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Southern Exposure

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# JUST SCHOOLS

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A SPECIAL REPORT COMMEMORATING THE 25th ANNIVERSARY OF THE BROWN DECISION



*Jaeger In Hall*

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# JUST SCHOOLS

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*A SPECIAL ISSUE OF SOUTHERN EXPOSURE  
In commemoration of the twenty-fifth anniversary  
of the Brown v. Board of Education decision  
by the Supreme Court on May 17, 1954, and the  
continuing struggle for justice in the schools.*

PUBLISHED BY THE INSTITUTE FOR SOUTHERN STUDIES  
JULIAN BOND, PRESIDENT  
MAY, 1979



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With the assistance of: NAACP, *The Crisis*, John Egerton, Southern Education Foundation, New World Foundation, Southern Office of the Youth Project, Robert F. Kennedy Memorial, American Friends Service Committee's Southeastern Public Education Program, Sue Thrasher, Southern Regional Council, John Mellow, Reed Sarratt, Dom Soto

**Southern Exposure**® published quarterly by the Institute for Southern Studies. A subscription for one year costs \$10 for individuals and \$12 for libraries and institutions. Address all editorial and subscription correspondence to **Southern Exposure**, P.O. Box 230, Chapel Hill, NC 27514. Second class postage is paid at Chapel Hill, NC 27514. Copyright©Institute for Southern Studies, Kroger Plaza, Chapel Hill, NC. ISSN: 0146:809X. Post Office Publication No. 053470.



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**"We Rejoice And Tell the World . . . But We Must Go Further"**

*One hundred years before Chief Justice Warren declared that racial segregation in public schools "is a denial of the equal protection of the law," another chief justice declared that Negroes had no rights which a white man must respect. Thus in a century this nation has taken mighty steps along Freedom Road and raised the hopes of mankind, black, yellow and white. . . .*

*We rejoice and tell the world, and by so doing admit freely that heretofore this nation has not been a free democracy and that the criticism of the Communist world has in this respect been entirely justified. But we must go further and insist that great as is this victory, many and long steps along Freedom Road lie ahead. . . .*

– W.E.B. Du Bois,  
May 31, 1954  
*National Guardian*





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SECTION I  
**CRACKS IN THE SYSTEM**

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# THE QUEST FOR SIMPLE JUSTICE

BY RICHARD KLUGER

Before it was over, they fired him from the little schoolhouse at which he had taught devotedly for ten years. And they fired his wife and two of his sisters and a niece. And they threatened him with bodily harm. And they sued him on trumped-up charges and convicted him in a kangaroo court and left him with a judgment that denied him credit from any bank. And they burned his house to the ground while the fire department stood around watching the flames consume the night. And they stoned the church at which he pastored. And fired shotguns at him out of the dark. But he was not Job, and so he fired back and called the police, who did not come and kept not coming. Then he fled, driving north at eighty-five miles an hour over country roads, until he was across the state line. Soon after, they burned his church to the ground and charged him, for having shot back that night, with felonious assault with a deadly weapon, and so he became an official fugitive from justice. In time, the governor of his state announced they would not pursue this minister who had caused all the trouble, and said of him: Good riddance.

All of this happened because he was black and brave. And because others followed when he had decided the time had come to lead.





photo by Bruce Davidson/Magnum Photos

At first, he acted gingerly. Not quite six feet tall, on the slender side, with a straight-back bearing that seemed to add inches to his height and miles to his dignity, he was no candidate for martyrdom. In his fiftieth year, he had not enjoyed good health for some time. A nearly fatal bite from a black-widow spider — they could find no medical help for him for 15 hours — and recurring bouts with influenza had drained his constitution, and the emotional demands of teaching and preaching all over the county had taken their toll as well. It was therefore natural when he began the activities that, a few years later, were to become the profound business of the Supreme Court of the United States, he would begin in a small way.

His name was Joseph Albert DeLaine. His skin was a medium shade of brown, and his friends described him as “handsome” and “clean-cut.” Ceremonial photographs in the late '40s and early '50s show him in a well-worn black suit with a black vest, looking bright-eyed and attentive behind austere glasses. His

hair was short and beginning to gray. He was convinced that it grayed rapidly after they decided to ask for the bus.

A school bus. There were 30 school buses for the white children. There was none for the black children. A muscular, soft-spoken farmer named James Gibson remembers what the chairman of the school board said when they asked for the bus. His name was Elliott, R.W. Elliott, he ran a sawmill, and he was white. Everyone who ran anything in the county was white. What he said was: “We ain’t got no money to buy a bus for your nigger children.” But there was always money for buses for the white children. “And you’d know it,” farmer Gibson recalls, “Because they was always muddyin’ you up.”

And so a lawsuit was filed. A black man sued white officials who he claimed were denying him and his three children the equal protection of the law as guaranteed by the Fourteenth Amendment of the Constitution of the United States. No such thing had happened before in the

memory of living men in Clarendon County, South Carolina. For if you had set out to find the place in America in the year 1947 where life among the black folk had changed least since the end of slavery, Clarendon County is where you might have come.

