

Whose Law?: State Sovereignty and the Integration of the University of Alabama

Topic: Civil Rights; Civic Education and Engagement

Grade Level: 9-12

Subject Area: US History; Civics and US Government

Time Required: 1-2 hours

Goals/Rationale

The Supreme Court's 1954 *Brown v. Board of Education* decision marked a significant milestone in the civil rights movement. The Court's ruling, however, did not immediately lead to the integration of public schools. Many states took years to desegregate their schools, and segregationist governors who presented integration as a tyrannical dictate of an overreaching federal government found strong support from white constituents. By framing the argument as a states' rights versus federal rights conflict, these segregationists argued that the Supreme Court ruling was unjust. The Kennedy administration contended that the decision of the Supreme Court was the law of the land--and that the rule of law must be obeyed.

Essential Question: When is a law just or unjust? If there are laws, rules, or codes of conduct in a society and they are in conflict, how does one decide which takes precedence?

Connection to Curriculum (Standards)

National History Standards - US History, Era 9: Postwar United States (1945 to early 1970s)
Standard 3: Domestic policies after World War II
Standard 4: The struggle for racial and gender equality and for the extension of civil liberties

Common Core State Standards

ELA College and Career Readiness Anchor Standards for Reading, Writing, Speaking and Listening, and Language
ELA – Reading Informational Texts, Writing, Speaking and Listening, Language, and Literacy in History/Social Studies for grades 9-10 and 11-12

C3 Framework for Social Studies State Standards

Discipline 1 - Developing questions and planning inquiries;
Discipline 2 - Applying disciplinary concepts and tools (History and Civics)
Discipline 3 - Evaluating sources and using evidence; and
Discipline 4 - Communicating conclusions and taking informed action

National Council of Teachers of English: Standards 1, 3, 5, 6

Massachusetts History and Social Science Framework

USII.T4: Defending democracy: the Cold War and civil rights at home
GOV.T2: Purposes, principles, and institutions of government in the United States
GOV.T3: Civil rights, human rights, and civil liberties

Massachusetts English Language Arts Framework

Reading, Writing, Speaking and Listening, and Language

Objectives

Students will:

- analyze primary sources.
- consider the idea of just and unjust laws.
- discuss the 10th and 14th Amendments to the Constitution of the United States and how they were invoked in civil rights conflicts of the early 1960s.
- analyze the arguments made by Governor Wallace to prevent the integration of the University of Alabama.
- analyze the arguments made by the Kennedy administration to enforce the court order to desegregate the University of Alabama.
- consider why Governor Wallace, Attorney General Kennedy and President Kennedy might have chosen to use the language they used to make their points.

Materials

1. Reading: “Whose Law?: State Sovereignty and the Integration of the University of Alabama.”
2. Handout: “States’ Rights and Federal Law” (and *Answer Sheet for Teachers*)
3. [April 25, 1963 excerpted transcript of the meeting between Attorney General Kennedy and Governor Wallace](#) (pages 8-15) in which Governor Wallace discusses his rationale for preventing the integration of Alabama schools and Attorney General Kennedy discusses the need for the Governor to abide by the decisions of the courts. (Transcript also available in this PDF.)
4. [May 22, 1963 press conference](#) excerpt in which a reporter asks the president how he will handle Governor Wallace’s announced intention of preventing the integration of the University of Alabama and President Kennedy responds by discussing the governor’s obligation to carry out the court order to integrate the school. (Transcript also available in this PDF.)

Historical Background and Context

Martin Luther King Jr., in his April 1963 *Letter from Birmingham Jail*, wrote the rhetorical question: “How can you advocate breaking some laws and obeying others?” “The answer,” he wrote, “lies in the fact that there are two types of laws: just and unjust... Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority.” In defining laws in this manner, King was able to justify actions that may have been considered unlawful in the towns in which they occurred.

