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FLORIDA WHITES AND THE BROWN DECISION OF 1954

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THE UNITED STATES Supreme Court delivered its epochal opinion in the case of *Brown* v. *Board of Education of Topeka* on May 17, 1954. Chief Justice Earl Warren, only recently confirmed by the senate, read the unanimous decision, which held that "in the field of public education the doctrine of 'separate but equal' has no place." The plaintiffs in the suit, subjected to racially segregated systems of education, were thereby "deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment." But then the court postponed implementing its decree to hear more arguments in the next session on the question of when and how segregation should end.[1]

In its direct application, the *Brown* case pertained only to Kansas, South Carolina, Virginia, and Delaware, the defendant states in the litigation. Clearly, though, the court's announcement that "segregation is a denial of the equal protection of the laws" encompassed all states that either required or permitted separate educations for blacks and whites.[2] Florida was such a state, supporting a dual school system in which contact between races was virtually non-existent.[3] During the 1953-1954 academic year 645,136 children attended publicly-supported schools in Florida. Of that number, 503,513 were whites and

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1. *Brown* v. *Board of Education of Topeka*, 347 U.S. 483-495 (1954); *Washington Post*, May 18, 1954; *New York Times*, May 18, 1954. See also *Congressional Quarterly* (June 4, 1954), 689-90; William Barry Furlong, "The Case of Linda Brown," *New York Times Magazine* (February 12, 1961), 63; Lee O. Garber, "Evolution in Judicial Thinking," *The Nation's Schools*, LIV (July 1954), 32, 80-84; Albert P. Blaustein and Clarence C. Ferguson, *Desegregation and the Law* (New Brunswick, 1957), 46-47; Thomas I. Emerson, David Haber, and Norman Dorsen, *Political and Civil Rights in the United States*, 2 vols. (Boston, 1967). II. 1615-21.
2. 347 U.S. 495.
3. *Florida Constitution* (1885), Art. XII, Sec. 12; *Florida Acts and Resolutions* (1895), 96; Florida State Department of Education, *Florida School Laws* (1955), 883.

142,623 blacks. Blacks comprised 22.1 per cent of the total school enrollment. There were, in addition, 19,963 white and 5,079 black teachers in the state.[4] A rapidly increasing population compounded the problem in Florida. Whereas the 1950 census had counted 2,771,305 inhabitants, the Florida State Board of Health estimated in 1954 that the number had climbed to 3,481,528.[5]

Florida made little, if any, preparation prior to May 17 for the possible invalidation of school segregation. One observer reported rather vaguely that the only steps taken in anticipation of the ruling dealt with "stocktaking and discussions on the philosophical level among state school officials and certain planning groups."[6] Members of the legislature avowed that they did not discuss preservation of the traditional school establishment at all during the 1953 session.[7]

Florida's initial reaction to the decree was mild.[8] Officials issued few denunciations of the type loudly shouted in neighboring states. Herman Talmadge, governor of nearby Georgia, charged that the court had "blatantly ignored all law and precedent and [had] usurped from the Congress and the people the power to amend the Constitution and from Congress the authority to make the laws of the land." Talmadge claimed that the constitution was now a "mere scrap of paper." United States Senator Richard B. Russell of Georgia called the *Brown* opinion "a flagrant abuse of judicial power."[9] No similar statement emanated from anyone in Florida government. According to one black commentator, one heard indistinct rumblings from

4. *Biennial Report of the Superintendent of Public Instruction of Florida* (1954), 14, 16.
5. H. S. Department of Commerce, *Historical Statistics of the United States, Colonial Times to 1957* (Washington, 1957), 12; Florida State Board of Health, *Florida Vital Statistics* (1954), iii.
6. *Southern School News*, September 3, 1954. Published monthly at Nashville, Tennessee, from September 1954, to June 1965, it contains data on the aftermath of the *Brown* decision. The reporter for Florida was Bert Collier, editorial writer for the *Miami Herald.* After discontinuing *Southern School News* in June 1965, the parent organization, the Southern Education Reporting Service, remained in existence until August 1969. See "Mission Accomplished," *Newsweek* (August 11, 1969), 38.
7. *Southern School News,* September 3, 1954.
8. *Ibid.*
9. *Atlanta Constitution,* May 18, 1954; *Southern School News,* September 3, 1954; *Congressional Quarterly* (May 21, 1954), 637; (June 4, 1954), 689.