Six hundred square miles of gently rolling fields and pasture and woodland, mostly in gum trees and pine, the county lies dead center in a 30-mile-wide plain that sweeps diagonally across the state on a northeast-southwest axis dividing the flat, marshy, tropical low country along the Atlantic coast from the sand hills farther inland and the more rugged Piedmont beyond them. The soil here is a gray-brown sandy loam on the surface, turning to a slightly sticky clay of brownish yellow or yellowish red when you plow it under. It rains a lot in Clarendon, nearly 50 inches a year, the temperature averages an agreeable 64 degrees, and the frost is out of the ground by the middle of March. It is a good place to grow things, and what they grew the most of in the late '40s was just what they had always grown there



since the white planters had come 80 miles up the Santee River from the coast a century and a half earlier. Cotton.

Schools there were the largest, costliest and most important public enterprise, as they were and are, of course, in most American municipalities. In Clarendon County, there were then 61 Negro schools, more than half of them ramshackle or plain falling-down shanties that accommodated one or two teachers and their charges, and 12 schools for whites. The total value of the 61 black schools attended by 6,531 pupils was officially listed as \$194,575. The value of the white schools, attended by 2,375 youngsters, was put at \$673,850.

In charge of this dual school system was a slender, gray-haired clergyman named L. B. McCord, who three years after winning election as county superintendent of schools in 1940 was also named pastor of the Manning Presbyterian Church, the pillar of Christendom in those parts. Given the place of honor accorded to education and religion in small American communities, his dual occupation made L. B. McCord a powerful citizen indeed in Clarendon County. "He is a capable man," wrote the *Manning Times*, the county weekly, "with a keen perception of fairness to all, and the best interests of the school children of Clarendon are close to his heart."

This, though, was not the unanimous estimate of L. B. McCord. Views of him tended to diverge along racial lines. "He was a white-supremacist, is all," says Billie S. Fleming, owner of a Negro funeral home and insurance agency in Manning and perhaps the most successful black businessman in the county. "As a minister, he was fond of saying that God had intended things to be this way, and if you doubted it, he'd point to the sky and say, 'Now if you just look up at the birds, you'll see that the buzzards don't mingle with the crows, and down here dogs don't mingle with cats.'" Other blacks say he cared nothing for the caliber of the teachers in the Negro schools or the condition of the schoolhouses. "He was always shortchanging us," a former black teacher recalls. "When you came in and asked for money for say, window sashes, he'd say



something like, 'Look, you fellas do it yourselves — we can't hardly pay the teachers. Go get some boards.'"

And they did. That was how it was with Superintendent McCord. If you crossed him, you were in trouble. If you were black and you crossed him, you were in worse trouble and not long for a place on the Clarendon County public-school payroll. One of the nearly 300 teachers on that payroll in the spring of 1947 was Joseph DeLaine, a Methodist minister. He had been teaching for nine years at the little colored school in Silver, a cross-roads settlement four miles due north

from his home in Summerton. "I was one of McCord's good niggers," is how the Reverend DeLaine put it. And then he became something else.

J.A. DeLaine was his father's eighth child by his second wife — there were 14 youngsters in all and many a chore for each of them in tending the farm and keeping food on the table, especially since the man of the house had pastoring duties that kept him, by choice, from the soil. All his life J.A. would remember



the supreme physical effort of his boyhood — digging deep-rooted stumps from the family land so they would have more room to plant. But greater effort still was required for him to pursue the one activity that would critically shape his life: he had to walk five miles to school in Manning and five miles back. And when he got there, the lessons taught were minimal. It was a time of virulent anti-Negro feeling in South Carolina, led by the toxic upcountry oratory of Senator "Pitchfork Ben" Tillman, bankrupt farmer turned raucous champion of the frustrated poor-whites of the state.

Historically, times of economic travail in the decades after the Civil War were marked by an overflow of venom toward the black man. Welcome for his broad back and toothy smile in flush times, ever-summonable to heave his brawn into the physical labors that no self-respecting white man would undertake if a darkey were available at token wages, the Negro loomed as a thoroughly inconvenient presence in the two threadbare decades surrounding the turn of the century. The right to vote, granted the black man just a dozen years earlier by the Fifteenth Amendment, started to be taken from him in South Carolina in 1882 by a combination of legal steps and terror tactics. By the turn of the century, the Negroes of South Carolina, who had sent more of their brothers to Congress and taken a more active part in their state government than their black counterparts in any other ex-Confederate state, had been almost totally stripped of the ballot. Voteless, uneducated, yoked to the soil by what approached universal peonage, South Carolina Negroes were defenseless as a spiteful code of segregation laws was whipped through the legislature at Columbia and the black man was officially designated a lower order of being.

In Manning one day, a smaller white boy shoved one of J.A.'s sisters off the sidewalk and J.A. shoved back. The white lad injured a shoulder. A dozen black adults a month were being lynched in America just then for comparable impertinence. J.A.'s fate was declared to be 25 lashes. His father, the reverend, no believer in fruitless valor, urged the boy to take the punishment. A generation gap presented itself. J.A. vowed that he

would leave home rather than endure any white man's unwarranted lash. He went to Atlanta and worked in a steam laundry by day and attended school at night; on the job, the white boss abused him, and he fought back.

By the time J.A. drifted back to Clarendon, his family's fortunes were on the upswing. His father was pastoring at Liberty Hill, four miles south of Summerton — one of the largest AME congregations in the state — and there were a grocery and funeral casket business in Summerton and a sawmill to run, so the DeLaine children pitched in every way they could. J.A. chauffeured the family around the county in an old Model-T and before long got to know every inch of the southern half and almost every face in it. Had he been consciously preparing for a political career as lay leader of the black masses, he could not have had better training.