In 1954, the Supreme Court handed down a decision on *Brown v. Board of Education*, stating that separate-but-equal education was unconstitutional. For this ruling, the Court drew upon the 14th Amendment to the Constitution of the United States: “No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

Governors in some states, particularly in the South, responded to the Supreme Court’s ruling by calling it unjust. They referred to the 10th Amendment to the Constitution (“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are

reserved to the States respectively, or to the people.”) to justify defying the Court’s decision. The decision, they said, was unjust because the federal government had not been given control of education in the Constitution and, therefore, public schools, by law, were the responsibility of individual states. This argument was central in their rationale for refusing to obey the federal law to integrate schools.

The president, on the other hand, was bound to follow the rulings of the Supreme Court. The Constitution includes a Supremacy Clause (Article VI, Clause 2), which states that the “Constitution, and the Laws of the United States ... shall be the supreme Law of the Land.” According to this clause, states must follow federal law when conflicts arise. As Chief Executive of the United States, President Kennedy’s role was to enforce the orders of the federal courts.

In the fall of 1962, the integration of the University of Mississippi by James Meredith led to a showdown between Governor Ross Barnett of Mississippi and the Kennedy administration. After Meredith was escorted to the university by federal marshals, rioting broke out and President Kennedy was forced to federalize the Mississippi National Guard and send in thousands of troops to restore order. Two men were killed and dozens were wounded during the night of violence before Meredith was enrolled in the university on October 1, 1962.

George Wallace took his first oath of office as governor of Alabama on January 14, 1963. Elected by mostly segregationist white voters (African Americans were disenfranchised in the South in the early 1960s), his inaugural address stressed his opposition to integration. He spoke of the sufferings of southern states after the “War Between the States,” noting that when the South was “set upon by the vulturous carpetbagger and federal troops, all loyal Southerners were denied the vote at the point of bayonet, so that the infamous illegal 14th Amendment might be passed.”

Governor Wallace’s opposition to school desegregation would come to a crisis point at the University of Alabama. The governor made it clear that he would stand in the schoolhouse door and block the entrance of any African American students, should they be accepted.

On April 25, 1963, accompanied by Assistant Attorney General Burke Marshall and the Department of Justice’s Director of Public Information Edwin Guthman, Attorney General Robert Kennedy met with Wallace in Montgomery, Alabama. The purpose of the meeting was to discuss the integration of the University of Alabama. Governor Wallace began the meeting by asking whether Attorney General Kennedy had any objections to his taping the conversation, making it clear to Robert Kennedy that what he said in the meeting could be used to the governor’s advantage--particularly if it showed Alabamans that the federal government had plans to send troops into their state. In his 1964 oral history, Robert Kennedy said that after the tape recorder was turned on, “It was necessary, then, for both of us to say things to each other that, on the basis that it was going to be played on the local [radio] station. So that they--at least for me, I couldn’t let anything he’d say go by, sort of, as if it had been unanswered. It made it difficult.” Not surprisingly, no progress was made at this meeting in resolving the conflict over school integration.

Less than a month later, President Kennedy addressed this issue at a press conference. As in his brother’s discussion of the University’s integration, Kennedy used the temperate language of law and order to address an issue that evoked great passion. “We are a people of laws, and we have to obey them,” he said. Whether or not the Kennedys’ views on the legality of

integrating the schools was in line with King’s moral view of justice, both John and Robert Kennedy spoke about the law and courts from their roles in the federal government as the ensurers that federal laws would be upheld. They did not speak about just or unjust laws, or insert moral language into their public discussions.

On June 11, 1963, after months of preparation, Governor Wallace stood at the doorway of Foster Auditorium at the University of Alabama in Tuscaloosa to prevent two African American college students, Vivian Malone and James Hood, from registering for classes. After President Kennedy federalized the Alabama National Guard, the two students were admitted to the University without bloodshed. That night, President Kennedy addressed the nation about civil rights, calling it a moral issue and stating his plan to present a comprehensive civil rights bill to Congress.

