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# Crisis at the University of Mississippi

Russell H. Barrett

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"Crisis at the University of Mississippi" given by Russell H. Barrett, Professor of Political Science and Secretary-Treasurer, A.A.U.P., University of Mississippi, at the University of South Carolina, November 30, 1962.

The words which follow are an attempt to do the impossible, to describe the complicated and sometimes disputed facts concerning the enrollment and attendance of one student at the University of Mississippi. It is of course clear that the entry of this one student has produced a series of side effects which have often overshadowed the rather simple educational and legal questions raised by the case. It is probably not necessary to explain to a group such as this the reasons for these side effects.

It may seem unnecessary to begin with a defense of the University of Mississippi as an educational institution, yet the large number of incredibly misleading news reports requires such a beginning. Perhaps this should emphasize the worst of these, which would include TIME MAGAZINE, that journal of opinion which calls itself a "The Weekly Newsmagazine." I limit myself to but one example of TIME's inaccuracies, the statement on page 22 of its October 12th issue that there were virtually no faculty members on the campus during the rioting. Many faculty were there, but the riot of September 30 rapidly developed into one which could only be controlled by individuals with effective methods of controlling mobs. It is probably more instructive to examine a case of misleading reporting in one reputable publication and its further distortion in another, namely the New York TIMES and the St. Louis POST-DISPATCH. The TIMES carried a story on October 21 which reported that Ole Miss students live in "profound isolation," that the range of political and social opinion among students is "from X to Z," that literature is not taught "in translation," that few undergraduates "have seen a foreign film with English subtitles, a play or listened to a symphony," that the student newspaper "compares unfavorably with those of other colleges of similar size," and finally that "the similarity of outlook among the students is reinforced by the fact that virtually all are from the Scotch-Irish or Celtic stock." None of these statements were supported by reference to citations of fact, because they are not facts, as could easily be demonstrated.

This story did contain some important factual criticisms of university students and of other aspects of the university which deserve criticism, but it found nothing at all to commend. When this story and another one of October 8th were compressed into an editorial in the St. Louis POST-DISPATCH, the picture became even worse. The university is "not a seat of enlightenment but a last-ditch refuge of bigotry, cut off from the streams of thought and action in the rest of the nation and the world." It stated that the Legislature "lays an oppressive hand on the selection of texts, on the content of teaching, and on the expressions of opinion by student editors of the university newspaper..." During certain years our legislatures might have wanted to do all of these, but the facts are that the legislature has had no effect whatsoever on the selection of texts, has had no effect on the content of teaching, and has not silenced the expressions of opinion by a notable succession of student editors. The author of the TIMES stories had not even said that the University failed to demand scholarship and had in fact pointed out that 90% of the lowest 1/4 of entering freshmen flunk out or leave school. Even so, the POST-DISPATCH concluded that the university does not demand scholarship. I do not know how to explain these distortions of fact by publications which are usually responsible, but I would like to state a few facts very briefly.

The three local theaters show an impressive number of foreign films each year and they are well attended by students. The University Artist Series is an excellent one. Symphonies, ballets and plays on tour usually fill our 1300-seat auditorium, although the turnout for chamber groups and the less well known soloists is about 600 to 800. This year the nine presentations on the series include Hal Holbrook in "Mark Twain Tonight," the Goldovsky production of "La Traviata," the San Francisco Ballet, the New York Pro Musica, Judith Anderson in "Medea," and the violinist Erica Morini. Our Forum Series this year is presenting Vance Packard and Santha Rama Rau, among others, and in the past it has presented, in spite of the screening of speakers, Lord Attlee, J. K. Galbraith, Edward Weeks, Ralph Lapp, Eric Sevareid and many others of similar caliber. Our very active University Players have presented "The Crucible," "Waiting for Godot," "Tiger at the Gates," and "The Chalk Garden," to name but a few. I do not pretend that we have no major weaknesses in our academic program, but the criticisms to which I have just referred did not even refer to the major one, the shortage of library funds for major library acquisitions and for new staff. We are better off than some state universities in certain fields, for example, travel to professional meetings and legislative interference with the curriculum. Adequate consideration of all this would mean another speech, but I do suggest that you read some of the news stories about the university with considerable skepticism.



