DESEGREGATION AND INTEGRATION.

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THIS ARTICLE IS A GENERAL REVIEW OF VARIOUS ASPECTS OF SCHOOL DESEGREGATION AND INTEGRATION IN THE DEEP SOUTH. IT POINTS OUT THAT THERE HAS BEEN LITTLE SCIENTIFIC AND OBJECTIVE INQUIRY INTO SOUTHERN DESEGREGATION. INFORMATION IS NEEDED ABOUT NEGRO STUDENTS AND TEACHERS IN BIRACIAL SCHOOLS, STUDENT AND TEACHER ATTITUDES IN SEGREGATED AND DESEGREGATED SCHOOLS, TRAINING FOR TEACHING THE DISADVANTAGED, INSTRUCTIONAL INNOVATIONS, USE OF EVALUATION INSTRUMENTS IN DESEGREGATED SCHOOLS, AND THE FINANCIAL PROBLEMS OF DESEGREGATED SCHOOLS. THE ACADEMIC SUCCESS OF STUDENTS OF BOTH RACES IN DESEGREGATED SCHOOLS SHOULD ALSO BE DOCUMENTED. OTHER TOPICS DESCRIBED AS REQUIRING FURTHER STUDY ARE COMMUNITY ATTITUDES TOWARDS DESSEGREGATION, ADMINISTRATIVE LEADERSHIP IN THE DESSEGREGATION PROCESS, AND THE USE OF NEGRO FACILITIES AFTER SEGREGATED SCHOOLS ARE CLOSED. THIS ARTICLE WAS PUBLISHED IN THE "PHI DELTA KAPPAN," VOLUME 47, NUMBER 9, MAY 1966. (NH)
Desegregation and Integration

A member of Phi Delta Kappa's Commission on Education and Human Rights outlines troublesome questions which must be solved before desegregation and integration of schools can take place in the South, and offers some suggestions for solving them.

By HERBERT W. WEY

The great desegregation game of how-not-to-do-it, so characteristic of the Deep South from 1955 to 1964, has given way to widespread effort toward a degree of racial mixing in the schools. The Civil Rights Act of 1964, empowering the U.S. Office of Education (USOE) to withhold federal funds from school systems failing to desegregate and the U.S. Attorney General to force desegregation in all school systems, has been largely responsible for this acceptance of desegregation as a process. The 1964-65 school year began with only 604 of the 2,951 school districts in the eleven southern states having made a start toward desegregation. By the fall of 1965, 2,816 of 2,882 school systems had presented plans for school desegregation to the USOE; 2,742 have had plans accepted and are implementing them.¹

Yet in many districts there is only token desegregation—a handful of Negro students entering previously all-white schools—and nothing approaching integration. According to a USOE sample survey including 2,891,000 Negroes in the schools of eleven southern states in the fall of 1965, only 216,000 or 7.5 per cent were enrolled with white children.

Integration is a much more inclusive and difficult achievement; it means the realization of equal opportunity by deliberate cooperation without regard to racial barriers.

Our concern, which is now primarily with problems of desegregation, is shifting perceptibly toward a focus on the many complicated problems of school integration. This paper delineates the overall problem of educational desegregation and integration in the Deep South and poses a number of troublesome questions for which research must find answers if progress in this critical area of civil rights is to continue.

Student Desegregation. The South is faced with the problem of planning for a form of accelerated school desegregation which will result in a defensible racial mixture in schools that had previously been all Negro or all white. Although the “free-choice” plan elected by so many school systems in the South tends to move some Negro children into formerly all-white schools, it does nothing to move white students into all-Negro schools. In addition, among those school systems using this plan, no one knows the exact number in which not a single Negro “chose” to transfer to a white school. Districting does not seem to be the answer, because it usually results in de facto segregation, as it has in the North. The question as to what desegregation plan or plans should be used has not been answered, but it must be answered in the near future. There are at least the following possibilities:

1. Inner-city schools of the metropolitan centers might be combined with schools of the suburban and surrounding county areas into a metropolitan system, as in Charlotte, North Carolina, and other heavily populated communities of the South.

2. Urban areas may be divided into pie-shaped districts starting at the center where Negro population is usually most concentrated and extending out into suburban areas.

3. District-wide lines might be drawn deliberately to maximize racial balance. This is a farm of positive gerrymandering for desegregation purposes.

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4. Predominantly white and Negro schools might be paired.