Prior Knowledge and Skills

Students should have a basic understanding of the struggle for civil rights in the United States during the 1950s and early 1960s.

Procedure

1. For homework, have students read: “Whose Law?: State Sovereignty and the Integration of the University of Alabama” and answer the *Questions to Consider*.
2. In class, discuss the answers to the three *Questions to Consider*. Tell students they are going to be looking at two primary sources that will allow them to hear the arguments made by Governor Wallace, Attorney General Kennedy, and President Kennedy to support their positions in this conflict. Provide students with the handout “States’ Rights and Federal Law” and the excerpted transcript of the April 25, 1963 meeting between Attorney General Kennedy and Governor Wallace, and go over the items to be covered in the handout. Remind students that all the participants at the meeting knew they were being taped by Governor Wallace and, therefore, knew their remarks might be heard by the public.
3. Put students into small groups to read the transcript out loud. Have one student in each group read Attorney General Kennedy, another read Governor Wallace, and the others take notes—underlining quotations that might help the group fill in the handout. After each group has read through the transcript, students in each group should discuss the answers to the handout and begin filling in their own handout. Provide students with the transcript of the excerpt from President Kennedy’s May 22, 1963 press conference and tell them you will play the recording of the Q & A for the entire class. Tell students that, as they are listening to the recording, they should underline sentences from Kennedy’s response that might help them additionally fill in their handouts.
4. After you have played the recording from the press conference for the students, have them return to their small groups to finish filling in the handout.
5. Have all the students come together to discuss their responses in their completed handouts with the full class. Discuss with students the fact that these primary sources were all recorded comments and have them consider how that fact might have influenced how these leaders articulated their beliefs.

Assessment

For homework have students make use of their handout and the class discussion to write a two- to three-page essay responding to the following questions:

- In what ways did Governor Wallace and the Kennedy administration invoke the rule of law in their clash over the integration of the University of Alabama? (Consider how the men talked about just and unjust laws and the rights and responsibilities of state and federal leaders.)
- What are some reasons that Governor Wallace may have chosen to talk about just and unjust laws?
- What are some reasons President Kennedy and the attorney general may have focused on the roles and responsibilities of the governor and the president's office (including the Department of Justice), instead of focusing on just and unjust laws?

Students must use at least three quotes from the primary sources in their essays.

Have visually oriented students create political cartoons examining the integration of the University of Alabama from the perspectives of Governor Wallace and Attorney General Kennedy, focusing on either just and unjust laws or the roles and responsibilities of state and/or federal leaders.

Extension

Have students consider why a president's federalizing of a state's National Guard to ensure compliance with a federal law might be a significant act. In federalizing the Alabama National Guard in order to integrate the University of Alabama, President Kennedy released Executive Order #11111, exercising a provision of the US Constitution. Have students look over [Proclamation #3542](#) (commanding Governor Wallace to cease and desist in his obstruction of justice), [Executive Order #11111](#), and the exchanges between George Wallace and President Kennedy in "[The Integration of the University of Alabama](#)" chapter in the microsite *1963: The Struggle for Civil Rights* and research the Constitutional provisions President Kennedy invoked and Governor Wallace's response. Have them also consider these questions: Why would it be in the interest of the governor to have federal personnel maintain the peace at the university? Why would it be in the interest of the president to have state and local officials maintain the peace at the university? Students can present their responses in a format of their choosing (political cartoon, essay, exhibit, etc.).

Additionally, you might have students research how President Eisenhower in 1957 federalized the Arkansas National Guard in Little Rock, and some of the responses by political leaders and the public to Eisenhower's actions.

Whose Law?: State Sovereignty and the Integration of the University of Alabama

As members of countries, states, towns, schools, religions, workplaces, etc., we are all governed by laws or rules that help us live peacefully within our various communities. Sometimes, however, these diverse laws or rules come into conflict.