The story of Mr. James Meredith at the University begins with his letter which arrived January 26, 1961, in which he requested an application form for the Spring semester, beginning February 6. He submitted the application on January 31, together with character recommendations from Negro citizens, since he did not know six University alumni from his county who would send character references as required by the Board of Trustees. On February 4 the Registrar sent a telegram to Mr. Meredith and to 13 others stating that no applications would be accepted after January 25, the date before receipt of his initial letter of inquiry. This type of procedural nonsense led one faculty member, a segregationist southerner, to comment "They'll make it so all the niggers can get in and keep all the white folks out." After further correspondence, the Registrar advised Mr. Meredith on May 25 that his application for admission was denied. The grounds were that the Mississippi Negro school he was attending was not accredited so that his credits from there could not be transferred, and that his letters of recommendation did not meet the requirements.

On May 31, 1961, James Meredith took his case to the federal District Court of Judge Mize and asked for a temporary restraining order and for subsequent permanent orders which would require the University to admit him. Judge Mize refused the temporary order on December 14, more than 6 months after the filing of the suit. The Fifth Circuit Court upheld this refusal on January 12, 1962, stating in caustic terms that Judge Mize should expedite a full hearing of the case. He ruled on February 5 that the denial of admission had not been on the basis of race. On June 25 a three-judge Circuit Court by a 2-1 vote reversed that decision and later ordered Judge Mize to issue the injunction against the Board of Trustees and University officials. District Judge Cameron then issued four successive stays of the order, but on September 10, 1962 Justice Black of the U. S. Supreme Court enjoined any interference with issuance of the order. On September 13 Judge Mize issued a broad order prohibiting refusal to admit Mr. Meredith or interference with his attendance at the university on the same basis as white students. At a meeting on September 4 the Board of Trustees had removed the responsibility for consideration of Meredith's admission from University officials and assumed direct responsibility. On September 13 Governor Ross Barnett issued a proclamation which interposed the "sovereignty" of Mississippi against any interference with the operation of the schools, basing his argument on his interpretation of the 10th Amendment. He called for all legal methods of resistance and also for "all other means." There were other legal actions which included an injunction by a state Chancery Court judge, an in-absentia trial of Meredith for false voter registration, and a hurriedly passed state law prohibiting anyone convicted of a criminal charge from enrolling in any state university or college. The preliminary legal procedures were concluded by a Board of Trustees decision on September 20 to make Governor Barnett the registrar in relation to one student. It was later made clear that the purpose of this was to place the responsibility for admission or non-admission on the Governor, since the Board of Trustees and University officials were ready to admit the student. The latter groups were later acquitted of contempt charges.

On the dates of September 20, 25 and 26 the Governor or the Lieutenant Governor personally refused to permit Mr. Meredith to register. On September 28 the group of Marshals bringing Meredith to the campus turned back some 20 miles away after hearing that a large number of law enforcing officers was prepared to refuse admission and that an unruly mob had assembled.

Before moving to the events of September 30, it is necessary to review the state of discipline on the campus during the preceding week. At the opening faculty meeting on September 15, the Chancellor read the injunction to the faculty and copies were mailed to all faculty and staff by order of the Board of Trustees, which stated that the injunction was to be "strictly complied with." There were no specific instructions as to whether or not the injunction should be read in classes, although many faculty members did so on the first day of classes, Friday, September 21 or Monday, September 24, depending on the courses involved. The injunction and the Board's orders to the Chancellor to comply with the injunction were printed in prominent positions on the front page of the student newspaper on September 26. The effects of printing the injunction probably were weakened by a top banner headline in the same issue which stated the news of the Governor's rejection of Mr. Meredith in these words, "BARNETT REJECTS MEREDITH."

The University did attempt an earlier approach at the maintenance of student discipline. Two weeks before the beginning of classes, about 25 student leaders met in a two-day off-campus workshop, the main purpose of which was to make plans for avoiding violence and keeping the University open. These students conferred with University officials and committed themselves to do everything possible to maintain law and order. They also agreed that an educational campaign should be conducted, mainly in the student newspaper.



