

Both Sides in South Mistrust Nixon Actions on

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JACKSON, Miss., July 15—The Nixon Administration's latest actions on school desegregation in the South have aroused anger on one side and suspicion on the other.

Neither segregationists nor integrationists are pleased by the Justice Department's mass law suits against the last hold-out segregated school districts or by the Internal Revenue Service's announcement that it would revoke the tax-exempt status of segregated private schools.

Both actions were announced last week in Washington.

Segregationists, as expected, called the Administration's actions "malicious," "wicked" and "vicious."

Black leaders and civil rights workers, who might have been expected to applaud the actions, reacted with a combination of strained optimism and blunt skepticism as to the Government's intentions.

Some Southern black leaders suspect that the Administration's intention is to mount one last well-publicized assault on school segregation and then announce this fall that the fight is over and the job finished.

Chicanery Expected

What black Southerners think of that prospect was summed up this week by Aaron Henry, president of the Mississippi branch of the National Association for the Advancement of Colored People.

"If the Justice Department thinks this is the millennium," he said, "then they need to come down here and stay a while. There will still be chicanery that will make desegregation meaningless. There will still be a lot of kids in segregated schools. The Justice Department needs to bird-dog the situation."

A typical segregationist reaction was expressed by William J. Simmons of Jackson, administrator of the Citizens Councils of America.

"This is politics at its wickedest at the expense of school-children," he said of the tax ruling. "If the principle of race or religion is to become a factor in tax exemption, then every private school or church is in similar jeopardy."

The Administration's view of its actions was perhaps best expressed by Jerris Leonard, Assistant Attorney General in charge of the Civil Rights Division of the Justice Department, as he defended on Monday the Administration's desegregation record before the Senate Equal Education Opportunity Com-

mittee. He predicted that 90 per cent of all Southern children would be in racially unitary school systems by September. He pledged firm Government enforcement against remaining violations and said, "This department is prepared to use all of its resources to see to it that every decree is lived up to in every respect."

Despite his assurances, doubts persist among Southern integrationists.

The credibility problem among black Southerners has been heightened by a marked difference between what the Administration has said in Washington and the way the words were interpreted to the South by Southern Republican spokesmen.

For example, three days before the Justice Department filed its lawsuits to mop up segregation in the last recalcitrant Southern schools districts, Clarke Reed, chairman of the Mississippi Republican party and chairman of the state party executives in the South, called a news conference.

Reassurance Given

At the conference he told Mississippians that the suits were coming and assured them that the suits should not alarm them because they were "strictly administrative in nature."

Besides, he hinted, the lawsuits would take desegregation out of the hands of the unfriendly Department of Health, Education and Welfare and place it in the more sympathetic hands of the Justice Department.

Then within hours after Randolph Thrower, the Revenue Service Commissioner, had announced the end of tax exemptions for discriminatory private schools, Mr. Reed assured the Florida Republican State Committee in Orlando that Mr. Thrower's announcement was not as far-reaching as it sounded.

He noted that Mr. Thrower, in his Washington announcement, had said that the revenue service would accept as evidence of nondiscrimination "published statements of policy alleging that the school did not discriminate."

He said that Mr. Thrower had "taken it on himself to see" that the revenue service would not go beyond that requirement.

"If Thrower sticks to his word," Mr. Reed told the Florida Republicans, "and is sincere in taking action only to offset more extreme court action, no private school in Mississippi—or anywhere else I know of—will be without tax-exempt status for a single day."

Statements Publicized

Both of Mr. Reed's statements, especially the one on the tax ruling, were publicized across the South. If they reassured white segregationists they also put integrationists on guard.

The most common complaint of Southern integrationists now is that the Government is doing nothing to stop such abuses as segregated classrooms within supposedly integrated schools, the transfer of public school equipment and property to private schools, the dismissal and demotion of black teachers and administrators, the closing of black schools and destruction of black students' traditions and continued segregation of buses and cafeterias.

Melvyn R. Leventhal, a white lawyer here for the N.A.A.C.P. Legal Defense and Educational Fund, Inc., said this week that he would have preferred no new lawsuits by the Justice Department. The department no longer "polices" the integration decisions it wins in court, he said, and thus in many ways worsens the situation.

"The Government is integrating schools, but it is not eliminating discrimination," he said.

Mr. Leventhal's organization, which handles many school desegregation cases for black clients, recently sifted through a mass of school district reports to the Federal courts in Mississippi.

The organization found that 14 of 38 districts reporting had significant numbers of totally segregated classrooms within school systems that were on paper, desegregated.

Private Schools Set Up

In addition, many districts are operating under court-approved desegregation plans that perpetuate all-black and all-white schools in predominantly black and white neighborhoods.

The tax ruling is seen by many in the South as potentially more damaging to the cause of segregation than the new court suits.

The American Friends Service Committee found in a recent survey that segregated private schools had been established to thwart integration in at least 31 per cent of the counties of five Deep South states—Alabama, Georgia, Mississippi, Louisiana and South Carolina.

The segregated academies have proved that they will drain away large numbers of white students in some places, particularly where white leadership does not actively support public education.

In Amite County, Miss., a private school group is being

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led by Dr. Roy Lee, the Republican candidate for Congress and president of the local Chamber of Commerce. About 88 per cent of Amite County's white students have fled the public schools to avoid integration.

Mr. Leventhal's staff, in going through reports to the court after 33 Mississippi districts were ordered integrated in February, found that 26 per cent of the white students in 28 districts reporting left the public schools after the integration order. Half a dozen districts lost almost all of their white students.

Some Surprises Found

To the surprise of some observers, whites stayed with the public schools in several unlikely places. Eleven districts where whites were a minority or a bare majority managed to hold on to most of their white students.

Civil rights lawyers believe that if the Internal Revenue Service enforces its tax ruling—and they are taking steps to see that it does—the private

schools could be severely hampered in raising money.

The ruling would require not only that the discriminatory schools pay Social Security and Federal excise taxes but also that contributors to the schools pay Federal income taxes on the money they contribute.

Removing the tax exemption on contributions would probably restrict such efforts as a recent fund raising drive by the private segregated schools of the Citizens Council in Mississippi.

Senator James O. Eastland, the Mississippi Democrat, sent a letter May 7 to several community leaders asking them to help raise \$1,250,000 for the Citizens Council schools. Literature accompanying the letter emphasized that contributions were tax exempt.

Despite the tax setback, the council is going ahead with plans to operate seven schools in Jackson this fall. Mr. Simmons predicted that enrollment would rise to 5,000. He said

that it was 500 last September.

Mr. Thrower said this week, when asked to clarify his position and to comment on Mr. Reed's reassuring statement to the Florida Republicans:

"Our statement of position of July 10 makes it clear that we will continue recognition of the tax-exempt status of a private school, or rule favorably on an application for tax exemption from a new school,

sions policy, and through or regular examination procedure we expect to verify this at withdrawal the recognition when the announced policy is not followed."

only if that school is shown to have announced publicly racially nondiscriminatory admissions policy. "We, of course, expect institution to adhere in go