Freedom

"Where one is enslaved, all are in chains!"

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Here's My Story

By PAUL ROBESON

Civil Rights in '54 Depends on the Fight Against McCarthyism

THE PLACING OF THE ISSUE of segregation in education before the Supreme Court represents a magnificent stride forward in the long battle of Negro Americans for full equality. It seems to me difficult to speculate as to how the Court will decide. Certainly if the Court acts in accordance with the demands of democracy and the needs of the whole Southern people—colored and white—it will strike down segregation unconditionally and immediately.

Who will say that the Southern people, who maintained unsegregated school systems during the Reconstruction period, will not support them in 1954? In the final analysis the people—not the nine justices—are the court of last resort.

However, the still-powerful sections of the Dixiecrats are girding themselves for final struggle. The Byrnes' and Talmadges, in fact the Council of Southern Governors, seem to me to be heading toward a major battle on the whole front of our right to first class citizenship, somewhat in the tradition of Henry Clay and his stubborn defense of the theory of "states' rights." The fight will still go on, especially in the South, where the bulk of our people live.

WHETHER CIVIL RIGHTS bills will be passed in the coming session of Congress will depend not on the oft-heralded "good intentions" of Eisenhower, or the election-year promises of Congressmen, but on the degree to which the Negro people, labor, the poor farm population, and all lovers of democracy make an earnest, united and irresistable demand.

We must not forget that the whole civil rights program—for voting righs in the South, for the right of our people to work and to full opportunities for advancement through adequate federal fair employment practices legislation, for the right to full protection of our very lives in states like Florida, the

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Freedom

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The Issue Before the Court—Segregated Schools Must Go!

Teacher, Why Can't We Go to the GOOD School, Too?

By HARRIET BOURNE

The decision on what to do with the hot potato that the United States Supreme Court is now tossing about in agony is bound to be favorable to this country, whichever way it goes. This is the opinion of many scholars, lawyers, and just plain Joe Doakeses, who are familiar with the issues in the five cases involving Jim Crow elementary schools, upon which the Court heard final arguments on December 7.

For what is good for this country's fifteen million Negroes is good for the country—with NO apologies to Secretary of Defense Charles E. Wilson.

The extraordinary importance of the tribunal's pending ruling is an issue that it has not faced squarely in all of the cases brought before it since 1896: whether segregation as such is unconstitutional; whether the separate-but-equal doctrine, established by the Court nearly a century ago and adhered to in the main since that time, is discriminatory and thereby violates the Fifth or Fourteenth Amendments.

Some States Are Frantic

Already the die-hard Southern States, led by Herman Talmadge's Georgia, and James F. Byrnes' South Carolina, are frantically passing laws, and proposing amendments to their constitutions to circumvent integration by abolishing their public school systems, and, in some cases, fast appropriating funds toward "equalizing" expenditures per pupil.

South Carolina's legislators have discussed selling or leasing its public schools to private concerns and subsidizing each pupil by paying them something like $200 per year for educational expenses. Georgia has approved two measures: one which would authorize "private" schools by taxation, and the other to provide for grants to citizens for education in these schools.

Alabama has put forward the Compact Clause plan, whereby the Jim Crow States would contract with each other to take over each other's schools and collect from each other, or something just as nebulous and silly. Other States have warned that they

(Continued on Page 2)

PORTERS, WAITERS, RED CAPS INVOLVED

Fight Against R. R. Bias Looms in '54

By John H. Jones

We have seen in preceding articles, how the railroads fostered and profited from the Jim Crow policies of the operating brotherhoods in driving Negroes from the industry. And we have seen how the government through the old National Railroad Administration and subsequently by Act of Congress and the present Railroad Labor Adjustment Board have sponsored policies that backed up the railroads' and Jim Crow Brotherhoods' anti-Negro drives against the operating workers.

But more than this we have seen how during World War II these anti-Negro policies menaced the security of the country by blocking the total mobilization of the railroads' capacity to carry materials for the defeat of the fascists in Europe and Asia.

Aside from these conditions the same or worse exists among the little known non-operating workers where the greatest number of Negroes work as roundhouse and track laborers; freight handlers; car cleaners; laundry workers; red caps; station porters and sleeping, parlor, and chair car porters; and dining car waiters.

