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Price Daniel, Texas Democrats, and School Segregation, 1956-1957

BY CHARLES WAITE

In the mid-1950s, Texas maintained a largely southern political culture. As in the other ex-Confederate states, the Democratic primary represented the real election, with the general election in November a mere formality against token Republican opposition. Because Texas remained a one-party state, different factions within the Democratic Party constantly struggled for power, with conservatives usually the victors.

During the mid 1950s, the issue of race energized such an intra-party schism. During the election season of 1956, the racial issue was the most volatile issue and elections throughout the South in that year hinged on the explosive issue of states' responses to the United States Supreme Court's 1954 *Brown v. Board of Education* decision, which required states to desegregate "Inherently Unequal" public schools. Although Texas never elected an extreme segregationist such as Alabama's George Wallace or Mississippi's Ross Barnett, its main gubernatorial aspirants all spoke out against integrated schools during the 1956 Democratic primary campaign. The primary candidates for the governor's mansion both grappled with the issue. Price Daniel and Ralph Yarborough represented the conservative and liberal wings of the party respectively, while on the fringes of race-baiting politics ex-governor W. Lee "Pappy" O' Daniel and West Texas rancher and historian J. Evetts Haley promised extreme measures to stop integration.

During the mid-to-late 1950s, most of the ex-Confederate states adopted some variation of "massive resistance" to the *Brown* decision. Although Texas was, and remains, a diverse state geographically and culturally, it still resembled the rest of the South in its determination to prevent desegregation of public schools. Attempts at "massive resistance" in Texas did not last as long as those in some Deep South states, but segregationist legislation and racial politics did reflect the most contentious issue facing the state leadership during the first term of Governor Price Daniel, from 1957 to 1959.

Maintaining public school segregation represented a popular issue, especially in East Texas, during the gubernatorial election of 1956. Candidate Daniel, a typical southern segregationist of the

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period, had been one of the few members of the Texas delegation during his senate term to sign the Southern Manifesto, which called the *Brown* decision unconstitutional. As state Attorney General, he had worked unsuccessfully to keep the University of Texas Law School segregated in the landmark *Sweatt v. Painter* case of 1950, and while campaigning in 1956 he often denounced “forced integration,” and promised to use his power as governor to preserve segregation wherever a majority of the population opposed integration.¹

The two dominant candidates in the 1956 race, Daniel and Judge Ralph Yarborough, represented distinctly different factions of the Texas Democratic Party. Since the early 1940s, state Democrats had engaged in bitter intra-party feuds between liberals and conservatives. Daniel, as a result of his support for Republican presidential candidate Dwight D. Eisenhower in 1952 and his close association with fellow Senator Lyndon B. Johnson, had emerged as leader of the conservative wing. Yarborough, on the other hand, was supported by the left-leaning Democrats of Texas (DOT) and posed the greatest threat to the state’s conservative establishment. As for the Republicans, the GOP had little power in 1950s Texas below the national level and the “I like Ike” presidential campaigns of the decade.

Yarborough and Daniel, despite such convenient labels, actually held similar positions on many issues throughout the campaign. Both favored higher pay for teachers, water conservation, and cleanup of corruption in state government after the scandals of the Allan Shivers Administration. When it came to school segregation, both candidates opposed the *Brown* decision (at least rhetorically), although neither supported “massive resistance” against the United States Supreme Court. Perhaps because Daniel and Yarborough’s platforms seemed so similar, each candidate resorted to personal attacks to distinguish himself from the other. The Senator regularly charged that his opponent represented the interests of “Big Labor” and the National Association for the Advancement of Colored People (NAACP) rather than those of ordinary Texans. Yarborough, for his part, told voters that Daniel was nothing but a tool of Wall Street business interests who had sold out to the Republican Party by supporting Eisenhower for president four years earlier.²

As if Daniel and Yarborough’s verbal attacks were not enough to entertain voters that year, former Governor W. Lee O’Daniel also entered the race on an extreme pro-segregation platform. O’Daniel had been enormously popular among ordinary voters when he ran successfully for governor in 1938 and 1940, and for the United States Senate in 1941. The 1956 gubernatorial race represented “Pappy’s” last serious effort to win back his old position.