"fringe areas," but most responsible sources received the decision as if they had expected it.[10]

Among the early responses to the court's action was that of the Florida Continuing Educational Council, a semi-official body of business and professional men established in 1932 by a resolution of the Florida Education Association to serve as a source of lay advice on educational problems. At a meeting attended by Attorney General Richard W. Ervin and Superintendent of Public Instruction Thomas D. Bailey the council resolved to use every legal means to delay desegregation of state schools. But council members did not favor closing schools; they agreed that "any attempt to do away with the public school system to circumvent the Supreme Court was unthinkable."[11]

Newspaper editorials represented an especially important form of reaction to the supreme court's edict. Nearly every journal in Florida commented on the matter, and generally, editorial remarks reflected restraint and reason. The *Orlando Sentinel* pointed out that the *Brown* decision was now the law of the land and should command obedience, even though the supreme court had not yet set up machinery for enforcing its verdict. How segregation would terminate remained to be decided later, and, the *Sentinel* forecast, it would take "some time to eliminate segregation no matter how unconstitutional."[12] "No surprise" the *St. Augustine Record* termed the desegregation order. It was "the most momentous judicial decision of our times and it . . . left the South with enormous social, economic and political questions to answer." The court's action would throw together black and white youth who would have to adjust to each other and solve problems which had already proved insoluble for the South's political leaders. Above all, desegregation must not become a political issue, and its coming must be attended by "reason and [regard for] the public's welfare."

10. R. W. Puryear, "Desegregation of Public Education in Florida– One Year Afterward," *Journal of Negro Education,* XXIV (Summer 1955), 220.
11. *Southern School News,* September 3, 1954; Florida Education Association, *History of the Florida Education Association, 1886-87 to 1956-57* (Tallahassee, 1958), 196; "Continuing Education Council Report on Segregation," *The Journal of the Florida Education Association,* XXXII (September 1954), 10.
12. *Orlando Sentinel,* May 18, 1954.

Because a final settlement was not yet in sight the greatest need at the moment was for "calm, deliberate thought."[13]

Sarasota's *Herald-Tribune* professed that the death of the "separate but equal" doctrine had been inevitable since the supreme court first began to produce "liberal" judicial interpretations in the days of Franklin D. Roosevelt's New Deal. The appointment of "left-of-center" Earl Warren as chief justice marked the decisive step which made reversal absolutely unavoidable. Now, not only was separation of the races illegal, but the whole concept of states rights might well be moribund. If an individual state did not have the final word in operating its schools, then it followed logically that the state did not possess ultimate authority in any other field.[14] In a somewhat fatalistic tone, the *Gainesville Daily Sun* predicted vast changes in school operations were coming "as surely as day follows night." Change was, in reality, the only choice. The *Sun* expressed its hope that the "new arrangements" would work out to the best advantage of all the state's citizens.[15]

The *Daily News* of Fort Lauderdale hopefully insisted that a segregated school system would continue in local Broward County "without running afoul of the Supreme Court decision." The journal based its optimism on an extant state law which provided that students attend schools nearest their homes. Because Florida had built black schools largely to serve only black residential areas, there was every reason to assume that desegregation would not be required. Then, the *Daily News* retreated and contradicted its own statements. "Whether southerners agree with the Supreme Court justices or not is a moot question," said the newspaper, "because there is no appeal from their decision and no likelihood of any change."[16] According to the *Fort Pierce News-Tribune,* the *Brown* opinion was not "unexpected." The justices, in declaring segregation unconstitutional, had rendered a "decision more radical, more sweeping in its implications, and more momentous in its actual application than any other during the present century." The court had ruled on the basis of a "concept of abstract and

13. *St. Augustine Record,* May 19, 1954.
14. *Sarasota Herald-Tribune,* May 20, 1954.
15. *Gainesville Daily Sun,* May 18, 1954.
16. *Fort Lauderdale Daily News,* May 18, 1954.

theoretical justice" which took no account of the "real and practical problems" the South confronted. Essentially, the supreme court had endeavored to "legislate a mode of human conduct," an exceptionally hazardous undertaking. And the tribunal had acted without regard to the "tremendous progress" the South had made in curing its racial ills.[17]

