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Sindler (Ed.): Change in the Contemporary South

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In many ways the South is the model for change everywhere in the country. While many issues have been posed clearly and severely in the South, they are not restricted to the South alone. Only in the last decade has half of the Negro population resided outside the South. Only in the last months have events in Cleveland and Chester and New York reminded us that the Negro is in similar circumstances in the North. The change in the legal status of the Negro from three-fifths of a citizen, to property, to constitutional person, to equal but separate, to just plain equal may have been salient chiefly in the South, but the effort of Negroes to give effect to the last decision of the law has provoked a movement extending well beyond the South. Nor is the movement addressed only to matters of racial justice. It is concerned with distributive justice as well. Again the South may be the model, for forty percent of the nation's poverty is there. To cite the landmark cases of the last few years is to tribute the role of the South in the current American revolution — Baker v. Carr \(^1\) (Tennessee), Wesberry v. Sanders \(^2\) (Georgia), Gideon v. Wainwright \(^3\) (Florida). None of these cases are, on their face, civil rights cases. So long as analysis stops there the range of the movement is not appreciated. The distribution of effective political power and the effective availability of the legal process to the poor are within its purview. It is in this perspective that I shall examine the essays in Change in the Contemporary South.

John Frank in “Legal Developments in Race Relations” offers a military analogy to illustrate the relationship of change to the law. The law is the “landing force.” It establishes the “beachhead.” But the breakthrough must be broadened by “forces from behind” — the pressures of consumers, churchmen, voters, and public opinion. Where these forces are present significant alterations of social practice result. Where they do not exist “legal action becomes a kind of military monument on which is recorded only, ‘We were here.’”\(^4\) To prevent such futility — to secure and enlarge the legal advantage — has been the effort of the civil rights movement. It is not a simple effort. Recounting Mr. Frank’s list of necessary pressures raises crucial questions of tactics and alliances. The first question, however, a question whose answer is assumed through most of this book, is: what are the aims of the movement?

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John Adams wrote:

The poor man’s conscience is clear; yet he is ashamed... He feels himself out of the sight of others, groping in the dark. Mankind takes no notice of him. He rambles and wanders unheeded. In the midst of a crowd, at church, in the market... he is in as much obscurity as he would be in a garret or a cellar. He is not disapproved, censured or reproached; he is only not seen... To be wholly overlooked and know it, are intolerable.\(^5\)

This, before Ralph Ellison titled the black wandering in the South and in the North, *The Invisible Man*.\(^6\) And before Michael Harrington urged our attention to the “invisible poor.”\(^7\)

The history of the civil rights movement is the long history of people coming to visibility. In the earlier decades of this century it was the “talented tenth” of the Negroes who came to visibility. The National Association for the Advancement of Colored People was their instrument. Their goal was integration. Their heritage is the assertion of many writers in the present book that the transcendent need of the civil rights movement is the emergence of a substantial Negro middle class. In his epilogue\(^8\) Allan Sindler finds implicit in such an assertion an analogy between the Negro and the immigrant and between their respective patterns of assimilation. Sindler is uncomfortable with the analogy and criticizes it. He suggests, as Oscar Handlin has argued elsewhere,\(^9\) that integration is not properly the goal of the movement. It seems to this reviewer that integration was the goal when the movement was a middle class movement. The tenth had talent and resources and wanted only a place in the larger white society. The tenth no longer characterize the movement. Since the Student Nonviolent Coordinating Committee went among the sharecroppers and since, with the assistance of the Northern Student Movement and others, rent strikes have come to the cities of the North, the civil rights movement has been characterized by the extraordinary participation of the poor.\(^10\) The black poor have become visible. Their goals are not integration but bread and roof

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8. P. 229.
10. It is well established that the poor usually are non-participants. They tend not to vote and not to take part in voluntary associations. Lane, *Political Life* ch. 16 (1959); Kornhauser, *The Politics of Mass Democracy* ch. 2 (1961). The Negro poor, at least where the vote has been available to them, have participated more actively in the political process. See Dahl, *Who Governs* 294 (1961). Under the impetus of the civil rights movement the Negro poor has recently come to even more considerable participation — the new participation is both more meaningful for the participants than the periodic, formal act of voting, and more effective in framing alternatives for political decision. See Myrdal, *War on Poverty*, The New Republic, Feb. 8, 1964, pp. 14, 15.
and learning, not so much rearrangement of the races as rearrangement of resources.\textsuperscript{11}