Opening his campaign in May, O'Daniel ridiculed school desegregation as a "screwy" idea, and ominously warned that it would lead to violence in which "the red blood of both whites and Negroes . . ." would run in the streets of Texas towns and cities. Announcing his contempt for Chief Justice Earl Warren and the Supreme Court, O'Daniel promised that when he took office again, "the people can just forget about the [desegregation] order." Apparently "Pappy" believed that state governors could simply ignore or nullify federal court orders that did not please them. The candidate also told white crowds that they had nothing to fear from the "nine old men" on the Supreme Court because the judges were "cowards" who avoided fights with real men and only picked on "little urchins toddling off to Kindergarten."³

The worst of O'Daniel's demagoguery focused on the Supreme Court, but he also joined in the name-calling contest between Daniel and Yarborough. As he had in 1938, "Pappy" portrayed himself as an outsider and representative of the common people bravely taking on the professional politicians in Austin and Washington, D.C. He called Daniel the "little junior senator" beholden to the "millionaire clique" that controlled the state's politics. O'Daniel also joked that his two main opponents were politicians who ran "every time there is an election—just for the exercise."⁴

West Texas rancher and author J. Evetts Haley represented the most extreme end of racist opposition to integrated schools. The Haley campaign distributed pamphlets and flyers that called for "Continued segregation of the races without compromise." In what marked the low point of a campaign in which all of the principal candidates played on the racial fears of white voters, Haley actually promised, if elected, to use the Texas Rangers to stop federal marshals from crossing the Red River into Texas to enforce desegregation orders. The West Texan also called on Congress to impeach all of the Supreme Court justices for their "illegal and immoral" decision in the *Brown* case. Finally, Haley resurrected South Carolinian John C. Calhoun's nineteenth century Doctrine of Nullification, calling on Texans to declare the *Brown* decision null and avoid. Oddly enough, the candidate most connected to the West tried to use an outdated southern states-rights position to further his goals over ninety years after the crushing defeat of the Confederacy.⁵

Although the candidacies of O'Daniel, and especially Haley, represented only the most racist fringe of Texas politics, the relatively minor candidates still constituted a threat to both Yarborough and Daniel. The Senator, as the more conservative of the two mainstream candidates, worried about the appeal of Haley and O'Daniel to voters who might otherwise favor his candidacy. During his tenure as

attorney general of Texas and in the U.S. Senate, Daniel had firmly established his credentials as a segregationist. In a head to head contest against Yarborough, Daniel would have had greater appeal to white segregationist voters, but Haley and O'Daniel complicated all of the Senator's political calculations on the race issue. Yarborough had to worry as well because poor rural whites, a group that strongly supported segregation, represented his strongest constituency.

Daniel tried to boost his appeal against all three of his opponents by somewhat duplicating the O'Daniel and Haley strategies and pandered to the racist fears of many white voters, particularly in East Texas. Throughout the campaign he charged that the NAACP and other civil rights organizations supported Yarborough—an accusation with no real substance. Speaking in Houston on June 5, the Senator charged that “extreme radical left-wingers” in the NAACP and the CIO (Congress of Industrial Organizations) saw the Texas governor's race as an opportunity to “seize control of the state government not for the next two years but for years to come.” Daniel also argued that the NAACP, and by extension Yarborough, “want to centralize everything in Washington and they are well organized.” Fear of “outside agitation” ran strong among whites in the South, and the Senator knew that playing on such a fear would help his campaign.⁶

Daniel also used his position in the Senate to reassure white voters at home that he supported segregation. Speaking in San Angelo on July 5, he denounced a proposal by African American New York Congressman Adam Clayton Powell to deny federal school construction funds to states that maintained segregated schools in defiance of the *Brown* decision. The Senator called the Powell Amendment “the most vicious effort since Reconstruction days to force upon Texas and the South total federal control of our local affairs.” Two weeks later in Houston, Daniel attacked the congressional bill that eventually became the Civil Rights Act of 1957. Supported by the Eisenhower Administration, the measure sought merely to protect black voting rights in the South. Along with senators from other ex-Confederate states, Daniel appealed to his white constituents by calling the bill a dire threat to “individual liberties.” Obviously not concerned about the liberties of African American voters, the Texan promised that if the civil rights bill reached the floor of the Senate, he would immediately return to Washington and “join my Southern colleagues in defeating the bill.”⁷

Daniel's criticism and the overwhelming opposition to school desegregation put Yarborough in a difficult position. Today the judge is remembered as one of the most liberal senators Texas ever produced, given his support for Civil Rights and President