As late as 1949 only two per cent of the road service jobs were held by Negroes whereas in 1910, ninety per cent of these jobs were held by Negroes. And out of the more than 35,000 telegraph operators less than 35 are Negroes.

But the history of the struggle by the Negro workers has been a long and hard fought one and as 1954 begins it promises to pick up speed and win some really substantial victories.

Porters & Waiters Organize

The fight made by the Brotherhood of Sleeping Car Porters for the right to organize Negro porters and to even win a charter from the Jim Crow-ridden AFL marked an early phase in the struggle of Negro railroad workers.

Most recently the victory of the Food and Dining Car Workers Union on the Pennsylvania R. R. over the combined might of the Jim Crow AFL union and a CIO organizing drive delivered a jarring blow to company and union discrimination. By a vote of 1,403 to 702 for the AFL and 99 for the CIO the Pennsy dining car workers resolutely showed the companies that Negroes in the industry were determined to stop the campaign to drive them from railroading—and moreover to win better conditions, upgrading and better pay.

Many of the roads are replacing Negro men with 25 years experience with young white women, while on the Northwestern Negro bartenders are being replaced by whites from the AFL Bartenders Union. This is a trend being fought by the new union.

Union Gets Results

Among some of the improvements that the new union won on the Pennsy was a ceiling on the number of persons a

(Continued on Page 4)

The Issue Before the Court—Jim Crow Schools Mus

(Continued from page 1)

simply will not abide by a ruling. These die-hard states are grasping at the proverbial straw, as they did when the Supreme Court outlawed segregated primaries and they sought to get around the ruling by setting up their political parties as private clubs in order to keep Negroes from registering. This plan was knocked out by the Court.

The five cases before the Court all involve elementary schools in Virginia, Kansas, Delaware, South Carolina, and the District of Columbia. They were started in 1950 and 1951 by Negroes who sought to enter their children in certain lily-white secondary and elementary schools.

District of Columbia Case Differs

The four State cases are argued and financed by the NAACP, while the one in the District of Columbia is sponsored and financed by a private organization, the Consolidated Parents Group, Inc., which organized for the purpose. It has raised funds for the prosecution of the case and Washington lawyers are donating their services.

The four States base their arguments on the Fourteenth Amendment, contending that segregation **as such** is discrimination and a violation of the equal protection clause of this amendment. The District of Columbia case uses the Fifth Amendment, contending that the Negro pupils are deprived of their liberty and rights without due process of law, since this is federal territory and Congress has never passed a law **compelling** separation of the races there.

The Washington case is especially interesting because of its federal status and the lack of an explicit law compelling segregation. A number of cases against the separate school system have been before the courts, but the Board of Education, which has always championed segregation, has heretofore won out on their argument that the Organic Act passed by Congress in 1864 authorized the separation of the races in public schools.

Lawyers fighting segregated schools there contend that this act merely **permits** separate schools, that it originally provided only that **suitable** schools should be provided for the training of Negro pupils. School officials in Washington boast that sums spent on Negro schools are equal to those spent on whites, that the funds are appropriated in proportion to the racial population, and that the Negro schools are conducted in the same manner as the white.

They point to the fact that the school board is composed of three Negro members to six whites, which is the ratio of Negroes in the population, and that funds are allocated in this proportion. In recent years, however, the ratio of Negro pupils to whites has been increasing for reasons that we shall not cite here.

Every school child and parent in Washington and its environs knows, however, that the vaunted separate-but-equal practice is far from being followed there, as is the case in practically all of the segregated States to date. Negro schools are more congested than white ones, the buildings are older and less adequate, and in many instances Negro pupils must travel longer distances to and from school, if they happen to live in predominantly white areas.

Procedure Unprecedented

Evidence of the heat of the potato that the Supreme Court has been tossing about for more than a year may be seen in the unprecedented length of time the cases have been before the Court. They were argued December, 1952, re-arguments were called for last June, postponed to October, and then to December, one year after the first hearings.

Another unusual procedure of the Court in scheduling the new arguments was a list of five odd questions the Court handed to the lawyers on both sides to answer in written briefs before December 7. In fact, some of the questions were so odd that some of the attorneys felt that they would be usurping the jurisdiction of the Court if they attempted to answer them.

