his lieutenants should be given asylum in some safe place.

Although such a policy would truly serve our national interests in this area, and would be respectable in the opinion of mankind, it is no more now that it can be adopted. Both Chiang and Mao will oppose it, and we are

not free to propose what Chiang opposes. On this head there are important technical arguments to consider. One of these arguments concerns the gain or loss to us of using nuclear weapons, if the mainland Chinese, who are given similar weapons to use against us. Another argument concerns the effect on the Western Alliance, and most important, the effect on the Soviet Union. Still another argument concerns the effect on our own nuclear striking power.

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er, if our allies deny us the use of our overseas airbases for such a war, and thus cripple the 80 per cent of Strategic Air Command squadrons that are equipped with medium range bombers.

But it is clear that these technical arguments are being lightly weighed. It is clear, in fact, that all the Pentagon thinking about the use of nuclear weapons in this wretched conflict is dominated by the conviction that the nuclear striking power of the United States is still superior to the nuclear striking power of the Soviet Union.

NEAR THE END

This is true, of course. We are now near the end, but we have not reached the end of the period of the American lead. We are now close to the period, but we have not yet entered the period when our defense plans will flatly permit the Soviets to acquire an enormous superiority in nuclear striking power.

There are strong indications that certain key figures in the armed services have just these notions. Hence they are not average grim faces very much on their to having a nuclear showdown now. If such a showdown is tragically inevitable, it is certainly better to have it now than later. To this extent, this view is logical.

NEXT CORNER

But it is altogether illogical to suppose we are going to get through the next corner of the corner after that, if we get safely round this corner of the offshore islands. The leaders of the government and the leaders of the services may tell themselves they are going to be very bold and firm in the future. But they are lying to themselves. They will not be bold and firm about such issues as the offshore islands and they will not risk nuclear war for much more important issues either, when the Soviets have been allowed to gain enormous superiority in nuclear striking power.

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The Dulles Formula: A Hopeful But Impossible Way

By WALTER LIPPMANN

WASHINGTON. AT his press conference, Mr. Dulles set up a trial balloon. He hinted at a formula which was to exorcise this country from its entanglement in the Far East. But because he is so deeply entangled, he could not say clearly that what he would like to do is to draw the United States out of the island of Formosa.

But there is no good reason to think that the Dulles formula can be agreed upon. Apart from the Communist opposition to it, there is the prior fact that Chiang will almost certainly oppose it. It is most improbable that Mr. Dulles can get authority from Chiang to make such a deal, or even to make a serious proposal.

FAREST MINIMUM For all the barest minimum, and taking the most positive view of Red China's attitude, the Dulles formula would require Chiang to make two very painful concessions. One would be to withdraw his troops and to abandon

the islands, which are the symbol of his intention to return to the mainland. The other concession would be to renounce publicly the use of force in order to return to the mainland, to renounce—that is to say—the fact that the Chinese are in Formosa and that it will recover the rest of China.

Were it proposed seriously by us in a serious negotiation with Red China, the Dulles formula would almost certainly mean the downfall of Chiang's government. For under the formula the Chiang government would lose the reason for its existence, and the mainland Chinese who in Formosa would find themselves exiles from China and prisoners on the island. There would be no good reason left why they should not make their peace with Peking, accepting some one of the tempting offers which reach them publicly and through private channels.

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