5. Feeder arrangements from elementary grades to junior high schools and from junior high schools to senior high schools might be altered to provide a more desirable racial balance.

6. New and typically large schools might be deliberately located near, but not within, an area predominately Negro.

7. Specialized schools which draw students from an entire school system might be established. The new vocational-technical school of Atlanta, Georgia, is an illustration.

8. School parks might be established to encompass a large area and take in grades one through fourteen. The Nova complex of Broward County, Florida, is an illustration.

9. Bus transportation, particularly in large school systems, might be provided to achieve a more desirable racial mix.

If desegregation in the South follows the pattern of desegregation in the North, those children who most need racially balanced education may be the last to get it. The Negro children who do transfer to formerly all-white schools are often those who are able to compete or who come from more favored economic sections of the Negro neighborhood. This means that many desegregation plans which look promising because of the gross numbers of children involved may be including only higher-status Negroes and not reaching those in greatest need of a better educational program.5

Another question for which an answer must be found is this: What constitutes racial balance? One possibility is to define a racially balanced school as one in which the ratio of non-whites to whites is the same in each school in the district. Thus if 15 per cent of the total student enrollment were Negro, each school would have a balance of 85 per cent white and 15 per cent Negro. A more general answer would define the ideally balanced school as one whose student body includes roughly 20 to 45 per cent non-white. The obvious disadvantage is that in systems where there is a small percentage of Negro students there would have to be some all-white schools in order for others to be racially balanced.

Even though accurate statistics are not available, we know that many southern Negro youngsters of school age are not in any school. In Burke County, Georgia, for example, approximately 800 Negro youth are not enrolled. This is nearly one-sixth of the Negro children of school age in that county.8 This problem is peripheral to segregation but related to it, and a solution must be found.

Population Shifts in a Desegregated Community. Closely related to various methods of effecting a more desirable racial mix in schools is the baffling shift in populations after some desegregation has occurred. There is a good possibility that Negroes who live in traditional rural poverty areas will move to urban slums, and that population shifts will take place within a community or school district as schools are desegregated. When Negro families buy homes in formerly all-white housing areas the tendency in large cities is for white families to move out. Soon the area becomes mostly Negro and the result is de facto school segregation. For example, in Atlanta, Georgia, when the Kirkwood Elementary School was opened to Negroes at the start of a new semester in January, 1965, 500 Negroes enrolled and white enrollment dropped almost immediately from 522 in December to sixty-seven in January.

One suggestion now being made to Negro families is that they purchase only every third house in a formerly white housing area, making it hard for white families to leave because they cannot dispose of their property.

The Ability of the Negro Student. Studies made by Pettigrew strongly suggest that there is no difference in the innate biologically determined ability of Negroes and whites. At the same time, any number of studies have reported that Negro students in the South score consistently lower as a group than do whites on standardized ability and achievement examinations. One example is the study made by the Educational Testing Service for the Atlanta, Georgia, city schools in 1955 and 1956. It showed that in reading Negro students on the average ranged from one grade level behind white students at the third grade to four grades behind at the twelfth grade. In general achievement, 40 to 60 per cent of white pupils at all grade levels were at the 50th percentile in the national sample, but only two to 10 per cent of Negro pupils at all grade levels were at this percentile. This study notes that such conditions are not unique to Atlanta city schools.

In a 1959 study by Wey and Corey which confirmed these findings, test results showed less difference at the first-grade level than in later grades, and reading was the skill in which Negroes

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were farthest behind. 8

Since studies of racial differences have failed to demonstrate any inherent deficiency in learning potential of any group, observed differences in achievement must be the result of other factors. 9 One comprehensive study of American education has shown that the most significant variables determining the ability of children to profit from their schooling are the character of their immediate social environment and the socioeconomic class from which they come. 9

Projects now under way in imaginative school systems indicate that constructive attacks can be made on weak motivation, poor language habits, and other deficiencies of Negro pupils. Also, millions of dollars are being spent on compensatory education for underprivileged children of preschool age. Civil rights groups, however, are challenging some of these programs because they are carried on in Negro neighborhoods and are segregated so far as the participants are concerned. 9

The Negro Student's Self Concept. Much of the literature on education of the Negro suggests that lowered goals and limited opportunities have prevented him from developing his educational potential. 10 It further suggests that the school, particularly in its guidance services, may intervene to assist the Negro in these aspects of his educational development. There is some evidence that the Negro personality changes in a desegregated school. How much change takes place and the reason it occurs in certain schools but not in others are questions that need to be investigated. A few studies have found that although Negro students have lower aptitude scores on standardized tests, they have higher aspirations than comparable white students in regard to educational training. Blake concluded that the higher levels of aspirations of some Negroes are attempts to maintain self-esteem in the face of discrimination. 11

That many Negro students who aspire to further educational training do not make the effort needed for success is partly due to their feeling that many career opportunities are closed and that they do not know whether they can use their advanced training after it has been completed. School counselors must arouse students that, as the civil rights movement continues, additional career opportunities are becoming available to the southern Negro.