This is not to say that considerations of race no longer bear upon the movement or upon its success in our society. Indeed, Edgar Thompson in "The South and the Second Emancipation" makes strikingly the familiar point that the Southern separatist structure reflects the need of white Southerners of all social classes to maintain a status superiority.\textsuperscript{12} On the prospect of change, Mr. Thompson's dictum is severe:

The structural foundations of the color line may undergo comparatively little change. When we consider the question of structural change . . . gradual educational and cultural changes have had relatively little to do with it. The major transformations of historical societies had their settings in periods of intense collective excitement, such as war, revolution, and migration. It may be that societies are more often and more fundamentally changed by mass action than by individual action. We may now be involved in a sort of slow-burning racial revolution in America, but unless the movement reaches a stage of more violent upheaval than we anticipate, it is likely that the idea of race and the deeper social structure that supports it may be with us for a very long time to come.\textsuperscript{13}

It may be that the complex of matters which determine Thompson's prognosis of change in racial attitudes will also bear upon any effort to meet the resource demands of Negroes, especially as those racial attitudes support the present allocation of resources.

There appears on every hand evidence of the increasing militance of the Negro. Several essayists suggest that frustration may be avoided only by

\textsuperscript{11} It is a paradox that the school boycotts whose constituency in New York, Chicago, and elsewhere has been largely lower class have primarily articulated demands for integration, not demands for quality schools. The education editor of the New York Times has concluded from the boycotts that "uncompromising citywide integration demands . . . hold the greatest appeal for the lowest economic and social groups." Hechinger, \textit{Class or Race}, N.Y. Times, March 15, 1964, § 4, p. 7, col. 1. The conclusion does not seem warranted. Joseph Lyford in a study of Manhattan's Upper West Side reported that low-income Negroes have little interest in school integration, are very concerned about the quality of the schools, and are not inclined to assume that a school's quality is directly related to the extent to which it is white. \textsc{Lyford et al., The Negro as an American} 13 (1963) ; and N.Y. Times, June 18, 1963, p. 22, col. 1. On the nature of Negro demands generally, see Lyford, \textit{Proposal for a Revolution}, The Saturday Review, October 19, 1963, p. 19 and October 26, 1963, p. 25.

\textsuperscript{12} There are several possible explanations of the paradox. The spokesmen of the boycott have been middle class Negroes. The Harlem Parents Committee with more characteristic lower-class leadership placed their emphasis on quality schools. But though the Committee had an important part in the boycotts it has not been treated as the boycott's spokesman. Northern Student Movement News-Observer, March 13, 1964, p. 3, col. 1. Further, and perhaps more important, the lower class Negro is militant. And the school boycott, whatever its demands, is seen on that count as deserving support.

\textsuperscript{13} Pp. 96-106.

\textsuperscript{13} Pp. 116-17.
restraining expectations, by holding them to realistic and manageable proportions. The fear is that a revolution of rising expectations may become the revolution of rising frustrations. There is increasingly the fear of violence. There is more and more acutely manifest the possibility of "white backlash." The dilemma is to reconcile Negro demands and white fears and in the process to accelerate change. As Thompson writes, "The problems presented ... by the status advance of the Negro count as practically nothing compared with the problems that would be presented by his failure to advance both in status and material change."15

The necessity of coalition is often invoked by public officials and by the press. Most often, however, it has been invoked to temper the tactics and, sometimes, the demands of the civil rights movement. Less often, affirmatively to urge a program upon public institutions. To be sure, the churches, labor, and civil rights organizations are working in tandem to secure passage of the Civil Rights Bill. The difficulty is that the Civil Rights Bill is addressed to the circumstances of the South a year or two ago. It has little relevance to the present circumstances in Northern cities. It will be an important victory but it is just one battle. Beyond the Civil Rights Bill there is as yet very little articulation in any quarter of what an alliance might be about.16

