

New Period — New Challenges

Let us review some of the gains made up to now.

When we speak of gains, we must speak of them not only in terms of concrete achievements, but also in terms of potential achievements. Thus, in respect to overcoming the deep, historically-ingrained ideology of white supremacy tremendous strides have been made. Americans have generally speaking been made more conscious and aware of the plight of the American Negro. Moral indignation among American whites at the most flagrant violations of human decency has risen to an all-time high. Here, one does not refer to the increased terror in both the North and the South, but rather to the general attitude, and in this respect most Americans are horrified about the brutal treatment of the Negro.

The building of this kind of a climate is in itself an achievement of no small dimensions. The area in which gains have been greatest has been through the legal branch of the government and through some legislative and administrative branches of government at a state and city level. In respect to the legal branch of government, the judiciary, the Supreme Court has made numerous decisions of a positive nature; and even if these decisions in all instances have not been implemented, the fact that such decisions were made is of great importance. For example, the Supreme Court's ruling on desegregation in 1954; its ruling a few months later to implement its previous decision, a ruling which called upon Federal judiciaries to act with "all deliberate speed"; and now, the Tennessee ruling that the gerrymandering process of the South is violative of the 14th Amendment and denies citizens equal protection under the law. While this judgment was rendered in a case that came before the Court from Tennessee, the Court ruling in the Tennessee case affects all other states. Thus, the Court's ruling is of historic significance for the progress of the whole nation.

Between these rulings, which go to the very heart of the Negro question in the United States, the Court has made other rulings which have helped bolster its general approach. But there have also been cases where the Supreme Court has made rulings contrary to its own general position.

At the State level, progress has been made not only through the judiciary, but also through the legislative and administrative branches of government. At the opening of the decade of the sixties, a total of 28 states and the District of Columbia presently have laws specifically prohibiting discrimination because of race, creed, color or national origin in one or more of these fields: public accommodations, employment, housing, education, health and welfare. There is considerable variation between states as to the areas presently covered by these anti-discrimination laws. Also, there is considerable variation in the laws within any given area, including some which are merely general statements of non-discriminatory policy. In many states these laws were legislated long before the period now under review. Nonetheless, in the areas of public housing and job discrimination there have been important gains and in a number of states and cities, governors and mayors have established commissions on human rights, some of which have made meaningful contributions. In this respect, at a conference held in April 1960, in the state of Wisconsin, over fifty organizations were invited to send delegates. The Governor's Commission on Human Rights, in planning for that conference, did an unusually effective job in preparing material upon which the delegates could make constructive proposals. Thus on the statute books in Wisconsin there are laws dealing with various aspects of discrimination including public accommodations — amended and strengthened in 1959 — civil service, national guard, teachers, public schools, veterans' housing authority, housing authorities, urban re-development, blighted area law, restrictive covenants, migrants camps, education for migrant children — adopted 1959 — and a non-discrimination state contracts, also 1959. Clearly, the State of Wisconsin strengthened both its administrative and legislative approaches to the civil rights question.

Progress in Fight Against Jim Crow

Another positive factor has been the progress in governmental patronage and in areas of employment through civil service.

The total of non-white workers in federal, state and local government rose from 214,000 in 1940 to 845,000 in 1959. This