The five questions posed by the High Court, in essence, requested the lawyers to do a little hindsight reading of the minds of the Congressmen and State legislators who formulated and passed on the Fourteenth Amendment to the Constitution in order to ascertain whether the former intended to abolish segregation in the schools; to decide whether it is in the power of the courts to abolish segregation; and if segregated schools should be abolished by the Supreme Court, to answer whether Negroes should be admitted to all schools now or at some future time, **and when**; and to reply to the question whether the Court should decide on the details of integration or give general directions to the States, and if so, **what directions.**

There is not space here to publish the five questions in detail, but to give a sample, we publish below verbatim the first two questions:

1) What evidence is there that the Congress which submitted and the State legislatures and conventions which ratified the Fourteenth Amendment contemplated or did not contemplate, understood or did not understand, that it would abolish segregation in public schools?

2) If neither the Congress in submitting nor the States in ratifying the Fourteenth Amendment understood that compliance with it would require the immediate abolition of segregation in public schools, was it nevertheless the understanding of the framers of the Amendment (a) that future Congresses might, in the exercise of their power under Section 5 of the Amendment, abolish such segregation, **or** (b) that it would be within the judicial power, in light of future conditions to construe the Amendment as abolishing such segregation of its own force?

In their replies to the questions posed by the tribunal, NAACP counsel listed evidence to prove that it was the intention of Congress in passing the Fourteenth Amendment to destroy all caste and color legislation; that it is within the power of the Court to rule segregated schools unconstitutional; and that the Court should call for the abolition of segregated schools immediately.

Both the Attorney Generals, under Truman's Democratic Administration and under Eisenhower's Republican Administration, have filed briefs with the Court. Former Attorney General James P. McGranery was more specific, pleading that the Court overturn the separate-but-equal doctrine, while Attorney General Brownell, in his brief, played both sides. The Pittsburgh Courier, which is pro-Republican, noted that Brownell's statement "looked at the controversy both ways."

Brownell set forth the sides, and did not adv ing the Court to dec No doubt to placate Negroe the Fourteenth Amendmen hibit all legislation by the basis of race or color."

Issue Not Faced

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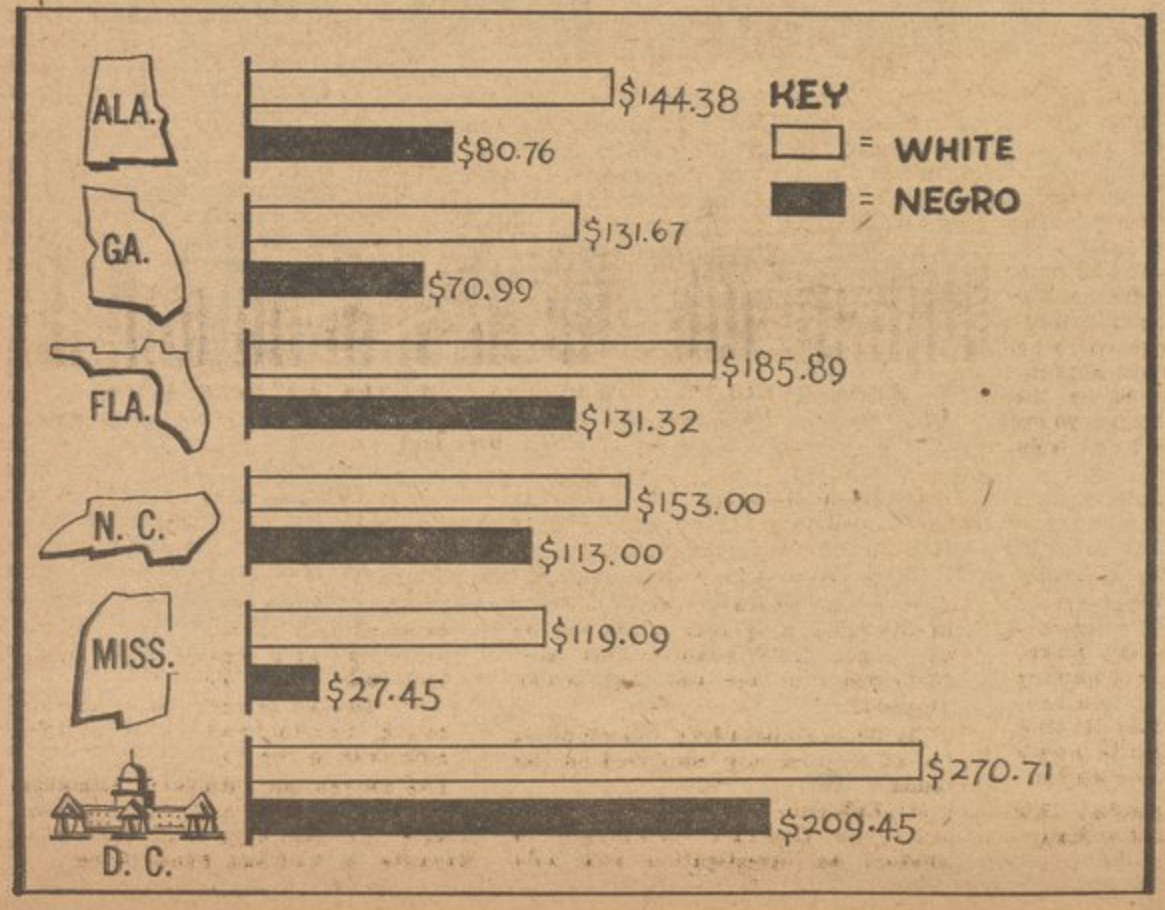
The People Demand: Open the