J.A.'s heart was set, though, on following in his father's path. His goal was a degree in theology from little Allen University in Columbia, run by the AME Church, and likely therefore to be hospitable to offspring of its own. Still, going there cost more than the family could ever put aside, and so J.A. cut grass and swept out the houses of whites for \$1.25 a week per family, then went into the steam-pressing business in Columbia in his non-school hours until he compiled enough credits for a teaching license in 1925.

But he would not stop there. What with odd jobs, heavy classwork and a gradually deteriorating economic climate, which hit blacks a full two to three years before it caught up with white America, six more years were consumed before he was a Bachelor of Theology. It was 1931, and a lot of the country was falling apart. But the heart of South Carolina had been an economic disaster area for nearly three-quarters of a century, and for blacks there the times were about as they had always been. So at the age of 33, the hopeful Reverend J.A. DeLaine set out to preach and teach.

He had been hired as principal and eighth-grade teacher at a 150-pupil school in Jamison, a small town about 35 miles southwest of Summerton across the Santee in Orangeburg County, near the state agricultural college for blacks. His pay was \$50

"... who shall hereafter teach, or cause any Slave or Slaves to be taught to write, or shall use or employ any Slave as a Scribe in any manner of Writing, whatsoever, [shall be levied a fine of 100 pounds]."

— South Carolina law, passed in 1740, typical of statutes in Southern colonies.

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"The colored people . . . are an inferior race of beings and never can or ought to be recognized as the equals of the whites. . . . The Constitution of our Republic settled forever the status of the black man in this land."

— Andrew Judson, 1831, condemning a Quaker teacher's school in Canterbury, Conn., which admitted Negro students. After the ground floor of the school was destroyed by a mob, the teacher, Prudence Crandell, finally quit and left the state.



a month plus \$10 for being principal. But when he married fellow teacher Mattie Belton, thereby increasing the gross DeLaine teaching income to \$110 a month, the authorities figured that was mighty uppity for one young black couple. They ordered J.A. to fire his wife and replace her with a single teacher. "I'd as soon have dug a ditch with my teeth," he says.

There was the saddening spectacle, too, of the almost total failure by authorities to enforce the compulsory-school-attendance laws among black children. White landowners wanted every available pair of black hands, big or little, in the fields at harvest and planting times. School terms varied between three and six months for Negroes, depending upon the degree of enlightenment, courage and physical stamina of the black adult population in the area.

It was a dispiriting beginning for a new teacher eager for results. At the end of the first year, J.A. and Mattie decided to leave Jamison and seek jobs elsewhere. And while both continued to teach for the next 20 years, Reverend DeLaine the younger found that more of his heart and mind were being drawn to teaching through the words and example of Jesus Christ.

Through the '30s and '40s, J.A. DeLaine pastored at remote but sizable churches all over the lower half of Clarendon and in Barnwell and Bamberg counties within 50 miles to the southwest, areas with similarly heavy black population, severe poverty, and unyielding white oppression. He was not a fire-and-brimstone preacher. He was stern and serious and forceful in the pulpit, knowing that to many of his listeners, for whom reading was an ordeal and radio was largely irrelevant or prohibitively expensive, that what the reverend said on Sunday was indeed gospel. His sermons were their only ongoing form of education, and J.A. painstakingly linked his scriptural points of departure with current events that otherwise would surely have escaped the attention of hard-pressed black farmers in the backwaters of South Carolina. He did not slight Christian principles, though he saw few of them operating to the benefit of his congregants.

Or himself, really. "I think J.A.

was deeply hurt," says a close and admiring relative, "because a man of his ability and dedication was denied so much in life because of his color." He did not preach that the black man's reward would be found only in Green Pastures in the Sky and that therefore his suffering was somehow providential or good for him. As the years went by, he called increasingly for his flock to seek justice with dignity in the here and now, to stand tall and live honorably and have the fortitude to endure their travail while their country was deciding when and how it would mete them their due. His

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*Reverend Hinton's sermon noted that the surest measure of the force with which the white man's heel was still pressing the black man's face into the mud was the schools.*

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AME bishop looked on at J.A.'s works and decided upon reflection that they were good.

Watching their children go off to war in faraway places of which many of them had never heard, a number of the older blacks of Clarendon County began to grow impatient with their hereditary subjugation. "The feeling around here then," one lifelong resident remembers, "was that if our youngsters could offer up their lives on the battlefield, was life so much sweeter for us here at home?" And when their sons came marching or limping home and buoyed their new mood of determination still higher, some of them now said among themselves that the time to fight back was fast approaching.