The *Florida Alligator,* student newspaper of the University of Florida, suggested that the one point everyone had overlooked in the aftermath of the *Brown* ruling was the "teacher's position." Large numbers of white teachers would probably refuse to instruct Negro students in mixed classes, thereby finding themselves forced out of their profession. This publication urged that the "words cautious and reserved. . . be considered with every action," and concluded, "this is not just another court ruling; it is history in the making and a law that will always stand for the world to see."[18] From Fort Myers, the *News-Press* foresaw that the *Brown* case augured "a great disruption" in all school systems practicing racial segregation. The publication cautioned that one could gain little by "hot-headed denunciations of the ruling or by rash proposals for defying it." Rather, the present crisis demanded "thoughtful study" to determine how the "inevitable disruption" might be minimized. As other newspapers did, the *News-Press* praised the court for not ordering immediate desegregation of southern schools.[19]

The *Daytona Beach Evening News* speculated that the decision had settled "for all time" the fate of public school segregation. The opinion was beneficial for all Americans; resistance to desegregation would bring only "loss of time, money and morale." Henceforth, administrators should plan public school systems "in conformity with the ruling." Those states which acted swiftly to desegregate would profit most; the losers would be those which lagged behind in opening white schools to black students.[20] DeLand's *Sun News* echoed the sentiments of other state newspapers. It stressed that even a cursory reading of the opinion made clear that no abrupt or extensive changes in education would occur. Therefore, this was not time for "oratorical

17. *Fort Pierce News Tribune,* May 20, 1954.
18. University of Florida, *The Florida Alligator,* May 21, 1954.
19. *Fort Myers News-Press,* May 18, 1954.
20. *Daytona Beach Evening News,* May 18, 1954.

fireworks." Nor should an extraordinary session of the legislature meet, for such a session would not possess sufficient information upon which to base a proper course of action. Rather, people at the present moment should talk little but think a great deal, and all should control any penchant for "impulsive speech or action."[21]

Clearwater's *Sun* propounded the thesis that the court, by overruling segregation, had created a social problem "worthy of the best minds of both Negro and white races in the South." The author of the editorial, calling himself "Colonel Clearwater," asserted that Pinellas County had an opportunity to get "ahead of the game" by fashioning a workable method to carry out desegregation. Defiance, on the other hand, would lead to calamity. Wrote "Colonel Clearwater": "As a parting thought, it occurs to me that if the South works out this problem intelligently, historians in years to come will consider the Supreme Court's ruling a great milestone in obliterating racial prejudice from the earth."[22] The *Palatka Daily News* declared that the court had long since abandoned "time tested legal concepts" to utilize "yardsticks of social desirability" in its decisions. Now, with the *Brown* opinion, the court had "really pulled one out of the hat." The South had made marvelous racial progress in the previous few years but not enough for the "professional white liberals and the professional Negro champions." The edict was bound to curb those advances, and it could therefore be only a "pyrrhic victory." The inequality of educational facilities would have been firm ground for the Brown opinion, "but to hold that because something is separate it is less than something else is asinine."[23]

Editorializing on the Brown case, the *Miami Daily News* reminded its readers of a speech which Superintendent of Public Instruction Bailey had made in Miami the previous April. Appearing before the state convention of the Florida Education Association, the superintendent had claimed that the litigation then pending before the supreme court would have no effect on Florida. Desegregation would commence in the state only after the passage of considerable time. Because of the dis-

21. *DeLand Sun News*, May 19, 1954.
22. *Clearwater Sun*, May 18, 1954.
23. *Palatka Daily News*, May 18, 1954.

tinct possibility of long delay in implementing the decision, the *Daily News* concluded, "Today the only reaction is one of calm."[24] The *Herald*, another Miami daily, described the decree as "sweeping, unanimous and unequivocal," and it noted that postponing the start of desegregation was acknowledgment of the complexity of the question. As for Florida, now that the court had determined the law, the state would adapt to its new situation "sanely, judiciously and humanely."[25]