When students came to the campus for orientation, the rush period and registration, other developments occurred which produced some success and some failure for the "educational" and mild approach to student discipline. At about 1:30 a.m. the night of September 10, the day of Justice Black's decision, a group of about 15 students and outsiders set up a large cross on fraternity row. A campus policeman persuaded the students not to light the cross and they later put it on a truck for disposal. They explained that they "merely wanted to protest the admission of Meredith." There was no disciplinary action against any of the students. On the following day the Chancellor and Dean of Students met with the fraternity presidents and that night the Dean met with dormitory managers to ask their cooperation in maintaining order. At about midnight a cross was lighted in a vacant area back of fraternity row. Fraternity members who phoned the police and went out to extinguish the fire saw a flash and several persons running away. A Jackson paper published the picture and an incorrect story stating that the police had to disperse a large group at the scene. There is good reason to believe this cross burning was staged by outsiders for the news photographer. Several other crosses were burned later, but they did not attract crowds.

The worst student behaviour before September 30 occurred on the three days when attempts were made to bring James Meredith to the campus. On one of these days several students in the midst of a large crowd attempted to take down the American flag in University Circle and replace it with a Confederate flag. Two student leaders were able to stop them, thus demonstrating the potential effectiveness of student leadership.

On the two days when James Meredith was brought by Marshals to the campus and on the third when a sizeable force of Marshals turned back, the crowds or mobs of students became progressively more unruly. There was no throwing of rocks or bottles; but there were repeated obscenities, and it became more difficult for highway patrolmen and other officers to keep them in any semblance of order. Many witnesses have said that the mob which assembled east of the University entrance on September 28 could have become violent with relatively little encouragement from hard core leadership, if Meredith had been brought to the campus. The Dean of Student Personnel has said that the behaviour of the students before 4:00 p.m., Sunday, September 30 was "superb" but it is difficult to understand the basis for such a conclusion. In any case there was a good deal of student behaviour during these days which ordinarily would have produced disciplinary action. Yet there was not a single case of disciplinary action during the period. It should be added that there were probably no more than a fifth of the 4700 students in one one of these crowds. I conclude that up to Sunday, September 30, student discipline for the great majority was satisfactory, but for the large minority of up to 1500 who might be led into mob action it was dangerously weak. Several faculty members expressed this view to administrative officials before that dismal Sunday.

It is impossible to give even a reasonably adequate but also brief account of the riot of September 30th. The best factual account appeared in NEWSWEEK on October 15, although there were other good ones. (NOTE: The original speech contained quotations from six eyewitness accounts, and the main points in these are summarized below.)

My conclusions and generalizations on the riot are these:

1. With the presence of outside trouble makers, it was a mistake to bring in Meredith without at least 1500 troops.
2. The Governor had guaranteed that the Highway Patrol would maintain order, but 400 or 500 could not possibly do so and also prevent the entry of outsiders.
3. The 2½ hour delay in bringing Meredith to the campus was disastrous, because it meant the Marshals and Meredith came only about an hour before darkness began to come.
4. It was mostly students who started the riot, although outsiders also participated and provided leadership. There is no doubt that they were throwing objects and committing other acts of violence before tear gas was used. The fact that so few were arrested does indicate that most of the worst offenders were not students.
5. Most of the worst rioting was by outsiders, and even before 4:00 p.m. there was no effective way of keeping them off campus. The campus is unfenced and most of it is surrounded by wooded hills.



6. There was no effective agreement between University and Federal authorities before or for several days after the riot. The blame for the initial bungling of Meredith's entry on campus can be placed mainly on Governor Barnett, although the Justice Department and President Kennedy should have ceased communicating with him after his first rejection of Meredith. University officials should have established communication with the Justice Department considerably before this, and the Justice Department should have established communication with University officials.

Now I resume the story of developments in relation to discipline. You will notice that there had been little notice to the University of Meredith's entry to the campus on Sunday. Apparently no contingency planning had been made by the University for even a mild riot. Therefore there was no riot-controlling equipment in the Lyceum Building, the administrative headquarters. There were no public address facilities, water hoses, or other such types of equipment. The university had hired extra policemen, but apparently verbal persuasion was the only method of control considered to be necessary. In any case, the University authorities and policemen apparently did not arrest or detain a single student during the rioting. There is no point in saying they lacked gas masks--after all, the rioters were standing up well under the gas. At various times students, administrative officials, policemen, and faculty members attempted to get students to go back to their dormitories, but with little success. If they had succeeded in this early, the outside rioters could have been taken care of by more forceful measures.