Coalition requires common interests arising from a condition of common concern. If there is to be such a common concern, the condition which provokes it must be generally perceived. In some sectors of the popular press there has been remarkable attention to the conditions of poverty. Because of the structural bias of newspapers to focus upon discrete crises, however, there is little public appreciation of the constant crisis that afflicts a Negro in Mississippi or in New York. Very seldom, for example, have the militant acts of the movement been reported in the context of these conditions. The circumstances of the Negro in Harlem and Bedford-Stuyvesant are not reported side by side with news of the Triborough Bridge sitdown, the stall-in, or the boycott. And the statements of public officials in response to such acts are reported selectively: the headline goes to the official's criticism of the acts, not to his recognition of the conditions that provoke them.17 Of the constant crisis in the South,

14. John Frank, at 89-90; Donald Matthews and James Prothro, at 146; Allan Sindler, at 232.
15. P. 116, with a concurrence by Allan Sindler, at 226.
16. One exception is Walter Reuther's call to many varied organizations to gather in a National Citizens Crusade Against Poverty. N.Y. Times, April 19, 1964, p. 50, col. 6.
17. Henry Fielding, on the eve of the Industrial Revolution, noted the propensity for selective observation:

The sufferings of the poor are less observed than their misdeeds ... They starve, and freeze, and rot among themselves, but they beg, and steal, and rob among their betters.

often there is no reporting at all. The murder of Lewis Allen in Liberty, Mississippi remains largely unnoticed in the Northern press.\textsuperscript{18} Three other Negroes were murdered in Wilkinson County, Mississippi in December; another in Adams County in March. And the Northern press has not reported it.\textsuperscript{18} The result, in Bob Moses' phrase,\textsuperscript{20} is ignorance born of silence, and silence born of ignorance.

In part because the public does not appreciate the conditions that beset the Negro, there is little tolerance among erstwhile sympathetic liberals for the recent dramatic acts of the movement. What were "civil rights demonstrations" in the South are now in the North pejoratively called "civil disobedience."\textsuperscript{21} Yet it was Sam Adams, himself not a very respectable character, who threw the tea into the harbor and established the Boston Tea Party as a symbol of the American Revolution. The pickets of the feminist movement, chained to the White House fence, and the sitdowns of the labor movement are in the same demonstrative tradition. Either the public has forgotten this history, or the public is uncertain that the present conflict will take a similar happy course. Such uncertainty is an inevitable part of any conflict, but so far as this conflict can be located in a tradition, the uncertainty can be diminished.\textsuperscript{22} It may then be easier to respond to the question of the old movement song: "Which side are you on, boys, which side are you on?" In any case, the history of social change holds some lessons. The feminists burning effigies and "obstructing traffic" were cautioned, as the Negroes are now cautioned, that their militance would jeopardize their cause. That is not what happened; they prevailed. There is even precedent in democratic societies for the success of some violence in winning social change without destroying the democracy.\textsuperscript{23} It is not necessary that we be committed to order alone, we may also be committed to justice.

Mississippi provides the fullest illustration of the state of the nation and the state of the movement. Mississippi is poor, white and black. Its schools have few resources. Nearly half of its citizens are denied the vote. Its politicians respond to the needs of its people as through a looking glass. Its courts are

\textsuperscript{18} It was reported in one edition of the N.Y. Times, Feb. 2, 1964, at p. 65, col. 2—though in neither the City Edition nor the Late City Edition. A photostatic copy of the seven paragraph article which appeared in an intermediate edition is on file in the Yale Law Library.

\textsuperscript{19} A report by Claude Silton, finally published on Memorial Day, does allude to the murders. Strangely, the theme of the article is the fear that violence \textit{will} break out. N.Y. Times, May 30, 1964, p. 1, col. 1, and p. 25, col. 1-4.

\textsuperscript{20} Bob Moses, a SNCC field worker and director of the Council of Federated Organizations in Mississippi, is the subject of Fischer, \textit{A Small Band of Practical Heroes}, Harper's Magazine, Oct. 1963, p. 16.

\textsuperscript{21} See the comments collected in N.Y. Times, April 19, 1964, § 4, p. 9, col. 3.

\textsuperscript{22} For the beginnings of a theory of community controversy, see Coleman, \textit{Community Conflict} (1957).

