

Speech delivered by, William J. Story, Jr.
Superintendent, South Norfolk City Schools
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I would not be presumptuous enough to say to the viewers of this program that I was trying to convince them of the righteousness of what the Governor advocates for public education. I believe it is sufficient to say that a great Governor and an eminent group of legislators are going to Richmond determined to preserve the inherent rights of the parents of Virginia, to send their children to separate schools. On their honor and their integrity I am quite willing to rest the case for Virginia.

However, since no issue more important has ever faced a general assembly, I should like to discuss with you the great problem that confronts our leaders.

Our country is governed by law not by men. Our founding fathers knew that men are fallible, that councils err, and that human nature requires certain restrictions. In order, therefore, for all to know and understand the nature of our Government, these laws, these restrictions, were placed in the Constitution where all could see, and all could understand. Certain rights were given to the Federal Government, certain duties were given to the Courts, certain rights to the states.

Before this Constitution was ratified, our liberty-loving fathers attached to this document a Bill of Rights; considerations dear to the people that had fought the tyranny of George III, and with strong English pride they declared for themselves rights that other Englishmen had won over the centuries and added to history a few that they themselves knew from bitter experience to be right and just. This Bill of Rights is dear to us, not only because of the rights granted to the individual citizens, but because we know that they came into being as a result of sacrifice and bloodshed long ago and far away.

All rights not specifically granted to the Federal Government are reserved to the states or to the people. Thus, the tenth amendment to the Constitution speaks to men who love freedom.

The right to worship freely, to free speech and press, are the important and dear considerations guaranteed to us by the first amendment.

The right to trial by jury was guaranteed by the seventh amendment. On the strength of this Constitution, on the energy and integrity of our people, America grew great.

From 1861 to 1865 a long and terrible war was fought to determine whether or not the tenth amendment of the Constitution gave states the right to secede from the Union. Two hundred and fifty thousand of the sons of the "Old South" gave up their lives to prove this to be true. The end came at Appomattox Court House. No longer did a state have the right to secede. Footsore and weary the Confederate soldiers turned southward with the full knowledge that though they had been defeated they left the field of battle with an honor and integrity that still rings through history. But the tenth amendment still remained an important part of our Constitution.

The fourteenth amendment was passed when the South was under military occupation. Northern bayonets kept in power and motley group of carpetbaggers, scalawags, and recently freed Negroes. Before a state could return to the Union this amendment had to be ratified. Puppet governments quickly ratified this amendment.

The fourteenth amendment stated, among other things, that all citizens shall have the equal protection of law. For nearly a hundred years it was considered right and proper for the states to decide whether or not they were to have integrated or separate schools. This same Congress that approved the fourteenth amendment approved separate schools for the District of Columbia. In 1867 it was considered right for states to decide whether they wanted separate or intergrated schools. In 1895 the Supreme Court affirmed this law. On several occasions after 1895 the Supreme Court reaffirmed these conceptions of the Constitution.

The Supreme Court has a right to interpret the Constitution. The Supreme Court has no right to make a new law or amend the Constitution. On May 17, 1954, the Court usurped powers rightfully belonging to the states and, in essence, amended the Constitution so that all states had to integrate the schools. Not only did the Court amend the Constitution, they have now assumed that they have the right to determine how this integration is going to be accomplished.

No new law has been passed. The Court has assumed a duty not given to it under the Constitution.

But what is even more disturbing about this decision is the manner in which it was made. A court usually makes its decision on the basis of law, or precedents, or witnesses. This Court cast aside all law, all precedent and made the decision on the basis of sociology and psychology. Is it possible for the viewers here to understand the implication of this decision? Are we from henceforth to be governed by the writers of books of sociology and psychology? Are the framers of the Constitution to be arbitrarily overthrown by wild, young professors of some new untried science?

If the Court had made this decision on the basis of books written by Washington, Jefferson, Lincoln, Woodrow Wilson, or Booker T. Washington, I would even then be disturbed, but these men are at least great statesmen, and great Americans. But when the Court changes a law of Virginia on the basis of a book written by a Swedish sociologist, a sociologist that in that book states that the Constitution has outworn its usefulness, the State has a complete duty to resist by every means available.

The question of integration becomes a secondary importance. The primary question is: Can the Supreme Court of the United States write a decision on the basis of books written by foreign experts and have such a decision supersede the laws of a Sovereign State? If it can, then the Court is all powerful and we have a government of men and not of law. Other books can be written. Books that might take away all of our precious rights.

I am sure that a sociological expert can be found that would write a book saying that Bill Story should not be allowed to talk that way, or that a certain newspaper should not be printed, or a certain church endured, and we will have lost our rights under the first amendment to the Constitution. There are people who might easily write a book that trial by a board of left-wing, liberal professors would be better than trial by jury and the seventh amendment will have been destroyed.

It seems to be that this generation of Virginians has, in a real sense, a rendezvous with destiny. For if the tenth amendment is to be destroyed by court action, the State of Virginia has lost all of its rights.

It is a part of the duty of the State of Virginia to protect its rights under the Constitution. For in so doing, we are protecting not only the rights of Virginia and the people therein, but we are protecting the rights of all the forty eight states and of all Americans everywhere.