Martin Luther King Jr., in his April 1963 *Letter from Birmingham Jail*, wrote the rhetorical question: "How can you advocate breaking some laws and obeying others?" "The answer," he wrote, "lies in the fact that there are two types of laws: just and unjust... Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority." In defining laws in this manner, King was able to justify actions that may have been considered unlawful in the towns in which they occurred.

In 1954, the Supreme Court handed down a decision on *Brown v. Board of Education*, stating that separate-but-equal education was unconstitutional. For this ruling, the Court drew upon the 14th Amendment to the Constitution of the United States: "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Governors in some states, particularly in the South, responded to the Supreme Court's ruling by calling it unjust. They referred to the 10th Amendment to the Constitution ("The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.") to justify defying the Court's decision. The decision, they said, was unjust because the federal government had not been given control of education in the Constitution, and therefore, public schools, by law, were the responsibility of individual states. This argument was central in their rationale for refusing to obey the federal law to integrate schools.

The president, on the other hand, was bound to follow the rulings of the Supreme Court. The Constitution includes a Supremacy Clause (Article VI, Clause 2), which states that the "Constitution, and the Laws of the United States ... shall be the supreme Law of the Land." According to this clause, states must follow federal law when conflicts arise. As Chief Executive of the United States, President Kennedy's role was to enforce the orders of the federal courts.

In the fall of 1962, the integration of the University of Mississippi by James Meredith led to a showdown between Governor Ross Barnett of Mississippi and the Kennedy administration. After Meredith was escorted to the university by federal marshals, rioting broke out and President Kennedy was forced to federalize the Mississippi National Guard and send down thousands of troops to restore order. Two men were killed and dozens were wounded during the night of violence before Meredith was enrolled in the University of Mississippi on October 1, 1962.

George Wallace took his first oath of office as governor of Alabama on January 14, 1963. Elected by mostly segregationist white voters (African Americans were disenfranchised in the South in the early 1960s), his inaugural address stressed his opposition to integration. He spoke of the suffering of southern states after the "War Between the States," noting that when the South was "set upon by the vulturous carpetbagger and federal troops, all loyal Southerners were denied the vote at the point of bayonet, so that the infamous illegal 14th Amendment might be passed."

Governor Wallace's opposition to school desegregation would come to a crisis point at the University of Alabama. The governor made it clear that he would stand in the schoolhouse door and block the entrance of any African American students, should they be accepted.

On April 25, 1963, Attorney General Robert Kennedy met with Wallace in Montgomery, Alabama. The purpose of the meeting was to discuss the integration of the University of Alabama. Governor Wallace began by asking whether Attorney General Kennedy had any objections to his taping the conversation, making it clear to Robert Kennedy that what he said in the meeting could be used to the governor's advantage—particularly if it showed Alabamans that the federal government had plans to send troops into their state. Not surprisingly, no progress was made at this meeting in resolving the conflict over school integration.

Less than a month later, President Kennedy, addressed the resistance of George Wallace to integrate the University of Alabama at a press conference. "We are a people of laws," he said, "and we have to obey them."

On June 11, 1963, after months of preparation, Governor Wallace stood at the doorway of Foster Auditorium at the University of Alabama in Tuscaloosa to prevent two African American college students, Vivian Malone and James Hood, from registering for classes. After President Kennedy federalized the Alabama National Guard, the two students were admitted to the University without bloodshed. That night, President Kennedy addressed the nation about civil rights, calling it a moral issue and stating his plan to present a comprehensive civil rights bill to Congress.

Questions to Consider:

1. Why is the 10th Amendment to the Constitution called the States' Rights Amendment?
2. How were the 10th and 14th Amendments to the Constitution used by segregationists and civil rights advocates?
3. Can you think of a situation in your own life or someone else's life when a rule or law from one of your communities might come into conflict with that of another? Describe the rules or laws and how they might conflict.