Early in June in the year 1947, Reverend J.A. DeLaine of Summerton—he had built a home there for his wife, who taught right across the street at the Scott's Branch school, and himself and their three children on a nine-acre plot off the extension of Main Street in the black outskirts of town—found himself attending a summer session at Allen University in Columbia, 60 miles from his home. One day, all the summer students were summoned to a general assembly to hear the words of a short, stocky,

moon-faced Negro who made their hearts leap with his charged, unmistakable message. He earned his living by overseeing the South Carolina operations of the black-owned, black-serving Pilgrim Health and Life Insurance Company, one of the largest enterprises of its kind. This work gave him a certain amount of economic independence, which was bolstered by a relatively cosmopolitan background: he had grown up in North Carolina, spent some years in New York and in the Southern industrial center of Birmingham, Alabama, and was an ordained minister without a congregation. He preached wherever he was invited and said whatever he felt. The Reverend James M. Hinton was 57 years old when he addressed J.A. DeLaine and his summer classmates that June day in 1947, and for seven years he had been state president of the National Association for the Advancement of Colored People. Most people called it "the N-double A-C-P." Some people, black as well as white, just called it trouble.

Reverend Hinton's text for the day noted that the surest measure of the force with which the white man's heel was still pressing the black man's face into the mud was the schools. The colored people could not rise until they got educated, and was it not powerfully clear that the whites did not want them educated? To give the Negro anything more than the most rudimentary training was to make him restless with his lot and a competitor for your job. And who then would tend the fields for no reward beyond bare sustenance? The black schools of South Carolina were a disgrace, said Hinton. In the first place, it was an ordeal to get to them because there were no buses for black children. Was there any clearer way for the whites to say they did not want the Negro to rise above his present station?

If the message was somehow not clear enough, the rickety schoolhouses themselves brought it home: small, dark, leaking all over, heated by coal stoves that sometimes smoked the children out of the building. In most places, the state or the community did not even pay for the schools to be put up or, as in Clarendon, for the coal or even a single crayon. All it paid was



the teachers' salaries, and in Clarendon County the average white teacher earned two-thirds more than the average black one. On top of the advanced state of dilapidation of the schoolhouses was the inevitable waste of time because so many of the rural schools had only one or two teachers, who could tend to only one or several classes at a time while the rest of the crowded room went uninstructed. The NAACP had successfully launched legal action in other Southern states, most notably Virginia, to end such inequities, Hinton explained, and now the effort should begin in South Carolina.

The way to start, NAACP strategists had agreed, was with buses. It would be the least inflammatory step, and the hardest request for the whites to deny. But South Carolina was not Virginia, and any step, especially the first, was likely to be greeted with enmity and perhaps violence. "No teacher or preacher in South Carolina has the courage," J.A. DeLaine heard James Hinton declare, "to find a plaintiff to test the legality of the discriminatory bus-transportation practices in this state." But he wished that one did.

It was not just a matter of the teacher's or preacher's courage; it was the courage required by the man he might find to bring the case. It would take someone with the proper legal standing—a bona fide taxpayer of good moral character who could claim a legitimate disability in his children's behalf. Nobody had to add that whoever would lend his name to such a cause might die for it.

Reverend DeLaine was pastoring that year on the Pine Grove circuit, which consisted of two churches on the southeastern edge of the county. Between them, they had maybe 900 members. "Rev" knew them and they knew him. Along with the Reverend E.E. Richburg, a younger, taller, and somewhat more learned man who pastored at the big Liberty Hill Church where J.A.'s father had served for nine years, DeLaine was one of the two best-known and most respected black ministers in the county.

He knew that they had had a bad bus problem on their hands in the area he was pastoring. Earlier Reverend DeLaine and a committee of two others were authorized by the

board of Pine Grove Church to seek relief from county officials, and so the angular black Methodist minister went to Manning to call on the angular white Presbyterian minister who ran the county schools. L.B. McCord, the reverend-superintendent, cordially explained that Negroes did not pay much in taxes and it was not fair to expect the white citizens to shoulder a yet heavier economic burden by providing bus transportation for the colored. The answer was no.

Reverend DeLaine decided to write to the state superintendent of education in Columbia, and the state superintendent wrote back that this was a county matter and he could not interfere in it. Then Reverend DeLaine wrote to Tom Clark, the Attorney General of the United States, in Washington. In time, Clark's office wrote back, urging him to pursue the matter with local officials.

And so the black farmers in the Jordan area dug deep into their overalls and bought a secondhand bus to carry their children to school. "It wasn't the best," recalled Joseph Lemon, who farmed 70 acres for his living, "but it was a school bus." Then they asked L.B. McCord if the county would provide gasoline for the bus. He said no. They had to buy their own gas for their bus, and it cost them dear. The bus also managed to break down a lot.

The Sunday after James Hinton had declared that the NAACP wanted to launch a court case against the kind of whites-only bus policy practiced by the Clarendon County schools, J.A. DeLaine got up early and drove with his oldest son to the 160-acre farm of the Pearson brothers, Levi and Hammitt, out in Jordan. Levi Pearson was a short, wiry man with very dark skin. He was about 50 years old, and though he did not attend either of the churches that Reverend DeLaine pastored, the two men had known each other a long time. "I knew Levi's daddy, too," the minister recalled. He explained it all to the farmer, especially the risks: the NAACP did not want to get the whites thinking that a mass protest movement was afoot nor did it want to endanger any more blacks than necessary. At the moment, all they needed was one

"We have, as far as possible, closed every avenue by which light might enter . . . [the slaves'] minds. If we could extinguish the capacity to see the light, our work would be completed; they would then be on a level with the beasts of the field, and we should be safe."  
— Henry Berry, 1832, in the Virginia House of Delegates

"I was now about 12 years old, and the thought of being a slave for life began to bear heavily. . . . As I read and contemplated the subject, behold! that very discontentment which Master Hugh had predicted would follow my learning to read had already come, to torment and sting my soul to unutterable anguish. As I writhed under it, I would at times feel that learning to read had been a curse rather than a blessing. It had given me a view of my wretched condition, without the remedy. It opened my eyes to the horrible pit, but to no ladder upon which to get out."  
— Frederick Douglass, in his 1845 autobiography



name, one man, so they could act.