St. Petersburg's *Times* believed that "this new concept. . . [was] not a difficult legal or social, or psychological theory to follow." White readers had only to consider the damage to their own "sense of self-confidence and security" if they too had suffered exclusion from certain schools and public facilities their entire lives. The supreme court had now realized that segregation harmed the dignity of those who were segregated, that it deprived them of "something just as real and valuable to them as property itself." Popular opinion in the last twenty years had cleared the way for the decision; indeed, popular opinion had made practicable a "massive rejection of the idea that segregation is compatible with American political, social, and religious ideas."[26] The Jacksonville *Florida Times-Union* insisted that the South could not resolve its racial problems in the near future, no matter what "abstract justice the court thinks may be achieved." No discernible shift in southern racial attitudes and no quick change in the South's existing biracial educational system would occur. Moreover, the true decision as to the practicality of desegregation rested with the people themselves. In the meantime, the *Times-Union* urged that Floridians confine themselves to "calm, deliberate thought."[27]

"[D]eplorable to the extent that it is disruptive of law, custom, and the social order in those states that have maintained segregation" was the *Tampa Morning Tribune*'s evaluation of the ruling. Yet, the *Tribune* admitted that careful perusal of the fourteenth amendment should suffice to convince anyone that the supreme court's action was inescapable. The

24. *Miami Daily News*, n.d., quoted in *St. Louis Post-Dispatch*, May 18, 1954.
25. *Miami Herald*, May 18, 1954.
26. *St. Petersburg Times*, May 18, 1954.
27. Jacksonville *Florida Times-Union*, May 19, 1954.

paper counseled "patience and moderation" in the hope that the South would achieve settlement of the issue more easily than seemed possible at the moment.[28] In Florida's capital, the Tallahassee *Democrat* remarked that the state had greeted the court's announcement of the illegality of segregation in a "spirit of thoughtful calm." The *Democrat* importuned Floridians to cooperate "in working out sound solutions to all problems presented in the spirit of calm common-sense so far in evidence throughout Florida."[29]

From these samples of editorial opinion it is obvious that the reactions of Florida newspapers to the desegregation edict were judicious. Five years after the May 17, 1954 decision, the United States Commission on Civil Rights made precisely that point, observing that "Southern papers generally applauded the wisdom of the Court in postponing its decision on the 'how' and 'when' of desegregation." Most editors sought calm, thoughtful consideration of the complex issues which the opinion raised.[30] That was clearly the case in Florida, where editors of the more influential daily newspapers refrained from arousing opposition to the *Brown* ruling.

Responses from other sources to the *Brown* case were as sober as those of state newspapers. For example, *Suntime*, a magazine devoted to promoting Florida tourism, noted simply that the segregation question had come to the boiling point in the South in *1954*. *Suntime*'s outlook was that the South should clear up the crisis itself, without what the publication called "outside interference."[31] The Florida Education Association, a professional organization representing most of the white public school teachers in the state, praised "the calm, investigative approach adopted by Florida on this [segregation] issue." Segregation was a "vital" problem, and the crisis which the Brown ruling had aroused was "real," but "rabble rousing" would provide no answer. The state's educational leaders had thus far confronted the emergency with "sanity," a development which demonstrated "the attainment of mature emotional

28. *Tampa Morning Tribune*, May 19, 1954.
29. *Tallahassee Democrat*, May 20, 1954.
30. U. S. Commission on Civil Rights, *Report of the United States Commission on Civil Rights*, 1959 (Washington, 1960), 163.
31. "An Old, Old Story," *Suntime*, VI (December 1954), 10.

attitudes"[32] The Florida Congress of Parents and Teachers in its 1954-1955 platform announced its support for "continuance of the public school system." It proposed "that problems attendant upon integration be solved through taking individual and local group responsibility for building the requisite understanding and emotional climate."[33] Mrs. C. Durwood Johnson, then president of the organization, warned that "citizens who believe in education must make no attempt to circumvent" the Brown decision; Florida's main requirement in meeting the new educational situation was time.[34]

Religious bodies likewise expressed their opinions of the court's action. The annual conference of the Florida Methodist church, meeting shortly after the court released its verdict, recognized the decision as constituting the "law of the land." A resolution declared that the edict provided the country with an answer to the "powerful propaganda weapon that has been used against us by the Communists." It would strengthen Christian missionaries working in foreign lands, and enhance the position of the United States in its search for world peace. The Methodists were aware that the decree's total implementation might consume many years, and they called for patience and good will. They particularly wanted all Christian churches to offer the constructive leadership now demanded.[35]