The disciplinary action taken against the students active in the riot was made more difficult by the slowness of the Justice Department in submitting names and evidence on those arrested by the Marshals. Eight students named subsequently received sentences ranging from disciplinary probation for one semester to dismissal from the University but with the sentence suspended.

It is impossible to detail all subsequent events related to student discipline. There have been two really serious incidents, one of which resulted in the expelling of five students. The methods being used as of November 30 are:

1. Stern warnings of drastic action, including expulsion, by the administration, notably in the Chancellor's convocation speech on November 1, but also in an earlier statement by the Dean of Students. Five students were expelled.
2. Faculty, staff, and University police patrolling of campus at night, which is particularly heavy when advance information of outside shipments of cherry bombs and other explosives have been received.
3. Frequent editorials in the student newspaper by Sidna Brower calling for responsibility and obedience to the law, although the attempts in the Student Senate to censure her lessen the effectiveness of her appeals.
4. Warnings from the accrediting association and other groups such as the AAUP and American Council on Education.
5. Constant patrolling of the campus by Military Police.

Another chapter in this case might be termed the Battle of Statements. Almost everyone, particularly from the outside, has asked, "Where were the Moderates?" The answer is that some were there and they were acting before the riot. But most were slow to speak publicly, and no one expected the viciousness of the riot and the other reactions to the enrollment of James Meredith. The Oxford ministers acted first by calling on their congregations to behave like Christians. One week before the riot I drafted a statement for possible adoption by our Faculty Senate. This stated in part:

1. The primary purpose of the institutions of higher learning is education, and the continued carrying out of this purpose should not be interfered with by other controversies or considerations.
2. The present controversy over the admission of students to the University constitutes interference with this primary educational purpose. When a clear and final legal determination on the controversy has been made, it should be accepted and implemented in a manner which will not interfere with the process of education.



This may seem mild to many outsiders, but in the context of Mississippi politics it was not mild. The Senate Executive Committee did not see fit to call a meeting to consider this or another similar statement drafted by another faculty member.

On October 1, a Jackson businessman made a special television appearance in which he called for compliance with the law and an end of violence. On the same day, 114 leading business and professional leaders adopted a long statement urging the maintenance of law and order.

On October 3rd the University Chapter of the AAUP adopted the widely publicized statement which defended the Marshals, criticized distorted news reporting, called for obedience to the law of the land as interpreted by the Supreme Court, and called for a return to normal educational activity.

The Chancellor held several news conferences in which he made generally positive statements, in one of which he indicated that he saw no reason why other Negro students should not enroll at the University. He made the convocation appearance already referred to. He also made a speech in Greenville, Mississippi, in which he firmly set out the guiding principles necessary for higher education. His statement included these words: "A university is a place of ideas, an institution dedicated to the courageous pursuit of truth. We cannot be a university and deny our teachers and our students the freedom to teach and to learn. Every new idea is in some degree dangerous, but none is so dangerous to a free society as mental stagnation and intellectual dry rot." On October 16 the University Associates of Phi Beta Kappa adopted a strong statement, part of which follows:

As teachers and as members of Phi Beta Kappa Associates at the University of Mississippi, we believe in the right of every student at the University to pursue knowledge and truth and to obtain the education of his choice without interference from within or from without. Individual freedom and a respect for human dignity are the lifeblood of a University. If these principles are abandoned, the institution loses its integrity, and the degrees it confers become a mockery.

Finally the Vice Chancellor made a hard-hitting and timely speech in which he condemned "nameless individuals" who were "using University students as pawns" to damage the University.

One of the most valuable developments has been the creation of a committee of nine faculty members who consult with, advise, and demand action from our administrative officials. This committee was organized with the support of the administration. They meet almost daily and they provide more faculty influence than has ever before existed at Ole Miss on any problem. This committee represents the Senate, the AAUP and the general faculty.

What conclusions can be drawn from all this?

I list them briefly:

1. Develop your courage early, and along with it a sense of humor.
2. Develop faculty unity and communication with the administration early even if it might have to be pressed somewhat. There should be no important individuals who are prepared to scuttle the effort.
3. Be sure there is adequate communication with the Department of Justice and with the Negro student.
4. Work out an adequate plan for housing, eating, class attendance in a manner which does not isolate the student.
5. Develop methods for resisting any underground movements of disruption.
6. Help develop unity among state business, professional and political leaders.

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(Please note that the above deals with events only up to November 30, 1962.)