Levi Pearson had three children attending the Scott's Branch high school nine miles from his farm, and he had chipped in for the bus that kept breaking down. Levi listened closely to what J.A. was telling him, and he mulled it and mulled it. And then he decided to stick his neck out. The two men shook hands, and the minister drove off to preach his sermon that morning with an extra sense of mission.

There were meetings in Columbia then in the small law office of Harold R. Boulware, a tall, bluff, city-shrewd attorney in his mid-thirties who had received his legal training at Howard University in Washington, from which a small cadre of smart, well-trained black civil rights lawyers had begun to emerge in the early '30s. Boulware drew up a two-page petition in Levi Pearson's name. Dated July 28, 1947, it declared that he was the father of Daisy Pearson, age 18, James Pearson, age 15, and Eloise Pearson, age 12, and prayed that "school bus transportation be furnished, maintained and operated out of the public funds in School District Number 26 of Clarendon County, South Carolina, for use of the said children of your Petitioner and other Negro school children similarly situated." It was submitted to County Superintendent of Education McCord, to the chairman of the District No. 26 school board, and to the secretary of the State Board of Education.

But there was nothing to hear except the hostility in the air.

Finally the case was filed on March 16, 1948, in the United States District Court in Florence County, adjacent to Clarendon on the northeast. It asserted that Levi Pearson's children were suffering "irreparable damage" and were threatened with more of the same and asked the court to issue a permanent injunction "forever restraining and enjoining the defendants . . . from making a distinction on account of race or color" in providing free bus service for white schoolchildren while denying it to Negroes.

The complaint was signed by the attorneys for the plaintiff — Harold Boulware of Columbia first, and below him Thurgood Marshall, the NAACP's top lawyer in New York. Marshall's office had scrutinized the legal papers,

suggesting language drawn from similar cases it had pursued earlier in Virginia and Maryland. The whole thing had taken more time than Reverend DeLaine had hoped. Then again, he was entitled to his impatience: 36 years had passed since the day he had been expected to take 25 lashes for defending his sister from a white boy's shove.

The news broke the next day in the *Columbia State*. Levi Pearson was an immediate hero among his people, though the jubilation did not rise above a whisper. They all understood the risks. He was the obvious choice to serve as acting president of the new

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*This time the Negroes  
were going to ask for equal  
treatment from top to  
bottom. Anything less was  
potentially in violation of the  
Fourteenth Amendment.*

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branch that the NAACP sought to plant in the county in the wake of local enthusiasm over the bus case. The feisty little farmer agreed, and J.A. DeLaine became branch secretary of what was, practically speaking, an undercover operation. A more open arrangement would have been suicidal in Clarendon County.

It was too late for caution now, though. And when planting time came to Clarendon that spring, Levi Pearson found that his credit had been cut off by every white-owned store and bank in the county. He had had enough put aside for seed for the cotton, tobacco, oats, and wheat plantings, but there was not enough for fertilizer. He had to cut down some of his timber and sell it for cash. But when the pickup man came from the mill — the mill that belonged to R.W. Elliott, head of grammar school board No. 22 in the Summerton area — and learned why the timber was being sold, he drove away and left it lying there.

The case of *Pearson v. County Board of Education* was scheduled in Charleston for June 9. "Please do not make any other commitments for the week beginning Monday, June 7, 1948," Harold Boulware wrote Levi Pearson on May 28. The warning

proved unnecessary. On June 8, the case was thrown out of court. L.B. McCord and his fellow white county school officials had checked Levi Pearson's tax receipts more rigorously than the Negro attorney. Pearson's farm was almost precisely on the line between School District No. 5, to which he paid his property taxes, and School District No. 26 for the Scott's Branch high school and No. 22 for the grammar school — the ones his children attended. He was held to have no legal standing to bring the case.

"I think that's when my hair turned white," Reverend DeLaine remembered. It was a long drive home to Summerton, and not many days before they heard that Clarendon's state senator was snortingly telling white cronies around the county courthouse in Manning that "our niggers don't even know where they live." In his excitement beforehand, the "Rev" had advised his people that the law was clear and "they're going to have to transport us out of the woods." And then to lose on sloppy homework. "We were mighty discouraged," he said.

That autumn, Levi Pearson could not find a white farmer with a harvester as he had always done in the past, to bring in the crop. He had had to borrow from hard-pressed blacks to buy fertilizer in the spring. And now he had to sit and watch his harvest of oats and beans and wheat rot in the fields.

Finally they told him that if he would just forget about the buses and the NAACP and tend to his own, everything would be taken care of again. But Levi Pearson would not give up.

They had to begin all over again the following spring. This time, the stakes were higher, and the whites were watching.

DeLaine and Pearson headed a small group of Clarendon blacks summoned to Columbia in March of 1949 for a skull session with top state and national officials of the NAACP, led by Thurgood Marshall, whose record of success as a civil-rights lawyer had begun to turn him into a legend. Chagrined by the setback in the bus case the previous year, Marshall was too seasoned a



battler to be discouraged for very long. To tie a test case to a single plaintiff was always risky business: it was too easy to find some disqualifying ground, as they had with Levi Pearson, or to intimidate the plaintiff into dropping out.