\textsuperscript{23} \textit{Hamburger, James Mill and the Art of Revolution} (1963). Hamburger describes the success of Mill and other reformers in manipulating violence and the threat of violence to secure from Parliament the electoral reforms of 1832.
closed. Its lawyers, unavailable. Its press portrays an unreal world. Men of wisdom are silent. Mississippi is unique in its extremes, but it is not unique. For four years the civil rights movement has been at work in Mississippi. It has confronted the fears of generations of Negroes to bring them to some hope and to participation. Sit-ins, marches, freedom schools, attempts at voter registration. This summer, aided by a corps of 1,000 students from other states, the freedom schools will teach literacy and constitutional history. Food will be distributed, medical clinics staffed. Law students will gather affidavits, prepare cases, and negotiate with police. In the course of a Freedom Vote by disfranchised citizens in the primary and general elections of 1963, the movement made contact with people in every county. This summer the same citizens will gather in precinct, county, and, finally, in state convention to select and instruct an integrated delegation to the 1964 Democratic National Convention. The delegation will seek accreditation as Mississippi's Free Democratic Party in Atlantic City in August. And in Mississippi Negroes will run for Congress and even for the Senate. No one can say that the movement has won in Mississippi or even that it will soon win. But it has succeeded there as it has succeeded nowhere else in defining itself and its goals. In Mississippi the movement has realized that a few jobs in a department store, a few students at the University, a few Negroes registered are not enough. In the face of poverty, many new jobs are needed, not just equal access to present jobs. In the midst of illiteracy, many, many resources must be committed to education. Having the vote is not enough, there must be candidates who will be responsive, there must be voters who are articulate, political programs must be relevant and real. The legal process must be effectively available to the most poor, with equal access to the loan funds of the Small Business Administration, the surplus food supply of the Agriculture Department, the training programs of the Office of Manpower and Training, and the accommodations supported by the Public Housing Administration. And in all likelihood all of these programs must be richer and more substantial, and others like them created.

It is possible to perceive in the reapportionment decisions and in the various experiments to put the use of the law and the courts within the capacity of the poor the beginnings of the structural change necessary to bring the many invisible poor effectively within the public system. It is possible to see in Senator J. William Fulbright's second speech, at the University of North Carolina, the hope of some change in our public priorities. The War on Poverty may yet take on the character of a real war, with full mobilization,

24. This Summer's efforts in Mississippi will involve a coalition of sorts. In addition to the civil rights organizations and college and graduate students, the National Council of Churches, the Law Students Civil Rights Research Council, and the recently formed Lawyers Constitutional Defense Committee will participate. N.Y. Times, May 17, 1964, p. 66, col. 1; N.Y. Times, May 21, 1964, p. 26, col. 1.

strategic planning, and unremitting effort. Short of that the movement will not have won anywhere; change will not have been change enough.

Social change is not a phrase nor is it a phenomenon that social scientists are used to confronting boldly or directly. For this reason Change in the Contemporary South is an unusual book. The several essays demonstrate what should need little demonstration — the relevance of the academic disciplines. An historian surveys cultural change as it is reflected in the literature of the South. An economist traces the demographic and economic change of two decades. A lawyer, the legal developments. A sociologist, status patterns. Two political scientists and another sociologist probe the questions of party allegiance and realignment. The book’s finest essay offers a comprehensive summary of Negro voter registration and a precise statement of the bearing of white and black education, income, religion, and history on the level of formal Negro political participation. It is a curiosity that a book about change otherwise pays so little attention to the civil rights movement. The movement might serve to test and elaborate much of present social science — theories of power, influence and leadership, of group process, of political parties, of motivation, perception, and attitude change. At the same time the attention of academic men might yield much information and many perspectives useful to the movement and to the public. The essays together give ground for the hope that universities will take a significant place in the present social revolution. But since the book is only a beginning, it is just a hope.

THOMAS K. GILHOOL†

26. The authors of the last mentioned essay are Donald R. Matthews and James W. Prothro (North Carolina). The other essays were written, respectively from the beginning, by Thomas D. Clark (Kentucky), Joseph J. Spengler (Duke), John P. Frank (formerly Yale Law School), Edgar T. Thompson (Duke) and Robert J. Steamer (Lake Forest), Donald S. Strong (Alabama) and Philip E. Converse (Michigan). The Epilogue is the editor’s, Allan P. Sindler (Duke).

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