Vocational aspiration is an aspect of a student's self-concept that is closely related to his motivation. We need further information about how the Negro child can be assisted in improving his self-image and the way experience in an integrated classroom can enhance this image.

Academic Achievement of Negro and White Students in a Desegregated School. The effects of large-scale desegregation and integration upon the academic achievement of both Negro and white students are as yet undetermined. One recent study indicated an improvement in instructional programs after desegregation. 12 Another concluded that desegregation has led to significant increases in Negro academic achievement and has not adversely affected the achievement of white students. 13 More than token desegregation is necessary for the full effects to be known.

Faculty Desegregation. Whereas student desegregation has made at least token progress in the Deep South, faculty desegregation, with a very few notable exceptions, is practically nonexistent. For example, a 1964-65 study of faculty desegregation in the schools of Kentucky showed that only fifty-seven districts out of a total of 167 had any measure of desegregated faculties. Only 673 out of a total of 15,150 teachers serving in integrated schools were Negro. 14 This undoubtedly reflects the fact that the USOE has not previously pressed for faculty desegregation.

However, the picture may soon change markedly. In March, 1966, the USOE issued new guidelines and announced that it would require desegregated faculties next fall in southern school districts receiving federal funds. Under the new guidelines, districts will have several alternatives for faculty desegregation. This federal pressure will probably result in rapid faculty desegregation, although it may be marked by tokenism.

Displacement of the Negro Professional. A feeling of responsibility for the unemployed Negro teacher by southern school leaders, tenure laws in several of the southern states, and fear of failure to comply with USOE regulations will tend to minimize the number of Negro teachers displaced. Nevertheless, a December, 1965, NEA report which noted the down-grading or displac-
ment of 668 Negro teachers was not encouraging.18 Added to this are the more than 1,900 Negro college graduates in 1965 who have failed to gain teaching positions in the South. Another closely related problem is the failure of Negro professionals to qualify for administrative and supervisory positions. In addition to prejudice against the employment of Negroes in such positions, those who seek such employment face qualitative and quantitative standards which, largely because of their educational backgrounds, they find exceedingly difficult to meet. In none of the states is there a Negro school superintendent except in districts which have all-Negro student enrollments. According to latest estimates, there are only 300 Negroes on the professional staffs of U. S. colleges and universities with predominately white student bodies. There are some 4,000 Negro professors in the predominantly Negro colleges and universities.19

Competence of the Negro Teacher. Southern school leaders generally agree that Negro teachers are competent to teach Negro students, but say they are not competent to teach white students.20 Negro teachers have received at least as much formal training as have the whites. But there is no question that Negro teachers do less well than whites on standardized tests. A study of National Teacher Examination scores made by Atlanta, Georgia, teachers during academic years 1955-56 revealed a difference of 95 points between the weighted common examination means for all white teachers and all Negro teachers. Obviously, this gap must be closed. As a basis for developing programs to upgrade Negro teachers, studies should be undertaken to determine what the deficiencies of the Negro professional actually are.

Desegregation of Higher Education. Educational leaders have noted for many years the deficiencies of the Negro professional and the need to improve the quality of Negro students. Higher education is essential if the South is to have a truly integrated program of higher education. Teacher education institutions in the South are now beginning to realize that unique training must be given a teacher who intends to teach culturally secondary schools but must be extended through higher education, including graduate and postgraduate work.

At present, Negro institutions of higher education are the chief source of Negro professors in higher education in the South, and this will continue to be so unless immediate and definite steps are taken. Many of these Negro institutions lack regional accreditation, funds adequate to operate their programs and attract superior staff, good physical facilities, library facilities, student scholarship money, and faculties representing the strongest graduate schools. Money will help, but more than money is needed. As long as the institutions remain all-Negro, or practically all-Negro, their educational programs will probably be inadequate.