Lyndon Johnson's Great Society in the 1960s. Judged by his words in the 1956 campaign, however, Yarborough represented only the least committed type of segregationist rather than a supporter of integration. Generally, he tried to avoid the race issue and focus on economic concerns, but Yarborough was a smart enough politician to know that he had to oppose school integration to have any hope of winning the race. He limited most of his comments on the *Brown* decision to speeches in East Texas, where, like Daniel, he attacked "forced" integration. Yarborough pointed to his roots in East Texas and announced that, as "a grandson of two Confederate soldiers . . ." he "was born believing in state rights . . ." Comments like this from one of the most powerful liberals in the state illustrate the strength of segregationist feelings in Texas even more than the outrageous statements of fringe candidates like O'Daniel and Haley. Yarborough biographer Patrick Cox argues convincingly that "at this stage of his career he was still unwilling to publicly confront the integration issue, which was to become a larger factor in efforts to modernize the state. The voices of dissent in Texas had not yet reached the level where they could be heard over the shrill screams of reaction."⁸

Democratic voters sorted through all of the campaign rhetoric and made their choices in the first primary on July 28. Daniel garnered the most support, 628/914 votes. Yarborough followed with a total of 463/410. O' Daniel did well among his old rural supporters, getting 347/757 votes. Haley, the candidate with the most extreme racist platform, got only 88/772 votes. Since no candidate had received an outright majority, a runoff election between Daniel and Yarborough in August would decide the Democratic primary winner, in 1956 a decision that still represented the only meaningful election. The Senator, publicly pleased with the results, portrayed his lead as a victory against the "false propaganda" of the NAACP and the CIO.⁹

Second primaries were a normal feature of politics in one-party Texas. With several candidates running in the Democratic primaries, outright majorities were rare and run-offs the norm. Candidates could also expect defections from previous supporters, a trend Yarborough experienced in July. Twenty-six former supporters urged the Judge to withdraw from the run-off campaign in the interest of maintaining the "harmony" of the Democratic Party. Yarborough countered that he had "just begun to fight" and called the defectors "turncoats" who had perpetrated a "doublecross." On the other hand, the second-place candidate got support from an unexpected quarter—O'Daniel. "Pappy" endorsed Yarborough for the run-off, hoping to weaken Daniel and run as an independent candidate in November. O'Daniel's famous band, the "Hillbilly Boys," even repainted the slogan on their campaign bus with the phrase "We're for Yarborough now."¹⁰

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The second primary, once again, degenerated into personal attacks by both candidates. Daniel continued his theme of Yarborough as a tool of labor unions and civil rights groups. He charged that the NAACP “controlled” ballot boxes in cities like Houston and Dallas and had “lined up” behind Yarborough. The Judge did not hesitate to hit back. He strongly denied that the African American vote went only to him, telling white supporters that “Price Daniel won several boxes in Negro neighborhoods and was close in others.” In a humorous jibe, Yarborough said that the NAACP Daniel supported stood for “No action against crooked politicians, Chapter number 1.” Such rhetoric during the second primary showed that, whatever his later attitudes, Yarborough still needed to portray himself as a segregationist to avoid losing the white vote.¹¹

The Judge’s anti-integration tactics nearly paid off in the August 25 run-off election; Yarborough largely neutralized Daniel’s appeal on the segregation issue and nearly won the election. Election officials took several days to determine the final result, and observers compared this election to “Landslide Lyndon” Johnson’s narrow victory over Coke Stevenson in the 1948 United States Senate Election. The Texas Election Bureau announced the final total on September 1, declaring Daniel the winner by only 3/343 votes, or 50.12 per cent of the total, the closest margin in a Texas gubernatorial race since the creation of the Election Bureau. Yarborough and his supporters believed the Daniel had prevailed due to fraud, as well as Republicans voting for the Senator in the Democratic primary, but Yarborough did not challenge the legality of the election. Instead, he got his revenge on the conservative establishment by winning a special election for Daniel’s Senate seat in 1957.¹²

The governor’s race was not the only part of the 1956 Democratic Primary that featured school segregation as an issue. Governor Alan Shivers and the State Democratic Executive Committee (SDEC) had maneuvered to put several pro-segregation measures before the voters. Besides choosing between gubernatorial candidates who all endorsed continued segregation, primary voters approved by a four-to-one margin a referendum calling for state “interposition” against integration. Voters also approved stronger laws against interracial marriage, and a law prohibiting “compulsory attendance” at desegregated schools. In September, before the general election, Governor Shivers ordered Texas Rangers to prevent integration at Mansfield High School and Texarkana Junior College. Clearly, white voters and the state’s political leaders still refused to accept that the *Brown* decision was the law of the land.¹³