States' Rights and Federal Law

Use the following documents to fill in the chart:

1. April 25, 1963 excerpted transcript of the meeting between Attorney General Kennedy and Governor Wallace
2. Excerpt from President Kennedy's May 22, 1963 press conference

Governor George Wallace	Attorney General Kennedy and President Kennedy
<p>Note at least 4 reasons Governor Wallace gives for disobeying the court order to desegregate Alabama schools:</p> <p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p>	<p>Note at least 4 reasons the attorney general and president give for obeying the court order to desegregate Alabama schools:</p> <p>1.</p> <p>2.</p> <p>3.</p> <p>4.</p>
<p>What are the rights and responsibilities of the governor, as he sees it?</p>	<p>What are the rights and responsibilities of the governor as the Kennedy administration sees it?</p>
<p>What are the rights and responsibilities of the federal government as the governor sees it?</p>	<p>What are the rights and responsibilities of the federal government as the Kennedy administration sees it?</p>

States' Rights and Federal Law Answer Sheet for Teachers

Use the following documents to fill in the chart:

3. April 25, 1963 excerpted transcript of the meeting between Attorney General Kennedy and Governor Wallace
4. Excerpt from President Kennedy's May 22, 1963 press conference

Governor George Wallace	Attorney General Kennedy and President Kennedy
<p>Note at least 4 reasons Governor Wallace gives for disobeying the court order to desegregate Alabama schools:</p> <ol style="list-style-type: none"> 1. <i>As Governor, I must see to the safety of my people-- and integration is unsafe.</i> <i>"... I believe it is up to the Governor of the state to maintain peace and protect the safety and health and morals of the people of the state, because the Constitution of the State of Alabama says that the Governor shall see that the laws are faithfully executed, and you can't have any peace in Alabama with an integrated school system."</i> 2. <i>In forcing the federal government's laws onto states it is degrading our view of the courts. "[Integration] is bringing about a disrespect for the courts. Why, the courts are so disrespected here in our part of the country that it is a popular thing to defame the courts..."</i> 3. <i>We have a long history of segregated schools—it is our legacy—and it has never been considered illegal before the 1954 Supreme Court ruling. "For a hundred years [the federal courts] said we could have segregated schools, and then all of a sudden, for political reasons, they pull the rug out from under us. Had we been operating all these many years illegally, and finally been caught up with, then we would have no room to gripe. But for a hundred years we operated under what the Supreme Court said was legal and lawful and all right..."</i> 4. <i>It's all about politics and not what is good for the people. "... if there weren't so many colored voters that vote block like they do in certain sections, why, I doubt if there would be so much interest evidenced in their so-called civil rights."</i> 5. <i>I told the people of Alabama that I would prevent integration. "Now, I made a covenant with the people."</i> 	<p>Note at least 4 reasons the attorney general and president give for Governor Wallace to obey the court order to desegregate Alabama schools:</p> <ol style="list-style-type: none"> 1. <i>A governor is a citizen of the US, and the laws of the country supersede the laws of the state. RFK: "You take an oath under the Constitution of the United States." "...I think your primary responsibility is to the Constitution of the United States and the American people"</i> 2. <i>If you do not obey federal laws, it undermines our whole system of government. RFK: "If the orders of the court can be disobeyed by you, Governor... then they can be disobeyed by anybody throughout the United States who does not happen to think that the particular law of the federal court applies to them or feels that it is not the kind of law that would be good for them."</i> 3. <i>Every citizen has access to the courts in our country and courts determine what is right and just. RFK regarding James Meredith: "This is an individual citizen of the United States who decides and determines that he wants to take a particular course of action. He has difficulty doing it and takes it to the federal court. The federal courts says he has a right, a constitutional right. It has nothing to do with who is going to get votes or who is not going to get votes. This is a question of him exercising his constitutional right and getting a court order."</i> 4. <i>This a decision of the federal courts—a judicial matter—not a political matter. RFK: "... it is not the central government... It is the federal courts that have made a decision..."</i> <i>"...if the court gives an order, we don't—it doesn't have anything to do with how it is going to affect politics."</i> 5. <i>Laws of our land have nothing to do with choice: JFK: "This is part of our constitutional system. There is no choice in the matter. It must be carried out, and laws,</i>