Integration of higher education must be a two-way street. Negroes should move easily into predominantly white institutions, and whites into institutions predominantly Negro. Although institutions of higher education in the South formerly limited to whites are now open to Negroes, there is little practical effect on the education of Negro youth. Even as desegregation speeds up, it will be a long time before southern institutions attended predominantly by white students will offer anything but limited opportunities for Negroes unless special programs are undertaken.

High admission standards characterized by high cut-off points on standardized tests and high tuition costs will restrict Negro enrollment to very small numbers. The mean score for entering freshmen in the public Negro colleges of the University system of Georgia in 1958-59 was 272.8 on the verbal section of the Scholastic Aptitude Test. Entering Negro freshmen in 1964-65 had a mean score of 265.9. On the other hand, scores for freshmen entering predominantly white institutions in the University of Georgia system were 395.6 in 1958 and 450.7 in 1964. The Negro scores were not only much lower but showed no improvement over a six-year period, while white students' scores moved up steadily.18

Upgrading and desegregating Negro institutions of higher education and helping Negro students meet the admission and tuition requirements of white institutions are essential if the South is to have a truly integrated program of higher education.

Training for Teaching the Underprivileged. Teacher education institutions in the South are now beginning to realize that unique training must be given a teacher who intends to teach culturally

19 Charles F. Smith, Jr., "Do You Want Me?" PHI DELTA KAPPAN, May, 1964, pp. 405-406.
I may face bafflement. Will I be able to continue to enjoy the sense of belonging and security that I have experienced in my high school? Or will graduation mean for me a loss of a very friendly atmosphere to one of obscurity and perhaps intolerance?"

Many southerners contend that desegregation will be accepted in a large number of communities only as the older generation dies off and the younger generation takes its place. Nevertheless, there is a need for continuous study of community attitudes toward school desegregation and integration.

**Leadership Role of School Superintendents and School Board Members.** The leadership role of school superintendents and board members as desegregation and integration move forward is going to be difficult. A new sensitivity to the community will be required. The use of human relations councils and other citizens' groups can be effective, with proper support and direction by school leaders.

Continuous study of the role of educational leadership and its effects on desegregation and integration is especially needed over the next three- or four-year period. Demonstration projects to illustrate the effect of good leadership by the superintendent and board could be organized in selected communities.

**Curriculum and Instructional Innovations in a Desegregated School.** Instead of trying to adapt present curricula to the underprivileged child, we need to abandon what has clearly failed and create completely new materials, procedures, and programs. The production of instructional materials making clear the role of all races in our American heritage, for example, can and must be done at once. The following are some ideas on new or modified materials and methods now being tried in desegregated schools: 1) Training competent high school students and using them as tutors for other high school students and as teacher aides in the elementary schools. Students who do this work are sometimes paid for their services. 2) Purchasing inexpensive reading materials for students and parents. 3) Initiating work-study programs for high school students, enabling them to relate their studies to the world of work and to earn money while in school. 4) Providing pre-school experience, such as nursery school, for all children ages three to five. 5) Establishing boarding school units for children during the middle school years.

Such approaches need to be carefully evaluated, and the promising ones must be publicized.

**Grouping Policies Within a Desegregated**

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School. Ability grouping must be carefully studied in relation to desegregation. Dodson says, “Homogeneous grouping within the school is another form of de facto segregation. Within its confines the culturally disadvantaged child can be as separated and unequal as he would be in the de jure segregated school.” Meyer Weinberg concludes that heterogeneous classrooms embracing racial and wide ability differences are consistent with satisfactory academic progress. In response to the contention that homogeneous classes are more teachable, Lipton writes: “This procedure matches the weaknesses of teachers rather than the facts of educability, and brings in its trail the danger of stereotyping the average child at a level of performance far below his true capacity.”

Although desegregation and integration pose many grouping problems, they also provide opportunities for creative experimentation in a still much-disputed area of education.

Communication Problems in a Desegregated School. Most surveys agree that communication skills are a major problem of teachers and students in desegregated schools. Psychologists long ago established the fact that children from deprived homes use a “restricted” language which includes only the base elements of communication, few modifiers, and no long phrases or complex sentences. Teachers who misuse English or have a strong dialect also pose a problem and find these deficiencies “a barrier to acceptance in desegregated schools,” according to a study by Bash.