This time they would seek a firm, unified group of 20 plaintiffs, and this time they would not settle for a few battered buses. The black schools of Clarendon were a plain disgrace — anyone could see it — and this time the Negroes were going to ask for equal treatment from top to bottom: buses, buildings, teachers, teachers' salaries, teaching materials. Everything the same. Anything less was patently in violation of the Fourteenth Amendment, Thurgood Marshall explained. Now if the Clarendon group thought it could assemble 20 sturdy plaintiffs who would stay the course, the large man from New York told them, the NAACP would bring a major test case there. If not, it would take the fight elsewhere — and now.

The Clarendon people went off during a coffee break to huddle among themselves. No one strengthened DeLaine's backbone more than his close friend, the Reverend J.W. Seals, a small, bespectacled, warmly humorous man who lacked DeLaine's education but gave away very little to him in the way of dedication. "Now don't you get down, J.A.," said Seals, who pastored at St. Mark's in Summerton, next door to DeLaine's home. Before, they had asked for just one man, and J.A. had brought them Levi; now they wanted twenty, and they would get twenty.

So much for bravado. In the event, the task very nearly proved impossible. The infant branch of the NAACP lacked experience in civil affairs and political action, but the Reverends DeLaine and Seals, looking not unlike a black Mutt and Jeff, kept at it. They organized a series of four informational meetings at churches around the county during the next few months, including an overflow session at Summerton to hear from the executive secretaries of the Virginia and South Carolina NAACP state organizations. It was a kind of excitement no one in the county had ever witnessed before.

But no one was rushing to sign up as plaintiff in the equalization test case. Most of them, after all, were

tenant farmers who might be tossed off their land at any time. And word from the whites was beginning to circulate that that was precisely what would happen to anyone who signed up: he'd be a homeless hero. Farmers who owned their land had the depressing example of Levi Pearson staring them in the face. And teachers and those in other occupations could ponder the equally disturbing fate of the principal of the Scott's Branch school, who, after 18 years of service, was summarily fired on the suspicion that he had inspired or strongly encouraged the Pearson bus suit. Add to these potent deterrents a labyrinth of overlapping school districts and apparently conflicting jurisdictions, and you had a political jungle thick enough to puzzle a Talleyrand, let alone a group of earnest but fearful novices. It would take something else to forge them into an action-ready phalanx. And when it came, the Reverend DeLaine seized the day.

To replace the fired principal at Scott's Branch, the school board installed a black man without a college degree but with long experience doing the white man's bidding. His black teaching colleagues at the school found him arrogant to them, pathetic in his efforts to cotton up to white officials, and, by year's end they concluded, more than likely crooked. There had been two school fundraising rallies and eight entertainment programs that produced well over \$1,000 — a great deal of money in a town like Summerton in 1949 — and nobody knew where the money went after the principal had collected it. He charged out-of-district seniors \$27 in tuition and local students fees of \$2.50 before he would hand over their state certificates of completion — plain extortion, so far as the youngsters and their families were concerned — and when some of the children declined to pay, he threatened to impound their transcripts and had uncomplimentary remarks inserted in some of their term records. The charges against the principal, later endorsed in sworn statements by some of the faculty, were drawn up by a group of two dozen or so members of the graduating class and sent to white school officials. There was no response.

**"Slavery is necessary as an educational institution, and is worth ten times all the common schools of the North. Such common schools teach only uncommonly bad morals . . . as the statistics of crime in the North abundantly prove."**

— James D.B. De Bow, in  
De Bow's Review, 1857

**"I took almost malicious satisfaction in teaching my little waiting maid at night. . . .**

**The light was put out, the keyhole screened, and flat on our stomachs before the fire, with the spelling book under our eyes, we defied the laws of South Carolina."**

—Sarah Grimké, 1850s,  
aristocrat turned  
abolitionist





*Reverend Joseph DeLaine at right with Mr. and Mrs. Harry Briggs, whose names led the list of black litigants in the Clarendon County, South Carolina, case.*

DeLaine, whose wife, Mattie, had been teaching at Scott's Branch for more than a dozen years and kept him apprised of the scandal, dropped a match in ready tinder. Parents, students, teachers, school officials and the alleged culprit were summoned to a mass meeting called for the first Sunday in June at Reverend Seals' St. Mark's Church next to the school. Neither the accused principal nor any white official showed up, but some 300 blacks gathered and, as DeLaine later recounted the occasion, "a flame of anger" was in them. If they acted in concert and presented their charges to the whites as an official petition of the black community, surely something would be done about it. But who would be their leader?

From the packed church, the call came for J.A. DeLaine. He declined on account of his having been involved in the Pearson case: another leader might get a better reception from the whites. He suggested a strong-armed farmer named Eddie Ragin, who with his brother William was later to provide

food, transportation and yeoman support as the struggle intensified. "Not me!" said Eddie Ragin. "I can say Gee and Haw fine to my mules and plow a furrow good enough, but let's get us an educated person to do our talkin'." And again the cry came for J.A. DeLaine. Again he declined, noting that his health had prevented him from preaching for the past 18 months and that he needed the income from his teaching job, for they all understood that his job would be taken away if he did as they asked.