After winning a narrow victory over Judge Yarborough in the election, Daniel had to live up to his promises to keep segregated

schools in areas where the white population favored them. He took office at a time when segregation, especially in schools, represented an explosive issue throughout the South. Daniel and other southern governors followed policies designed to thwart the impact of the *Brown* ruling. Much of the work southern legislatures undertook during Daniel's first term consisted of laws designed to defy or delay integration of the schools. Segregationist lawmakers in Texas and other southern states sought to use state authority to preserve the dying "Jim Crow" system. Several states authorized their governors to close integrated public schools. "Pupil placement" laws, which allowed local authorities to evade desegregation orders, represented another tactic.¹⁴

Texas joined in this segregationist trend with enthusiasm. Governor Shivers had set up an Advisory Committee on Segregation in the Public Schools after the original *Brown* decision to explore ways to maintain the racial order. The Committee issued a report in September, 1956, which called for the Legislature to "reconcile" Supreme Court rulings with white opinion by enacting statutes to prohibit "forced integration." Lawmakers from East Texas introduced twelve bills in the new session to implement the report's recommendations, including proposals to give state money to private schools and remove state funding of integrated public schools.¹⁵

Outside of East Texas, most legislators had only a lukewarm reaction to the segregationist bills. Only five of the original twelve bills made it through the House to the Senate. Senators Henry B. Gonzalez of San Antonio and Abraham Kazen of Laredo conducted a marathon thirty-six hour filibuster that succeeded in defeating all but two of the bills, one requiring "local option" elections before schools desegregated and a "pupil-placement" law. The partial success of the filibuster reflected the diverse ethnic composition of Texas, as opposed to most other southern states. Gonzalez, one of the Legislature's few Latino lawmakers, represented the large Mexican American population of South Texas. Kazen, a second generation Lebanese American, personified the state's traditional openness to immigrants.¹⁶

The debate proved exhausting for Gonzalez and Kazen, who took turns attacking the segregation bills and delaying a final vote. At one point Kazen spoke for over eleven hours. He predicted that if the Legislature passed a pupil placement law, the Supreme Court would overturn the racist legislation with "[O]ne swoop of the pen." He also denounced the Senate for "fooling with human lives," and that "It will be a sorry day when we have hyphenated Americans and second-class Americans in Texas." Gonzalez attacked segregation as a legal stigma against children and pointed out that Texas schools had

long used segregation against both African American and Mexican American students.¹⁷

Two segregation bills survived the filibuster. House Bill 231, sponsored by Virginia Duff of Ferris, provided “standards other than race,” such as health, moral, psychological, or intelligence as factors for pupil assignment. The requirements gave local officials plenty of excuses to avoid assigning African American children to all-white schools. House Bill 65, sponsored by Jerry Sadler of Percilla, required voter approval before a school district desegregated. Daniel signed both bills on May 23, 1957, announcing that he saw no constitutional problems in the measures.¹⁸

That fall a crisis in neighboring Arkansas revitalized racist sentiment in Texas when a federal court ordered Little Rock’s Central High School to desegregate. Governor Orval Faubus mobilized the Arkansas National Guard and encouraged white mobs to block integration. Although President Dwight D. Eisenhower opposed the *Brown* decision on constitutional grounds, he saw the Arkansas governor’s actions as a threat to the authority of the federal judiciary. Eisenhower subsequently nationalized the state guard and sent United States Army troops to Little Rock, where they escorted African American students to class.¹⁹

Whites throughout the South denounced Eisenhower’s action as “forced integration” reminiscent of the days of “Black Reconstruction.” In Texas, Daniel shared the sentiments, and he told Representative Sadler that he admired Faubus, who “has done as much to strengthen the cause of the South as all of the others put together.” Daniel even sent a telegram to the President, accusing Eisenhower of adopting “the tactics of Reconstruction days.” The governor asked whether Eisenhower would now “occupy with troops every non-integrated school in the South?” Daniel “respectfully” urged the President to withdraw the troops in the interest of “good will among the races” Eisenhower responded with a letter to Daniel in which he expressed a desire to end the Little Rock crisis as soon as possible. The President argued, however, that to remove the troops prematurely “would be to acquiesce in anarchy and, ultimately, the dissolution of the Federal Union.”²⁰