A recent publication of the National Council of Teachers of English points out the necessity of using different approaches to teaching communication skills to youngsters from disadvantaged areas. Dorothea Leonard, a doctoral student at the University of Miami, reports that communications research in respect to desegregation and integration is inadequate in amount and quality but is improving. Studies generally agree that children should know the oral language patterns before they are introduced to the printed page. Deutsch and Davis strongly emphasize this point. Lloyd argues that reading should attempt to tie speech with the familiar and not try to change the child’s speech.

Over the next four-year period the quality of communication between teachers and students will have a profound effect upon the success of the total program. Researchers and educators must study communication under the conditions of desegregation and integration in order better to understand its unique characteristics and to develop and put into effect action programs which will bring about improvement.

Use of Evaluation Instruments in Desegregated Schools. Uncritical acceptance of the results of an intelligence test in a desegregated school and attempts to base a curriculum on them often establishes much lower upper limits to a child’s potential than are warranted. Muriel Crosby, director of a Wilmington, Del., project with the culturally deprived, raises many questions about group testing. She states that it is almost impossible to find a testing instrument that provides a fair appraisal of the ability of the student, that is, one that measures potential instead of experience. She feels that we have done more harm than good with standardized tests that try to measure the effect of experiences a child has not had.

Scales points out the unfairness of comparing a Negro with a group of which he has not been a member and suggests that satisfactory test norms for the Negro population are lacking because many samples have excluded Negroes and others have included only a very small group. A nationwide survey by Campbell and Coleman for the USOE may make it possible to separate the achievement in schools which is due to home conditions from the achievement: which is due to school conditions.

Desegregation and integration in the Deep South may cause us to take a new look at the whole field of evaluation.

Integration of Student Activities. Student activities and social affairs are a vital part of the total school program. In the desegregated schools in the border states, white students and Negro students are on the same teams and in the same music groups; they take gym classes together, eat in the same lunchrooms, and attend the same dances. They are generally polite and considerate. They speak to each other in the halls and accept

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[References and footnotes are not included in the natural text for brevity.]
each other as classmates. Their relationship, how-
ever, ends at this point. They do not accept each
other socially and there are very few cases where
white and Negro students become close friends. The
regulations of the USOE do not refer to in-
formal social relationships, and this is under-
standable. The implication is clear, however, that
much more information is needed if integration is
to be achieved.

Continuing Education for Negroes. In the Deep
South adults more than any other large group
need the advantages of continuing education. The
resources for such education need to be examined
with respect to their availability, the range and
nature of programs offered, and the geographic
distribution. A national effort is now under way
to develop community support for literacy and
basic educational programs which are community
planned but largely financed under the federal
poverty program. The effectiveness of these adult
education programs and what they will accomplish
to assist the Negro adult will, of course, have
a major influence on school programs of the South.
A study by Knoblock and Pasamanick is quite suggestive of the relationship between the
intellectual and physical development of the Negro
child and the education of the mother. These
data indicate that at forty weeks of age there
are no significant differences between white and
Negro infants in any field of behavior. By three
years of age, however, the developmental quotient
of white children rises while the same quotient
for the Negro children drops. The greatest loss
is experienced by those Negro children whose
mothers have little education.

Project Head Start is now offering several
unique programs that involve parent education.
In addition, other parent education and continu-
ing education projects need to be devised and
undertaken.

Financial Support for Desegregated Schools. While elimination of the dual school system
in the South will allow school officials who have
the ingenuity and desire to do so to make better
use of the funds they have, this will not auto-
matically increase the total funds allotted to
the support of the schools. Federal funds earmarked
for new and/or additional programs will help,
but the magnitude of support for the general in-
structional program will not be appreciably in-
creased. School officials will face tremendous
difficulties getting taxpayers to increase their
support of schools while carrying out a program
of desegregation.

As a rule, Negro teachers in Negro schools of
the South get along with the basal text provided
by the state. White teachers in white schools,
however, often collect money from pupils or
parents to purchase school supplies for a more
effective instructional program. As schools are
desegregated, it is almost certain that many Negro
families will be asked to make genuine sacrifices
to see that their children have the necessary school
supplies. The child from the lower income family
is also going to be confronted with additional
financial burdens if he wants to participate in the
activities program of the desegregated school.

It is clear that schools in the Deep South which
are moving forward with desegregation and inte-
gration will face serious financial problems. These
problems need continuous study so that available
funds will be better spent and additional funds
made available.