<p><i>Don't you think I should carry it out?"</i></p>	<p><i>which we do not like must be carried out, and laws which we like. This is not a matter of choice." "We are a people of laws, and we have to obey them."</i></p>
<p>What are the rights and responsibilities of the governor, as he sees it?</p> <ul style="list-style-type: none"> • <i>"...to maintain the peace and protect the safety and health and morals of the people of the state."</i> • <i>to abide by the laws of his state's constitution.</i> • <i>to abide by his promises to the people of Alabama.</i> • <i>to handle local problems and issues such as those involving schools.</i> 	<p>What are the rights and responsibilities of the governor as the Kennedy administration sees it?</p> <ul style="list-style-type: none"> • <i>to maintain law and order in his state by following federal law. If force is necessary to maintain order and preserve the peace, the governor must provide state and local police officers for that purpose.</i>
<p>What are the rights and responsibilities of the federal government as the governor sees it?</p> <ul style="list-style-type: none"> • <i>to be true to the Constitution as originally written by our country's founders. (The 14th Amendment was not part of the original Constitution, and Wallace thinks the Constitution has been "perverted.")</i> • <i>to acknowledge the sovereignty of each state and stay out of matters that should be handled locally such as school integration.</i> 	<p>What are the rights and responsibilities of the federal government as the Kennedy administration sees it?</p> <ul style="list-style-type: none"> • <i>to make sure the orders of the court are obeyed, and that the integrity of the courts is maintained.</i>

Excerpt from Meeting Transcript
Governor George Wallace and Attorney General Robert Kennedy
Montgomery, Alabama, April 25, 1963

...Governor Wallace: Of course, I believe it is up to the governor of the state to maintain peace and protect the safety and health and morals of the people of this state, because the Constitution of the state of Alabama says that the governor shall see that the laws are faithfully executed, and you can't have any peace in Alabama with an integrated school system.

Mr. Kennedy: Do you think it is so horrifying to have a Negro attend the University of Alabama?

Governor Wallace: I think it is horrifying for the federal courts and the central government to rewrite all the law and force upon people that which they don't want.

Mr. Kennedy: But Governor, it is not the central government. We are not rewriting the laws. It is the federal courts that have made a decision, and a determination –

Governor Wallace: The federal courts rewrote the law in the matter of integration and segregation. For 100 years they said we could have segregated schools, and then all of a sudden, for political reasons, they pull the rug out from under us. Had we been operating all those many years they illegally, and finally been caught up with, then we would have no room to gripe. But for 100 years we operated under what the Supreme Court said was legal and lawful and all right and spent millions and millions of dollars building a beautiful educational system. Then in '54 they say no, that is the law now, and that is the thing that has upset people here, is the method by which it was done. We think it does injustice, is savage to the Constitution and processes of the country. In fact, I will never myself submit voluntarily to any integration in a school system in Alabama and I feel it is in the best interests of the country and Alabama and everybody concerned, that these matters ought to be, or attempts at least ought to be delayed. In fact, there is no time in my judgment when we would be ready for it in my lifetime. At least, certainly not at this time.

Mr. Kennedy: Well, as I say, I think as well as being a citizen of the state of Alabama, governor of Alabama, you are also a citizen of the United States. You take an oath under the Constitution of the United States.

Governor Wallace: Oh, I agree.

Mr. Kennedy: That is certainly following the orders of the federal court. I think it transcends, as I say, the question of segregation or integration or anything like that. I think it just goes to the integrity of our whole system. If the orders of the court can be disobeyed by you, Governor, with all respect to you and your position, then they can be disobeyed by anybody throughout the United States who does not happen to think that the particular law of the federal court applies to them or feels that it is not the kind of law and would be good for them. I don't know what you would have other than complete havoc and lawlessness throughout the United States if that philosophy is accepted.

