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Guest (s): Emile A. Wagner, Jr. (Member of Orleans Parish School Board)

Title: School Situation in New Orleans

Note: Questions were paraphrased and/or shortened by the transcriber. For the exact question, please consult the audiotapes.

Morphew: Introduction...(weird audio, maybe a phone interview)...you're the only member of the school board that's certain that he IS a member of the board...will you explain that?

Wagner: That certainly is true. I was elected by the people, by over 80 percent of the vote in 1958, which board, after it sought to integrate the schools was abolished by the governor and the legislature of the state. I have now been reappointed by the legislature as a member of the new board, therefore certainly, I am sure of being a member.

Morphew: In addition, you are executive vice-president of a homestead and savings association of New Orleans and an attorney and the president of the association of catholic laymen...now, what is the basic school situation in New Orleans at the moment? Is there integration in New Orleans schools?

Wagner: There is absolutely no integration as such in Orleans Parish public schools. We have two schools that are under order to integrate, the Frantz and McDonogh schools. These schools have a total enrollment, or a total capacity of a thousand, seventy-two children. Attending those schools today are eight white children and four Negro children. In my estimation, these two schools stand before the nation as monuments of resistance to an unfair and highly unjust decree of the federal court.

Morphew: Why has there been such tremendous resistance on the part of white residents to integration? Is it a question of numbers?

Wagner: It is very simple. The people of New Orleans, 90 percent of the people of New Orleans, realize that to mix the races with their great disparity would bring about an injustice both for the white and the Negro children.

Morphew: What is the racial composition of the enrollment in the public schools in New Orleans at the moment?

Wagner: At the present time, 57 percent of the children in the overall school picture are Negro, and 43 percent are white, but this does not tell the whole story. There are sixty-nine hundred Negro children in the first grade and thirty-four hundred white children. That means two out of three in every class are told if integration comes, if the federal court has its way, will be Negro children.

Morphew: And the reason for this is due to the preponderance of enrollment in the parochial schools, is it not?

Wagner: It has always been, but the tendency has been more and more away from public education as the wealth of the community increased. This is not new with the integration question, but the increased proportion of the Negro has been according to the past ten or fifteen years.

Morphew: Do you feel there has been some inaccurate reporting on the situation in New Orleans to the affect that the business life has been reported as being negatively affected by the disturbance?

Wagner: That is certainly not so. The business life of the community is affected by national trends like every other community. There has been no riots as the newspapers and the propaganda agencies would have us believe. There has been no attempt to cut down industrial effort in any respect. We are affected as other areas of the country by economic trends.

Morphew: Do you believe the eventual solution will be in the field of resolving the issue as between federal and state power over school integration?

Wagner: The greatest problem in connection with the whole issue is the invasion of states rights by federal courts, such invasion as this country has not known since the beginning. With the stroke of a nimble pen, a judge may sign any order, no matter how arbitrary. To give an example of this, the federal court should not under any circumstances be interested as to who should be the school board. It should be interested in its orders being carried out, but it has no interest as to the personnel of the school board. When the legislature, in its wisdom, saw fit to abolish the old board and to replace it with a new, without a hearing, the federal judge in this district signed an order enjoining any action on the part of the new board. This seemed to me to be highly unjust and certainly an invasion of the prerogative of the state.

Morphew: Actually for the first time since the days of reconstruction, it would seem like the courts are putting the Louisiana legislature out of business insofar as any legislation regarding New Orleans schools are concerned.

Wagner: Well, from an ethical point of view, I think, I stand askance at what is being done. We are told when we are...that the state is the proper party against all, against whom the whole action should be brought, that the state is not a proper party. And yet, speciously, they will enjoin the governor, the legislature, the superintendent of education,

the school board, the state police and any other body that might carry out the will of the state, so although they will make a clear distinction between the individuals who carry out the orders of the state and the state, in effect, they enjoy the state from acting without the state ever having its day in court. Take the example of Sam Rosenberg, he is the attorney for the school board at the time that this issue arose. He told me, in a conference with me, that it would seal his doom if he handled the integration case the way the board wanted it in order to preserve integration for the children of New Orleans. Nevertheless, that is man who now represents what is the old school board. He is man whose salary is paid 62 percent by the State of Louisiana, and yet, when Sam Rosenberg elects to bring an injunction proceeding against the governor and against the legislature and when the state, in these circumstances attempts to cut off his pay and to discharge him, the federal court tells the state, you can't discharge him, you have to continue to hire him so that he can enjoy you at every step of the road. That, I believe, is the most highhanded thing of all that has been done.

Morphew: Why was New Orleans chosen as the scene for this extended court battle?

Wagner: I believe that the NAACP authorities and those who manipulate this organization have been told that New Orleans was a soft spot. I believe that they were told this because of the attitude of our archbishop here speaking in Catholic circles, as you well know, he has come out very ardently for integration, he has said that segregation is morally wrong and sinful. And I think that the NAACP thought that when the archbishop came out with his mandate that segregation was morally wrong and sinful that the forty percent of the population which was Catholic would fold up and stop resisting. But instead of finding this to be so, it is not only being resisted on the public school level but it is also being resisted at the parochial school level, so that today even though the public schools are faced with integration, not yet has the archbishop attempted to integrate the private schools, the parochial schools.

Morphew: I believe his position has been that the parochial schools would be integrated when and if public schools were successfully integrated. In other words, he is taking the lead in issuing statements but not taking any action.

Wagner: Well, he has taken three different positions. He has first said that the parochial schools would not be integrated before September 1956. He secondly said that they would not be integrated later than the public schools in New Orleans. And his last statement was that they would not be integrated until the public schools were integrated. Now, at the present time, the public schools are at least under order to integrate, yet the parochial schools still remain segregated. I think this results from the fact that the people are unanimous in this area, or 90 percent unanimous, that to integrate the children, Negro and white, is morally wrong and not the reverse.

Morphew: As president of the Catholic Laymen, would say that the archbishop's position does or does not represent that of the rank and file catholic in New Orleans.

Wagner: It does not represent the position of the rank and file Catholic no more than it represents the position of 90 percent of the non-Catholics in New Orleans, the people who understand the situation, who realize that there are three years' difference in achievement between the Negro and the white at the end of the twelfth grade, can't understand how a federal court should force this injustice on the children of both races because a teacher, if he teaches, if the teachers are slow and left the smart to their own devices or teaches the advanced and left the slow to their own devices, in either case, one group is not getting the education it deserves.

Morphew: There has been a good deal said and written by the national news media concerning the various white people in New Orleans who have formed organizations to keep the public schools open. Is that the actual purpose of these groups or are they really trying to achieve integration?

Wagner: I think there are very many good people that are being manipulated in the "Save Our Schools" movement. These people sincerely want to keep the public schools open, as do I, but they do not realize that the manipulators do not want the schools open, they are trying to bring integration in the back door when it can't get in the front.

Morphew: What will the eventual outcome be? Will the schools integrate or will the people continue to resist?

Wagner: It depends on the determination of people. They must be willing to undertake inconvenience if necessary. They must continue to fight, must continue in their resolution. If they do this, no matter what capricious order is issued by the federal court, there will not be integration of the schools, even if it means, now mind you and I can see this on the horizon, even if it means the closing of public schools and going to private education. I'd like to say this in this regard: public education is no sacred cow. It is sacred only because it is a means to the physical, mental, moral and civic development of children. When it no longer serves this purpose then the people, if they are enlightened, must look for another means.