Use of Negro School Facilities. Recently, and
quite generally, the South has made a tremendous
effort to construct school facilities for Negroes
that are at least equal to the facilities used by
whites. In many communities the Negro schools
are newer and more modern than those used by
whites. It is felt that white patrons in these com-

munities will not be willing to send their children
to schools built for and formerly used by Negroes.
No one seems to know what will happen to these
buildings as more and more Negro students trans-
fer to white schools. In some school systems the
buildings and other facilities are turned over to
the Negro community for recreational uses. In
others they are earmarked for pupils who do not
choose to transfer to white schools. In still others
consideration is being given to renovating the
buildings for use in the desegregated school
programs.

Each of these ways—and others will undoubt-
edly be suggested—needs to be studied carefully.
For example, while turning formerly all-Negro
schools over to the Negro community for recrea-
tional purposes might seem on its face to be de-
sirable, the practice does perpetuate segregation.

While there has been considerable study of
desegregation in the North and in the bor-
der states of the South, very little scientific and
objective inquiry has been conducted in the Deep
South. There is a lack of dependable information
on the number of Negro children actually attend-
ing school with whites, for example. We do not
know the number of displaced Negro teachers or
the extent of faculty desegregation. We lack de-
tailed knowledge of student and teacher attitudes in segregated and desegregated schools, of Negro student and Negro teacher ability, of academic success achieved by both Negro and white students in desegregated schools. It does not appear that such information will be systematically accumulated and interpreted unless steps are taken immediately to establish and support arrangements and facilities for doing the research that is needed and will continue to be needed.

A Redefining of Rights

By S. SAMUEL SHERMIS

SOME time ago I was discussing educational philosophy with a public school administrator. We reached the topic of rights and I asked him what rights he considered important. He mentioned the right of free speech. A few minutes later he lamented the poor attitudes of young Americans, particularly those who picketed the White House. Did he not, I asked him, just express a belief that the right of free speech was important and did not this include the right to criticize the government by organized protest. Well, of course, this was true, but still, the whole idea of picketing the White House was somehow undemocratic and unpatriotic.

Was this man confused about the meaning of rights? Or had he simply compartmentalized his beliefs, so that the right of free speech was one thing and patriotism another? Perhaps both. What seems important is that this administrator illustrates a widespread approach to rights: Verbalized statements are either contradicted by other statements or are contradicted by behavior.

Lack of clarity about rights reflects a tendency to divorce beliefs and practice. The assertions people make have seemingly little to do with behavior. Thus it is possible for school people to verbalize ad infinitum about individual differences, expression, democratic choice, and freedom—and to violate these in a thousand ways every single school day.

It would also seem that the divorce between theory and practice proceeds from our cultural attitudes concerning rights. A right is taken to be inalienable, inherent in all humans at all times and all places, absolutely necessary for human happiness, fixed and permanent. This is scarcely a recent way of viewing rights, for one can imagine the Founding Fathers talking about rights in precisely this manner. To Jefferson and others it was self-evident that all men were equal and that all men had a right to be ruled by a small minority, who, it was equally self-evident, alone possessed the requisite talent and intelligence to rule.

People of the nineteenth century viewed rights as absolutes. Following a perverted interpretation of Adam Smith, men were supposed to be naturally selfish and should therefore have a right to accumulate material possessions hindered by few ethical considerations. Or, as in the Dred Scott decision, the Negro had no rights because he was naturally inferior, a decision applauded for its wisdom and insight by slaveowners. One comes to feel that the entire process of defending some particular value by calling it a "natural" right is simply a self-serving argument that can be used equally to defend integration or segregation, democracy or aristocracy, laissez faire economics or government control.

However, practice is out of joint with theory. To the extent that one can theorize about rights as if they were absolutes, one can hide indefinitely from one's self his own motives. One can give lip service to democracy, freedom, individuality, and uniqueness while engaging in practices which are undemocratic and predispose to rigid conformity. What is apparently needed is another way of viewing rights, an attempt to theorize about them as they may be observed to function. The following is an effort to describe and characterize rights on the basis of the way people behave. Here is another set of assumptions about rights—in effect, a new definition of rights.

Some Characteristics of Rights

The writer is assuming that a right is essentially a statement of an extremely important human value. The important value is not assumed to have been there always, waiting to be discovered by higher intuition, but is a humanly contrived belief that expresses what some people in a certain cultural context and at a particular time deem of supreme imp-