Southern 'Democracy' in Black & White

(Chart shows per pupil expenditures in six states and D. C., 1952)



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It's COLD in the Old School House

(These children are gathering wood and coal to heat up their North Carolina school room)

school of education of the University of Oklahoma, but had been forced to sit apart from the white students in the classroom behind a post that separated him from them.

It was decided by the Court that Mr. McLaurin could not be discriminated against in this manner, that he had to be accorded the same treatment as the white students.

When the Sweatt case was before the courts, the State of Texas set up a Negro law school to thwart a favorable ruling by the Court, but the Court held that there were certain factors not capable of being measured tangibly that prevented Heman Marion Sweatt from obtaining the same sort of legal training that he would receive at the (white) University of Texas, and that he must be accepted in the white State school.

Lawyers for the Negroes in the pending cases believe that the rulings in the latter two cases are important to the current ones, in that they came more nearly to outlawing segregation as such, in the first instance, and in killing the separate-but-equal theory in the second.

On the other side, the Southern States are mainly depending upon the ruling by the Supreme Court in the famous Plessy case, handed down in 1896. In this case, the separate-but-equal theory was launched. A Mr. Plessy sued to invalidate the Louisiana law requiring all railroad companies in the State to have separate, but equal accommodations for white and colored passengers.

He contended that he was seven-eights white and only one-eighth African, and that since his African blood was not discernible, he was entitled to every privilege accorded white citizens. The Court held that the Jim Crow law did not abridge his privileges or immunities, nor did it deprive him of his rights without due pprocess of law.

Benefits Already Obvious

In addition to making plans to violate a ruling outlawing segregated schools, spokesmen for a number of southern States have been using various other means to bring about a ruling in their favor. They predict violence throughout the South if Negroes are admitted to the same schools as whites. They predict that Negro teachers will lose their jobs and other dire consequences. But Negroes have shown no fear of these threats and are standing solidly behind the NAACP and The Consolidated Parents Group of Washington.

Already benefits have accrued to them from the pending suits. Southern States, in many instances, have made relatively rapid strides in improving educational facilities for Negroes, including new and better school buildings, equalization of teachers' salaries, admittance of Negroes to formerly lily-white graduate schools; and providing transportation for Negro children in rural areas.

There are seventeen States outside of the District of Columbia which have maintained segregated schools by law. During the past few years twelve Southern and border States have opened their schools of higher education, or, in the case of border states, integrated their public secondary and elementary schools. Numbers of private schools not heretofore integrated even below the Mason-Dixon Line, have recently admitted Negroes. In Topeka, Kans., and some sections of Delaware, States which are parties to the suit, Negroes have been admitted to the public elementary schools, and all except two counties in Arizona have followed suit.

Determined to press toward the goal which they see so near, Negroes have continued to file anti-segregation suits against school systems since the five cases have been pending before the Court. If the expected ruling does not completely abolish segregation in schools, they will not let up. They have just begun to fight. Nothing short of full equality will they accept, not only in schools, but in all public life.

Equality in Education? No Objections Here!