Publicly, Daniel retreated from his remarks to Sadler about Faubus. Speaking in El Paso on September 29, the governor blamed both his Arkansas counterpart and Eisenhower for the crisis. Daniel promised that because Texans had a “calmer” attitude toward integration, there would be no need for “troops, machine guns, and bayonets . . .” in Texas schools. Of course, Daniel ignored the problem that his rhetoric and that of his fellow southern politicians only made the debate over integration more intractable. The governor did not

that El Paso schools had already desegregated, and said that other cities could solve their own problems if “outside agitators” left them alone.²¹

After claiming that Texas would never face the threat of federal troops in its schools, Daniel later proposed that the Legislature adopt an “anti-troop” bill that would close down any schools “occupied” by the military. He met with legislators from East Texas in October, and promised to add segregation to the agenda of the upcoming special session. East Texas politicians, representing the region with the highest African American population, always stood as the staunchest opponents of integration during this civil rights battle. Like the governor himself, a native of Liberty in southeast Texas, most East Texas whites were culturally more southern than western. Daniel also talked to Florida Governor Leroy Collins about a school closing bill that state had recently enacted.²²

The Texas governor submitted his school closing proposal to the Legislature on November 13. He justified the measure as necessary to maintain law and order, to preserve “good relations among all of our citizens,” and to preserve states’ rights. Daniel pointed to the Little Rock crisis as a warning for Texans, but at the same time expressed doubt that federal troops ever actually “occupy” the state’s public schools. However, he continued to push legislators to provide a plan for closing schools in an emergency “until such time as peace and order can be restored or maintained without the use or occupation of military troops.” Daniel ignored the fact that Faubus, not the federal government, had provoked the crisis by defying the Supreme Court and pandering to the racist fears of white Arkansans.²³

State Senator Henry B. Gonzalcz again led the opposition to the new segregation measure. He denounced Daniel for stirring up racial conflict and mocked the intentions of East Texas colleagues who sought to “lower a corn-pone curtain over their area.” The outspoken Gonzalez attacked Daniel as “a little man playing for political motives.” The assertion had some justification, given that the governor himself had played down any real threats to send the army into Texas schools. Religious and labor leaders also testified against the bill. One Austin clergyman called the “anti-troop” label misleading, accurately claiming that the legislation represented “a pro-mob, anti-school, pro-federal troop bill.”²⁴

Mockery, moral pleas, and constitutional arguments all failed to sway segregationist leaders. Tyler Representative Ben Ferrell claimed that the opponents of the governor’s bill “seem more interested in cramming social dogma down our throats than they do in educating our children.” Sadler, the chief sponsor of the legislation in the House, argued that opponents represented “distinguished

people” who “oppose law and order.” Attorney General Will Wilson argued that the bill was constitutional even though Eisenhower and the federal courts had clearly won a victory over segregation earlier that fall.²⁵

Supporters of school segregation broke an all-day filibuster by Gonzalez and Abraham Kazen on November 22. Following the procedure, the “anti-troop” bill easily passed. The measure gave the governor the authority to close public schools if the local school board certified that they faced “violence that only resort to use of military force could prevent.” The House approved the measure three days later. Daniel praised the legislature’s action, saying “temporary closure is preferable to attempting to educate our children under the control of troops and in the atmosphere of rifles and bayonets.”²⁶

The “anti-troop” bill showed that however moderate Daniel might seem compared to other southern governors such as Faubus, he remained a segregationist. Neither Daniel nor any other Texas governor ever implemented the measure, which raises the question of whether he truly believed it necessary or only sought to make an easy gesture to racist sentiment in Texas. Daniel certainly used passage of the school closing bill to solidify his segregationist credentials. He even sent copies of the bill to several other southern governors. Daniel also approved two more segregation bills from the special session—one that authorized the attorney general to assist local school boards that resisted desegregation suits, and the other that required members of civil rights organizations to register with the state.²⁷

The year 1957 represented the high tide of segregationist attempts to legislate away the results of the 1954 *Brown v. Board of Education* case. In the ugly aftermath of the 1956 governor’s election, segregationists in the legislature joined with Governor Daniel in desperate attempts to save the old Jim Crow system in public schools. In the long run, all they accomplished was to enact meaningless laws that appealed to racist sentiment among many Texas whites, but did little to hinder the ultimate progress of integration. In doing so, they failed all of their constituents, black, white, and Hispanic. Texas deserved better.

(Endnotes)

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