provided for segregated schools in the District of Columbia. For nearly a century this interpretation was adopted by many state courts and by the Supreme Court of the United States, and accepted by the people of this country and their legislative representatives. It was the law of the land as firmly as anything can be the law of the land.

In the *Davis* and companion cases the present Court has uprooted the law long laid down and followed by eminent judges. In doing so, the present Court abandoned all legal precedent and based its conclusions upon the conflicting evidence of psychologists. It relied "generally" upon a lengthy treatise edited by Gunnar Myrdal, a European sociologist of slight experience in the United States, consisting of a number of overlapping contributions made by a number of writers, many of whom were given their golden opportunity to voice their own preconceptions and prejudices. This treatise seems, however, not to have been closely read by the justices of the Supreme Court; otherwise, they would have observed that the author suggests that the adoption of the Constitution was in its inception a fraud upon the common people and that in his opinion it is now an outworn document.

With this decision, based upon such authority, we are now faced. It is a matter of the gravest import, not only to those communities where problems of race are serious, but to every community in the land, because this decision transcends the matter of segregation in education. It means that irrespective of precedent, long acquiesced in, the Court can and will change its interpretation of the Constitution at its pleasure, disregarding the orderly processes for its amendment set forth in Article V thereof. It means that the most fundamental of the rights of the states and of their citizens exist by the Court's sufferance and that the law of the land is whatever the Court may determine it to be by the process of judicial legislation.

THE PROBLEM BEFORE US

The Commission, realizing that the problem before it is the gravest to confront the people of Virginia in this century, has not been willing to take hasty actions which might tend to add to the damage already done to the school system by judicial decree.

The public schools are not only educational institutions together with the churches they are the dominant social institutions of the people of Virginia, and of the two, the schools occupy the greater part of the thought and energy of our children.

The public schools have been built up slowly and painfully from the ashes of 1865. Within the memory of members of the Commission, public schools, especially in the rural areas, were pathetically inadequate for both races. Until recent years the people of Virginia struggled to establish primary schools in order to meet the minimum needs of our children. At the end of the century only a little more than 10,000 white and a little more than 1,000 Negro pupils were taking high school subjects in Virginia, which was only 4% of the white pupils and only .7% of the Negro pupils then in the schools. Since then our public schools have made enormous progress. In the high schools we now have 135,425 white and 38,740 Negro pupils enrolled. The pay of Negro and white teachers has been equalized and many millions of dollars have been expended in school construction. The number of Negro teachers—more than 6,000—employed in the public schools of Virginia today exceeds those in all of the non-segregated states combined at the time the Supreme Court had the school