The Florida Presbyterian Synod's Division of Christian Relations recommended that trustees of colleges under its control drop all racial barriers in the admission of students, that ministers lead in forming interracial committees in their communities to "develop mutual understanding and good will," and that the Synod conform to the policy of the church's general assembly "that enforced segregation of the races is contrary to Christian theology and . . . the best Christian practices."[36] A splinter group of sixteen members, opposing these recommendations,

32. "Continuing Education Council Report on Segregation," 6.
33. "Article III, Section 6 of Proposed Platform for 1954-1955," *Florida Parent-Teacher,* XXVI (November 1954), 3; *St. Petersburg Times,* November 10, 1954.
34. *Ibid.,* October 4, 1954.
35. Methodist Church of the United States, Florida Conference, *Journal of the Sixteenth Session of the Florida Annual Conference of the Methodist Church* (Lakeland, June 9-13, 1954), 144.
36. Presbyterian Church in the United States, Synod of Florida, *Minutes of the Sixty-Fourth Annual Meeting* (Orlando, September 20-22, 1955), 33.

argued: "We believe the Bible teaches that God fashioned the hearts of all men alike; yet God made the races distinct. We further believe that since God made the races distinct it is proper to recognize race, striving for a Godly pride in, and purity of, races."[37]

While Florida's Protestant Episcopal Church did not specifically endorse the *Brown* ruling, the church at its annual council noted that the increasing complexity of race relations made imperative a wider knowledge of the church's teachings. Therefore, the council instructed its Department of Christian Social Relations to inaugurate a program of "guidance and education in the area of race relations."[38] The United Church Women in Florida, representing Episcopal, Methodist, Christian, Baptist, and Presbyterian denominations, favored the court's action and advocated Florida's participation in future action on desegregation.[39] The Florida Council of Churches, a body with membership from eight denominations, supported the court's action. It urged Floridians to adapt themselves to the national will as expressed in the court's opinion and cautioned against recognizing "artificial standards of race, nationality, or class which exist in society."[40] While the Disciples of Christ Assembly of Florida asserted that racial integration was a desirable goal which the church and its affiliated schools should pursue, it somewhat apprehensively voiced the fear that the end of segregation would be the death sentence for most church related schools.[41]

Among labor groups, the Florida Congress of Industrial Organizations advocated "common sense and good will" to permit an "orderly transition" in effecting desegregation. The body's annual convention pledged "to strive for economic equality, political equality, and an equal share of the facilities afforded by the community for all persons, regardless of race, religion, color or national origin."[42]

United States Senator George Smathers predicted that the

37. *Ibid., 34.*
38. Protestant Episcopal Church in the U.S.A., Florida Diocese, *Journal of the One Hundred and Twelfth Annual Council of the Diocese of Florida* (Jacksonville, January 25-27, 1955), 41,
39. *St. Petersburg Times,* September 22, 1954.
40. *Ibid.,* October 14, 1954.
41. *Ibid.,* October 31, 1954.
42. *Ibid.,* September 6, 1954.

decree would "have tremendous, far reaching results," and that it would be "wasteful" to attack the court's decision which had been reached unanimously. There was one bright spot in the crisis, as he saw it; the date for the start of desegregation was left open. The South could, of course, seek delay, but for the moment Smathers called for "calm, clear thinking": there must be no "hasty decisions, no inflammatory statements based on anger or resentment."[43] Senator Spessard Holland also urged "patience and moderation" and hoped there would "not be violent repercussions." "This is a new law," he cautioned, "make no mistake about it, and it appears to be final." He felt that rapid desegregation would hurt the 70,000 southern black teachers since it seemed likely that school boards would not engage Negro teachers to instruct mixed classes.[44]

Congressman Charles E. Bennett of Jacksonville advised calm and careful consideration. While he had favored segregated schools and had never regarded segregation with equal facilities as being unconstitutional, he predicted that "Florida and its citizens of both races" would be able to solve its problems.[45] Congressman Robert L. F. Sikes of Crestview called the ruling detrimental, and claimed that it would seriously impair the "orderly progress of southern education." Although he thought that the "good relations and mutual confidence now enjoyed between races may be set back a generation," he hoped "that states will find workable and satisfactory solutions, so children of both races may continue to be educated separately under conditions which are better for the South."[46]