Robeson

(Continued from page 1)

scene of the Moore lynch-murders—this program was scuttled by the Eisenhower administration in the President's successful bid for Southern support. So our demands must not be narrowed, but broadened to include the whole of the Negro people in all-inclusive immediate demands for full citizenship.

And all of our demands will be most effective when they merge with the battle against the book-burning, thought control, "loyalty" purges, "spy" scares and character defamation which the Democrats started and the Republicans are carrying on to ominous lengths.

LET US REMEMBER that at one time in our national life the victims of hysteria were Jefferson and his colleagues, friends of the new revolutionary French republic of 1789. At another, the sufferers were Frederick Douglass, Harriet Tubman, William Lloyd Garrison, John Brown, fighters for our freedom. They happened to be abolitionists. Closer in time is 1920: the persecuted were the Socialists—men like Eugene Debs and Altgeld.

Proud inheritors of these magnificent traditions are men and women like Benjamin Davis of Georgia, James Jackson, Henry Winston, Claudia Jones, Elizabeth Gurley Flynn, Eugene Dennis, Pettis Perry and their colleagues. Our history—and especially the history of our people—teaches us that all liberties must be protected or there are none.

So today there is the overriding necessity to preserve our democratic heritage from the wholesale attacks of McCarthyism. McCarthyism is an American brand of fascism. If this administration, which is largely a political vehicle for the giant corporations and entrenched greed, embraces McCarthy fully, as it seems prone to do, then the outlook for the Negro people, labor, the foreign born and other minorities will be gloomy indeed.

BOOKS

THE NEGRO IN SOUTHERN AGRICULTURE, by Victor Perlo, International Publishers, New York, 128 pps, $1.75 clothbound, $1 paperbound.

Countless books, essays and other tracts have been written about the Negro and the South (Old and New) in recent years. Few have been as illuminating and hard-hitting as Victor Perlo's recently published "The Negro in Southern Agriculture." The author has accomplished the difficult task of interpreting the cold statistical facts of agricultural life as put down in the 1950 Census from six states of the old plantation South: North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana. His analysis proves conclusively that "the position of the Negro people in southern agriculture has not improved" despite "widespread propaganda pictures" of a new South in which the Negro people are gaining real freedom, modern industry growing, the old plantation system breaking up, sharecroppers becoming landowners, and the mule and the cotton patch yielding to mechanized diversified farming."

Indeed, the author shows that "the land-tenure system, worked out to train, supervise, and keep the Negro 'in his place' is now penalizing nearly twice as many Southern white farm families as Negro families and that the living standards of all tenants have not improved." Further, he states "it is equally important to recognize the systematic differences in the South, which have been established for the precise purpose of hiding that unity of interest" of Negro and white workers.

All of this is most important to know, since contrary to the illusion held by some, the mass migrations of Negroes out of the South, into the North and West have not alleviated the problems of the Negro people remaining in the South; nor have these migrations depleted the Negro population in the South. In 1950 there were 5,826,000 Negroes in the six states under review, comprising one third of the total population of these states. With agriculture still the leading industry of the South, it is peculiarly the leading industry of the Negro people. Roughly three out of five Negro people live in the country, and two out of five live on farms. Negro people, largely cut off from Jim Crow Southern industries, are limited "to agriculture in a way that does not apply to white people" the author tells us, since many white industrial workers in the South live on farms, but do not depend upon agriculture as their sole means of support as is true with Negroes.

Mr. Perlo staes further: "The Negro people, who supply most of the work in Southern agriculture, have little stake in the fruits of their labor." They are officially reported as comprising 45.9% of all people employed in agriculture in the six southern states studied. They operate 33.2 per cent of the farms, which account for 24.5 per cent of the value of farm products sold and contain but 16.5 per cent of the total farm land. What is most striking of all, Negro farmers own only 6.5 per cent of the farm land in the six states.

"Negroes are 65.1 per cent of all croppers. But they are only 15.3 per cent of all full owners. The Negro owners have smaller farms, poorer in every respect than those of the white owners. Thus the average size of a Negro full owner farm in South Carolina is 51.1 acres, as compared wih 119.7 acres for a white full owner farm."

These and numerous other facts point to the truth of the author's statement that "the intensity of exploitation of Negro farmers has been increased since World War II. Getting rid of 'surplus' Negro sharecroppers, cutting down the land occupied by Negro farmers, the Southern landowners have put more pressure on the remaining Negro farmers, to get larger profit out of the smaller number."