Governor Wallace: Well, let me say this, that we have more peace and law and order in Alabama in one minute than you had in an entire year in Washington, DC, and that is a

place where – that is exactly what we’re trying to maintain, is law and order, and you can’t maintain law and order with the sort of system that exists, for instance, like you have in Washington. I believe that we should obey the law, but I also feel that the governor of a sovereign state has a right to –

(Coffee Interruption.)

Mr. Kennedy: I think we have a lot of problems in Washington, D. C., Governor. I don’t question that. I think a lot of it arises out of the fact that we have difficulty between the races. I think we have problems in Chicago, in the city of Boston, there’s a feeling between Negroes and whites.

Governor Wallace: We don’t have that problem here, though. We have safety and peace and goodwill, and there is no place in Montgomery, Alabama or Birmingham that you cannot walk at night, white or colored section. He will attest to that. Isn’t that correct?

Unidentified: That is correct.

Governor Wallace: In fact, I can go right now myself into any colored section of this town, people speak to me, “Hello, Governor,” and a lot of them I know, but you can’t do that in Washington. You can’t do that in Chicago, or Philadelphia. We people feel that this whole effort is eventually going to bring a breakdown between the races. We don’t think this brings about any goodwill. We think that it destroys goodwill, and we think that too much politics is involved in it in all quarters, for all time, involved in the matter.

Mr. Kennedy: I don’t know how politics gets into it, Governor, because we don’t have any control over the fact that somebody is going to come here to the University of Alabama.

Governor Wallace: I know, Mr. Kennedy, but if there weren’t so many colored voters that vote block like they do in certain sections, why, I doubt if there would be so much interest evidenced in their so-called civil rights.

Mr. Kennedy: But Governor, I think it is the complete misconception. I don’t care whether it be one Indian or a Jamaican, or whatever it might be, if the court gives an order, we don’t –it doesn’t have anything to do with how it is going to affect politics.

Governor Wallace: I do feel, though, that the Justice Department, and that you folks, I feel that you all are aiding and abetting this matter of the instigation of lawsuits.

Mr. Kennedy: Well, I mean just to give you an example, I never heard of Mr. Meredith, Governor, up until –

Governor Wallace: Who?

Mr. Kennedy: Mr. Meredith, at the University of Mississippi. I never heard of him until three weeks or four weeks before we had the difficulty down there. I could not tell you for the life of me the names of anybody that is at University of Alabama

Governor Wallace: I imagine you are sorry you ever heard of him, frankly. I would think.

Mr. Kennedy: This is an individual citizen in the United States who decides and determines that he wants to take a particular course of action. He has difficulty doing it and takes it to

the federal court. The federal court says he has a right, a constitutional right. It has nothing to do with who is going to get votes and who is not going to get votes. This is a question of him exercising his constitutional rights and getting a court order.

Now, as I say, I think it comes back to the integrity of the courts.

Governor Wallace: Well I also think and in the Mississippi matter, if you want to just get right down to it, there were more civil rights violations in Mississippi as a result of the troops and the shooting of students and the gassing of students and search and seizures—in other words, the Constitution says that unlawful search and seizure is prohibited, and yet every automobile that drove anywhere, they searched it, opened people's suitcases, belongings, had colored troops stopping white women and searching their belongings, and there was no martial law declared. In other words, was just civil rights violations right and left.

But in this matter we are not helping the country any by trying to force upon these people here in Alabama, or in the South, integration of the races. It is bringing about disrespect for the courts. Why, the courts are so disrespected here in our part of the country with troops, that is a popular thing to defame the courts, and I think if we get—in fact there are people in all other parts of the country, too, because of the many decisions involving the Communists cases, and otherwise, who defame the courts, and this integration question, this forced integration on the people of our section of the country with troops, and I believe Mr. Kennedy promised in the campaign promised not to use troops, didn't he? Did he promise that? Oh, he didn't promise that? Well, Mr. Patterson said that he promised that.