When the court handed down the *Brown* opinion a hotly contested Democratic gubernatorial primary race was underway in Florida. The leading candidates, Acting Governor Charley Johns and State Senator LeRoy Collins, reacted, but they did not attempt to make the court's move an issue in the campaign.[47] Johns was in West Palm Beach when he learned of the decision. After conferring with G. Warren Sanchez, one of

43. *Tampa Morning Tribune,* May 18, 1954; *St. Petersburg Times,* May 18, 1954; *Congressional Record,* 83rd Cong., 2nd sess., C, Part 22, A5367-68.
44. Jacksonville *Florida Times-Union,* May 18, 1954; *St. Petersburg Times,* May 18, 1954; *Tampa Morning Tribune,* May 17, 1954; *Congressional Quarterly* (May 21, 1954), 637.
45. Jacksonville *Florida Times-Union,* May 18, 1954.
46. *Ibid.,* May 19, 1954.
47. *Southern School News,* September 3, 1954.

his advisors, he arranged a meeting of the state cabinet for the following day. He also dispatched a message to Attorney General Richard W. Ervin, instructing him to study the ruling and its application to the state. Johns indicated to the press that his inclination at the moment was to call an extraordinary session of the state legislature to consider the decree.[48]

Senator Collins was not so sparing with his commentary. He had stressed repeatedly during the campaign his support of segregation, regarding it as part of both custom and law in Florida. Moreover, he felt it the governor's duty under the state constitution to maintain segregation, and he pledged that if elected to use all legal power to keep the dual school system intact. He urged the governor to "call together the best brains in our state to study the situation and meet it calmly and properly– " while there was still time for such action.[49]

The most detailed responses to the decision among state officials came from Attorney General Ervin and Superintendent Bailey. While the latter saw nothing surprising in the development, he called for "sober and careful thinking together with planning untainted by hysteria." Most vital was continuation of the "phenomenal progress" which Florida schools had made in the previous decade. The supreme court, in all probability, would allow Florida time to prepare for desegregation. Rulings which would emerge during the next court session would naturally affect any plans the state might formulate. A few days later, in a more defiant mood, Bailey admonished: "The greatest danger we have isn't just the segregation issue. We have a lot of people down here who hate to be pushed around, whether the state or federal government is doing the pushing. If they give us time, it will work out."[50]

Attorney General Ervin remembered that the, *Brown* decision was not completely a surprise; he had already concluded that the "separate but equal" doctrine would be reversed, but he had thought the justices would rule that separate school

48. *Miami Herald,* May 18, 1954; *Washington Post,* May 19, 1954; Jacksonville *Florida Times-Union,* May 18, 1954; *St. Petersburg Times,* May 18, 1954.
49. *Tallahassee Democrat,* May 16, 18, 1954; Jacksonville *Florida Times-Union,* May 18, 1954.
50. *Miami Herald,* May 18, 1954; *Tallahassee Democrat,* May 17, 1954; Jacksonville *Florida Times-Union,* May 18, 23, 1954.

facilities could not be equal rather than base their decision on psychological grounds.[51] Ervin in 1954 stated publicly that he anticipated no immediate disruption of the educational system; he was confident of long delay before desegregation actually became effective. Such delay would allow Florida to argue the date and the conditions under which schools would desegregate.[52]

Ervin and Bailey later supplemented their individual statements with a joint press release. This statement reiterated much that had already been said, but it also noted that the court had invited state attorney generals to file briefs by October 1954, "in order to present the practical problems confronting the states." To prepare such a brief, school authorities, citizens groups, and legislative committees would need to make surveys and studies of the educational system. The findings would also serve as a guide for the 1955 legislature in its actions.[53]

There was little public reaction from state legislators. Only Representative F. W. Bedenbaugh of Lake City urged Acting Governor Johns to call the legislature into session "to formulate plans and pass laws necessary to retain segregation in public schools of the state of Florida."[54] Senator J. Emory Cross of Gainesville announced his opposition to efforts at abolishing segregation in public schools, and he promised his vigorous support for legislative measures to uphold segregation. Cross believed the majority of both races desired maintenance of the status quo; everyone, excepting minority group trouble-makers, would agree on the impossibility of legislating social equality or brotherhood or mutual respect between races.[55]