He suggested another of the five preachers in the room to be their leader—the one he knew to be least willing. In doing so, he was not without political guile, for J.A. DeLaine had decided, before organizing this angry churchful of his people, that subterranean leadership would never embolden the black community. Frustrated by the results since first hearing James Hinton's rousing challenge two years earlier, piqued by whispers he had overheard that his health was not as precarious as he let on, J.A. DeLaine now crossed his private Rubicon. He would lead them, out front, if they

really wanted him.

The minister he had deferred to declined the honor, and for a third time the call came, now more insistent: "DeLaine! DeLaine!" He rose from the back of the room and said to them he would not do it unless they were ready, unless they had the grit to go to the local school board and then the county school board and then the state education department — "and every time they'll turn us down." And then they would fight in the courts with the help of the NAACP, they would fight it all the way up to the Supreme Court of the United States, and unless they were all willing to stand with him against whatever would come during the lengthy process, he would not do it. But if they would do this thing, which was the right thing to do for their children — if they would use this occasion to insist that the white people provide them with decent schools to which they were entitled — he would be their leader. And they shouted back to him, yes, that was what they wanted. So he went up inside the chancel rail and he led them.



They formed a small grievance committee, of which he was chairman. His brother in Christ, Reverend E.E. Richburg of Liberty Hill, who ran the largest AME church in Clarendon County with well over a thousand members but had held back from the protest movement until now, was secretary. The committee, according to the Reverend Richburg's minutes, "was instructed to ask for the privilege to help in the selection of a suitable principal and teachers to put over our children," then an offering was collected of \$10.82. For the Doxology, they sang "Together Let Us Sweetly Live, Together Let us Die."

Two days after the parents' action committee submitted its petition of grievances and sought a hearing from the white school trustees, J.A. DeLaine was advised that his services as a teacher at the little school up in Silver on the Sumter Road would not be required the following fall.

Had the white authorities moved to minimize the uprising, it might have been swiftly quelled. Instead, and in rancor, they turned their backs and refused to explore the legitimacy of the Negro complaints. After a local school trustees' meeting on the subject toward the end of June, no response or action was forthcoming, as DeLaine had predicted. He took his case to the county board, and when that too proved fruitless, he got into his old Ford — for there were only 101 homes with telephones in the entire county, and very few of them were owned by blacks — and plowed the dusty summer roads gathering affidavits from parents and teachers and pupils. Then he took the lot of them and drove the 60 miles to Columbia to see the man in charge of supervising Negro education throughout the state. The fat was in the fire now.

As summer wore on, word trickled out from the white man's redoubt, the county courthouse in Manning, that the state department of education was riled by the Clarendon dispute and wanted it settled before it turned into something bigger. On September 23, 1949, Reverend L.B. McCord bit the bullet and sent a notice to Reverend J.A. DeLaine that as superintendent of education and chairman of the county school board, he was officially

setting a hearing on the charges against the Scott's Branch principal in the county courthouse eight days hence. "You are at liberty to present witnesses to prove the charges," the notice said.

When the hearing was over, the accused principal, who failed to produce records to refute the charges, was out of his job. He was, after all, a Negro, and his dismissal was trivialized by the whites as an intramural hassle among the blacks. Two days later, the ousted principal left Summerton. But he would yet take his revenge.

Monday of the following week, District No. 22 Superintendent Betchman invited Reverend DeLaine to his office. To the embattled Negro community, Betchman was "a nasty-talking man like all the rest" and a poor-white tool of school-board attorney Emory Rogers, the short, florid, well-educated Summerton lawyer whose family roots in the area went back more than two centuries. Between his own holdings and those of his relatives, such as cousin Dave McClary, who owned the feed business and cotton gin, and cousin Charles Plowden, who owned the Summerton bank, the power of the old plantation stock was perpetuated and mobilized.

Betchman's office was in the white elementary school on Church Street. With its red-brick solidity and graceful cupola, it was easily the most stately building in Summerton. The superintendent handed DeLaine the transcript for his son Joseph that had been withheld since his graduation at Scott's Branch in June. Then he offered the reverend the principal's job at the black school. No fees whatever would be charged except for the rent of books — a notable concession, since the county previously had charged each black pupil \$7 a year for coal and other sundries that the whites got free. But there was a catch: he would have to call off the fight for more improvements in the black schools. "Ninety percent of the people are following you, DeLaine," the superintendent said, "and they deserve better leadership than to get them into a fight with the white people. The whites provide the money and the jobs that keep them going."

"In my heart I said I would never do it," J.A. DeLaine later wrote. "From my tongue I told him that

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"They [the Klan] would not let us have schools. They went to a colored man there, whose son had been teaching school, and they took every book they had and threw them into the fire; and they said they would dare any other nigger to have a book in his house."  
— Caroline Smith, Atlanta, 1871

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"The Negroes must be educated in head, hand and heart before they can become equal to the best class of American citizens."  
— Booker T. Washington, 1899



there were other grown people who might even turn to fight me. Then he would be holding me responsible for their conduct while they [would] be looking upon me as a traitor.”

The superintendent was not satisfied with that. “You’ve got to stop them, DeLaine,” he snapped. “I’m holding you responsible.”