Mr. Kennedy: Yes, but President Kennedy didn't make that statement. I would say to you that probably the most painful thing that the president has to do, or might do as President Kennedy did, is to use troops in any of these matters. I think the matter can be handled at a local level, as I said yesterday, and South Carolina indicated that, and Georgia has indicated that.

Governor Wallace: Let me say this. We don't want to be under any misapprehension or misconception of our attitudes. I am not as a governor of state going to use the force of the state to integrate any institution, and Alabama is just different from South Carolina in that respect. I'm sure they had their reasons for no more legal resistance than they made, but that that would not be the same in this state.

In other words, Mr. John Kennedy, he makes a covenant with the people, and you think it ought to be carried out, don't you?

Mr. Kennedy: I do, yes.

Governor Wallace: Now, I made a covenant with the people. Don't you think I should carry it out?

Mr. Kennedy: I think you have a responsibility to the people. I think you have a responsibility for law and order, and I think your primary responsibility is to the Constitution of the United States and the American people.

Governor Wallace: Well, I believe in the Constitution of the United States, and I think she has been cruelly struck on so many occasions, but there's no reason for us—well, we are

poles apart in that. I think that the Constitution the United States has been perverted, and I think if its original framers could see what was going on today, they would turn over in their graves.

Mr. Kennedy: Well, I don't know if we are going to get very far, but all I want to say is that we feel very strongly, Governor, this is a local matter. It should be handled locally, and by you, by the officials of the state of Alabama, by the people of the state of Alabama, by leaders the state of Alabama, and that this can be handled peacefully and law and order can be maintained. We have a responsibility to stress to you, to make sure that the orders of the court are obeyed and followed and maintained. That is what we intend to do, and I think that those two points are not incompatible. I think that law and order can be maintained. I think that the people of Alabama can prosper, and I think that the country can be far better off if this matter is worked out peacefully.

Governor Wallace: I agree with you that it is a local matter which should be handled by local people. But the overwhelming majority of local people want continued segregation in the school system and if you let us handle it locally, we will, that is, we will handle the school...

Excerpt from President Kennedy's News Conference 56, May 22, 1963
State Department Auditorium, Washington D.C.

President Kennedy: Good afternoon. Mr. Smith?

Question: Mr. President, how do you regard the Alabama governor's announced intention to block the integration of the University of Alabama? For instance, do you or does the government plan to use federal marshals as it did in Oxford, Mississippi, if the governor does go through with his announced intention to prevent these Negro students from entering?

The President: Well, I hope that would prove unnecessary. I hope this is a matter that can be settled by the local authorities in Alabama. The university since last October has--the Board of Trustees have taken the position that they would accept a court order. They have now indicated that they will accept these students. The courts have made a final judgment on the matter, and I would hope that the law-abiding people of Alabama would follow the judgment of the court and admit the students. Every other state in the country has integrated their state university, and I would hope that Alabama would follow that example.

I know there is great opposition in Alabama, and indeed, in any state, to federal marshals and federal troops. And I would be very reluctant to see us reach that point. But I am obligated to carry out the court order. That is part of our constitutional system. There is no choice in the matter. It must be carried out, and laws which we do not like must be carried out, and laws which we like. This is not a matter of choice. If it were a matter of choice, it would not be law. So that these decisions must be enforced. Everyone understands that.

Now, I cannot believe that the governor wants us to send federal troops there. I cannot believe he wants us to send federal marshals there. I cannot believe he would not prefer to have the people of Alabama govern this matter and accept the order of the court and maintain law and order. The governor has taken action against federal troops who are now stationed at federal bases in Alabama, and has taken the action to the Supreme Court. I said I welcomed that. This is where these disputes should be settled. So I would hope that the fact that the governor has chosen to carry out our dispute in the courts indicates that in the final analysis he will accept the judgment of the court, in the cases coming up in June, as I would accept the judgment of the courts as to my powers to use--control federal troops under certain conditions in various states. We are a people of laws, and we have to obey them.