Representative Prentice P. Pruitt of Monticello later became the most outspoken legislative champion of a dual school system. As he remembered it the *Brown* decision came as no surprise. The supreme court's attitude toward racial questions had become obvious over the years. Pruitt saw no need for a special legislative session, and he doubted Acting Governor Johns's

51. Richard W. Erwin to author, January 27, 1967.
52. *St. Petersburg Times,* May 18, 1954; *Tallahassee Democrat,* May 17, 1954; Jacksonville *Florida Times-Union,* May 18, 1954.
53. *St. Petersburg Times,* May 18, 1954.
54. *Tampa Morning Tribune,* May 18, 1954; Jacksonville *Florida Times-Union,* May 18, 1954.
55. *St. Petersburg Times,* July 11, 1954.

ability to provide strong leadership even if there was such a session.[56]

J. Thomas Watson, former Democratic state attorney general and in 1954 a Republican candidate for governor, termed the ruling inapplicable to Florida. The supreme court, he contended, had often recognized the supremacy of state courts in deciding the validity of state constitutions. The tribunal had "given such state courts' interpretations supreme authority over the matter involved in that particular state."[57] Obviously Watson believed that the supreme court had now contradicted itself on segregation.

A single state officer, Chairman Hollis Rinehart of the Board of Control, which supervised the state university system, favored immediate desegregation. He predicted that the Brown opinion would affect every public school in the state, and he argued that Florida should prepare for the entry of Negro students into all levels of the white educational system. While emphasizing that he spoke only for himself, Rinehart argued that the state could desegregate without black citizens having to go to court, "providing white leaders take the necessary steps to cooperate." "Our state," he urged, should "face the issue squarely, honestly, and intelligently without litigation."[58]

The impression which emerges from this survey is that initially the reaction of Florida whites to the Brown case was less extreme than in many other southern states. One cannot avoid the conclusion that early responses were deceptive, that they were only surface manifestations, and that beneath the surface there existed a huge reservoir of potential resistance to desegregation. The passage of time proved that such resistance was a reality. As late as 1959 a committee engaged in drafting a proposed new constitution for Florida persisted in retaining the 1885 constitutional provision for racial segregation in schools.[59] Not until September 1959, did the first black children

56. Prentice P. Pruitt to author, January 31, 1967.
57. Jacksonville *Florida Times-Union,* May 19, 1954.
58. *Miami Herald,* May 18, 1954; *St. Petersburg Times,* May 18, 1954; Jacksonville *Florida Times-Union,* May 18, 1954; *Tallahassee Democrat,* May 18, 1954.
59. *Florida Constitution* (1885), Art. XII, Sec. 12. The proposal to leave the 1885 requirement unchanged is in Florida Special Constitution Advisory Committee to the Governor, *The 1959 Recommended Constitution* (Tallahassee, 1959), 9.

attend classes with whites in a public school– at Orchard Villa School in Miami. Even then desegregation was only token.[60] Florida had managed to delay even that meager beginning for five years. As a further measure of the strength of resistance, between 1954 and 1959 the Florida legislature approved twenty-one laws designed to keep public schools segregated.[61] Yet if Florida did not live up to its potential for moderation and for early compliance with the supreme court's order, it did stop short of the kind of massive resistance which developed in other southern states.[62]

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60. *Miami Herald,* September 9, 1959. See also *Florida Across the Threshold: The Administration of Governor LeRoy Collins, January 4, 1955-January 3, 1961* (Tallahassee, 1961), 54; *U. S. Commission on Civil Rights, Conference Before the United States Commission on Civil Rights, Gatlinburg, Tennessee, March 21-22, 1960* (Washington, 1960), 118-19.
61. Reed Sarratt, *The Ordeal of Desegregation: The First Decade* (New York, 1966), 357, 363.
62. For an excellent discussion of this point see Benjamin Muse, *Ten Years of Prelude: The Study of Integration Since the Supreme Court's 1954 Decision* (New York, 1964), 197-98.