In his conclusions, the author lays heavy stress upon the question of land reform as a main solution to the problems of all southern farm workers, both Negro and white, together with "legislation to improve the conditions of farm tenants and wage laborers."

We can wholeheartedly agree with Mr. Perlo when he states: "Land reform in the South will not be accomplished without taking serious steps to end discrimination in Southern industry," hence "the imperative need for a national Fair Employment Practices law with teeth." The author also calls for the organization of southern workers on a basis of full equality, and the prohibition of all special restrictions on voting in the southern states.

In his book, the author has made a distinct contribution to the arsenal of facts on the South needed by progressive and liberal forces, north and south, to understand the basic source of economic, social and political rot and decadence characteristic of the Jim Crow U. S. A.

—Thelma Dale

Railroads

(Continued from page 1)

waiter must serve. The Pennsy men have to serve only eight while on such roads as the Milwaukee they have to take from 10 to 16 at a time.

Early in September, 1953, representatives of three Eastern railroads and three unions pledged to end discrimination against Negroes after conferences with the State Commission Against Discrimination. Those represented were the Pennsylvania, New York Central, and New Haven and Hartford Railroads and the Order of Railway Conductors, the Brotherhood of Locomotive Firemen and Enginemen and the Brotherhood of Locomotive Engineers. A month later a Negro brakeman, the first in its history, was hired by the Pennsy—only a drop in the bottomless bucket of railroad Jim Crow, however.

Support Needed

The fight to win full job equality throughout the industry has really just begun. Such Negro unions in the operating and non-operating crafts as the Inter-state Order of Colored Locomotive and Railroad Firemen, Engine Helpers, Yard and Train Service Employees and Railroad Mechanics have long fought for the right to represent the grievance of Negro workers before the Railway Labor Board.

It has been a long uphill fight, but the Negro railroad workers have kept their determination to win the right to work and to advance according to their ability. Their battle deserves the active support of all trade unions and Americans who believe in fair play.

DON'T FORGET to Renew Your Sub

Stories for Children: Cinque Steered the 'Amistad' toward Freedom

Ka-lee clenched his fists. He was the thin one, 15, and next in age to the youngest of the 53 men, women and children stolen by the slave catchers.

Pugnaw, his nine-year-old friend, was being shackled. Ka-lee turned quickly to look at his mother. "They must not put their hands on her," he thought. But she looked at him, and here eyes were clear and fearless.

"Do not worry about me, my son," she said. "Come close. We can have a last moment together." Ka-lee bent down. As he put his arms around her she pressed something sharp and thin and cold close to his ankle. It was a steel file, a farewell gift from his mother. The chains would be cut away!

This was on the island of Cuba in 1839. The slave trade had been outlawed. But greedy and lazy rich men of the island broke the law with the help of the American ambassador.

Their agents were sent to Africa, where they burned whole villages and kidnapped farmers as they plowed their fields, women at the river washing clothes, children playing in the sun. Then the chains and the crowding together in the slave catchers' filthy ships and sailing thousands of miles to where—they did not know.

Cinque, 25, was the leader of this group that had been brought to Cuba. He thought of these things as he walked through the enclosure, chained to his friend, Gooma—of his wife at home, of his people, the proud Mandi.

"A Mandi will never be a slave," he thought and his step was a bit faster in spite of the chains. He remembered the file—the gift of Ka-lee's mother.

Their forced march was stopped for a moment at the landing, where a count was made to find out if all were there.

Then quickly they were pushed on board a long, narrow schooner. The "Amistad" was its name.

"The Long Black Schooner," by Emma Gelders Sterne, is the true story of the heroic fight of a free people to remain free and to return to their African homeland.

They capture the Amistad. But through the treachery of two slavers still on board they land in New London, Connecticut, instead of their Africa. There the slavers did everything in their power to enslave them. But Cinque and the rest were just as determined to remain free.

The fight to free them is led by James Covey, a British sailor, also of the Mandi people, by the abolitionists, by John Quincy Adams.

"The Long Black Schooner" should help stimulate more interest and curiosity about the background and culture of Negro people. Published by Aladdin Books (a division of the American Book Co.), it sells for less than $3 at your bookstore and will make the kind of gift for an early teen-ager which Mom and Dad will enjoy reading as well.