temperate attacks have evoked a number of intemperate responses from the less disciplined members of the Southern community. The result is that a tremendous amount of ill-will and resentment has been generated, not only between blacks and whites, but between members of the white race who hold different views on this troublesome subject. If this atmosphere continues, the issue that has been forced upon the South may find no acceptable solution in our time. I am convinced that there are, among the white people of the South, as many persons with a sense of decency, with a love for fair dealing, and with an understanding of the Christian teaching as are to be found in any group of comparable size elsewhere in the country. These are the people who in the end will have to solve this problem. Their task is being made much more difficult by their antagonists, who seem to regard them as deficient in all the great qualities of heart and mind.

The South recognizes the race problem as one of the greatest magnitude. It does not regard it as arising simply out of the prejudices of men of different color. It considers race to be a fact, just as sex is a fact. It is not moved by the off-hand assertion that science can discover no differences among races. It holds that there **are** differences among races, that those differences cannot be eliminated except by amalgamation of blood, that this is not desirable from the viewpoint of any race, and that if two races are to live happily together in the same region, each must know the bounds within which it can function without being offensive to the other. Rules establishing such bounds are to be found in every society containing discrete elements. Some of them are embodied only in custom; some are expressed in the formal requirements of law. The one can be just as compulsory as the other. Often customary boundaries are colder and less human than those that are established in law, for the reason that they appear to depend more upon personal decision. There is a grand impersonality about the law that softens the impact of its requirements.

Now the Supreme Court has declared that the Southern states shall no longer embody in their law the boundaries that they have considered it desirable to maintain between the races. In the Brown case the court interpreted the legal requirement of separate schools as a denial of the right of Negroes to attend white schools, although the law equally denies the right of white children to attend Negro schools. The South has bitterly protested this decision as an exercise of power that the federal government does not possess. It finds no language in the constitution to justify such interference in the internal affairs of the states. "Equal protection of the law," upon which the court relied, covers the protection of person and property against the depredations of others. The phrase cannot be stretched to include a right to be educated side by side with other persons who desire to be educated separately. It is no instrument for forcing the association of persons against their will. Under cover of this phrase, however, the court has ruled in effect that people have a vested interest in associating with others whether the others like it or not. Now a vested interest is a right that the state will enforce against all and sundry and without regard to their likes or dislikes. Its purpose is to protect people in the enjoyment of rights already acquired; it can not be employed as a means of bestowing rights.

Southern opposition to the court's decision cannot be dismissed as disrespect for law. It is the expression of an important judgment concerning the sort of government under which all, black and white, north and south, are likely to find it tolerable in the end to live. In the South's view, **the court** has shown disrespect for law by basing its decision on a sociological theory that is popular at the moment. The court quotes with approval the finding of a lower court that "Segregation . . . has a tendency . . . to deprive [Negro children] of some of the benefits they would receive in a racial(ly) integrated school system." Then the court says: "Whatever may have been the extent of psychological knowledge at the time of **Plessy v. Ferguson,** this finding is amply supported by modern authority." (p. 494) **Plessy v. Ferguson** was the 1896 case in which the court held that equal but separate facilities met all the requirements of the law. There is no contention that the law has changed since that time; only that our "psychological knowledge" has changed. Among the authorities cited by the court are: K. B. Clark, **Effect of Prejudice and Discrimination on Personality Development,** Midcentury White House Conference on Children and Youth, 1950; Witmer and Kotinsky, **Personality in the Making,** 1952; Deutscher and Chein, **The Psychological Effects of Enforced Segregation; A Survey of Social Science Opinion, 1948.**

Thus lightly does the court turn over the making of law to Social Science Opinion and the writers of books on psychology. And if to one kind of opinion or to one group of writers, why not to another? Some have already insisted that the writers of political textbooks have been consulted. Certain it is that the prestige of the court south of the Potomac is not enhanced when the Vice-President of the United States publicly takes credit, on behalf of his party, for the court's decision. "Speaking for a unanimous court," Mr. Nixon is reported to have said, "a great Republican Chief Justice, Earl Warren, has ordered an end to racial segregation in the nation's public schools." You may put the commas in that wherever you like, but they won't drive the politics out. The phrase "the nation's public schools" has a sinister implication. Under the court's decision the schools would no longer be North Carolina's or Georgia's or Mississippi's.

In its opinion the court held that even though "buildings, curricula, qualifications and salaries of teachers, and other 'tangible' factors" are equal, the Negroes are denied equal opportunity unless they can go to the same schools with white children. In other words, there is no objective test of equality in schools. There is something that the white children bring to their schools that the Negroes cannot bring to theirs. It is nowhere asserted that white children cannot get a good education without attending Negro schools. This is a very clear compliment to the white man's culture. Referring to its own decision in the Sweatt case, the court said: ". . . in the finding that a segregated law school for Negroes could not provide them equal educational opportunities, this court relied in large part on 'those qualities which are incapable of objective measurement but which make for greatness in a law school.'" (p. 493) If one wishes to put the matter that way, one might go on and say that no power on earth can provide the Negroes with equal educational opportunities. What can these immeasurable qualities that make for greatness be, but the sum-total of all that the long history of the white man enables him to bring to the support of his endeavors?

The court stressed the contention that the members of a minority who must attend separate schools develop a sense of inferiority. But the mere fact of being in a minority does not lead to a sense of inferiority. The Jews are a minority, and they have been subjected to a good deal of social differentiation, but they give no evidence of any feeling of inferiority. On the contrary, they are fully aware of their intellectual powers and their business acumen and are conscious of the proud spiritual heritage that they bear.

Here we come face to face with a fact that sets limits to anything that we can do in the premises. The Negro in America is in a sense a displaced person. He brought with him to this land only the most primitive type of culture and one that was bound to be obliterated in contact with the advanced civilization of the white man. In these circumstances the Negro could do nothing but appropriate and adapt the white man's culture to the best of his ability. In this process he has had the sympathetic help of a host of white Southerners, and he will continue to have it. But no man can bestow upon him an inheritance that is not his. However willing we are to share it with him, there is a sense in which it must remain ours and not his. The Pilgrim fathers can never be his fathers; the signers of the Declaration can never be his ancestors. Whether he attends mixed schools or separate schools, it will be another's culture that he is striving to appropriate.

The confusion of our age is revealed in the fact that the advocates of mixed schools cite the immeasurable qualities that make for greatness as something that is being withheld from the Negroes, while at the same time they belittle the white man's culture as a thing not worthy of the loyalty of its custodians. On the one hand we are told that Negroes should be allowed a more intimate association in order that they may better acquire what the white man already has; on the other, we are told that the white man's civilization can no longer be seen through the prejudiced eyes of our fathers as having unique qualities that ought to be preserved. The second of these attitudes has been carried to the point where Professor Richard M. Weaver of the University of Chicago can assert that we are an impious people, having lost respect for all that went before us. And a recent reviewer, writing in the new **National Weekly** suggests that we are "systematically instilling into the adolescent mind contempt for the traditional culture of Western man." (Dec. 14, 1955, p. 25)

If there is such a contempt, it arises, I think, from the fact that we regard our vast production of economic goods as the most brilliant achievement of our culture. When I say "we," I mean the American people as a whole—the observation is less ap-