Later that week, the superintendent appointed DeLaine’s wife, Mattie, to serve as acting principal of Scott’s Branch in a transparent maneuver to compromise the reverend’s protest activities. It was to no avail. “There was a fire here that no water was gonna put out,” says one of the black farmers who now began to sign the NAACP petition. By November 11, DeLaine had the 20 names that Thurgood Marshall said they needed to go to court. It had taken eight months to get them.

Legal custom dictates that in a suit with many plaintiffs, the case is called after the first name on the complaint. Heading the list of Clarendon Negroes, given in alphabetical order, was Harry Briggs, then a 34-year-old Navy veteran with five children. A short, chunky man with heavy eyebrows over large, expressive eyes, he was the son of sharecroppers and has spent all his life, except for the years away in the South Pacific, in Summerton. For 14 years, he had worked in the Carrigan service station on Main Street, right across from the Piggly Wiggly, pumping Sinclair gas, repairing tires and greasing cars. They did not let him do any body work.

“I knowed everybody in town,” Harry Briggs recalls, and everybody knew that, the year before, he had taken out a small loan from the Summerton bank and bought a small lot from Reverend DeLaine right near the Scott’s Branch school and built himself a small house. Harry, Jr., and the other Briggs kids could walk just across the street to get to school. It was into the Briggs parlor that many of the petitioners trooped to sign their names to the legal forms after Reverend DeLaine’s October rally at nearby St. Mark’s Church. Not a leader, Summerton blacks said of Harry Briggs, but a solid man.

“We figured anything to better the children’s condition was worth-

while,” he remembers. “There didn’t seem to be much danger to it. But after the petition was signed, I knew it was different. The white folks got kind of sour. They asked me to take my name off the petition. My boss, he said did I know what I was doin’ and I said, ‘I’m doin’ it for the benefit of my children.’ He didn’t say nothin’ back. But then later — it was the day before Christmas — he gave me a carton of cigarettes and then he let me go. He said, ‘Harry, I want me a boy — and I can pay him less than you.’”

Harry’s wife, Liza, had been working for six years as a chamber-

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*A black farmer who had a hand in the Clarendon County uprising said, “We just got tired of working the man’s fields.”*

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maid at a Summerton motel over on Route 15 when they caught up with her. “They told me that they were under a lot of pressure to get me and one of the other women working there to take our names off the petition,” she says, “or the motel wasn’t going to get its supplies delivered anymore.” Liza Briggs told them that her name was not on the petition, and they said no, but her husband’s was, and she’d better tell him to take it off. She said he was old enough to have a mind of his own and that she wouldn’t do that. They gave her a week’s notice.

The Briggs family stayed on in the county for four years, trying to farm 20 rented acres while the legal fight over the schools came to a boil. But in time they cut off Harry’s credit at the Summerton bank, so he went up to Sumter, 23 miles north, and got a loan there, until they found out who Harry Briggs was and they, too, called the money in.

The Briggses were not the only petitioners who suffered. Bo Stukes was let go at his garage, and James Brown was fired as a driver-salesman for Esso, though his boss commended him for never having come up one penny short in 10 years on the job. Teachers got fired, Negroes had great trouble getting their cotton ginned that harvest season, and Mrs.

Maisie Solomon not only got thrown out of her job at the motel but also tossed off the land her family rented and had to take rapid refuge with other blacks. John Edward McDonald, a 31-year-old veteran of Iwo Jima and Okinawa, couldn’t get any financing for a tractor to farm his 100 acres, and Lee Richardson, who had a hefty debt outstanding at McClary’s feed store as he did every year at that time, was told to pay up at once. They knew that he had no spare money just then; that was why he owed them in the first place. McClary’s people were about to seize Richardson’s two mules as payments when the blacks in town hurriedly passed the hat for him. A few years later, David McClary told an inquiring Northern newspaperman: “When you’re in business, you give a lot of credit. You have to collect sometime. That foreclosure had nothing to do with that petition he signed.”

As the fates would have it, Harry Briggs’ cow got loose and stepped heavily on a gravestone in the McClary family plot. The town’s sole policeman came and arrested the cow. The whites thought that was funny as hell. Harry Briggs had to sweat plenty before he got his precious cow back.

The weight of reprisal grew. The black ministers rose to the occasion. “We ain’t asking for anything that belongs to these white folks,” persisted the Reverend J.W. Seals of St. Mark’s. “I just mean to get for that little black boy of mine everything that any other South Carolina boy gets — I don’t care if he’s as white as the drippings of snow.”

“You’re just like mules,” asserted the Reverend Richburg of Liberty Hill AME, “you don’t know your own strength.” And he urged his people to launch an economic boycott against the Clarendon whites, whom they heavily outnumbered. Such militance was beyond the Negroes of Summerton, but the very idea stirred them.

In January of 1950, the Reverend DeLaine let go with his strongest words to date. They were in a three-page open letter, mimeographed and widely passed around town. Part of it said:

Is this the price that free men must pay in a free country for wanting their children trained as capable and respectable American citizens? . . . Shouldn’t official



employ the dignity, foresight, and intelligence in at least the honest effort to correct outstanding evils?

Is it a credit for Summerton to wear the name of persecuting a segment of its citizens? Shall we suffer endless persecution just because we want our children reared in a wholesome atmosphere? What some of us have suffered is nothing short of Nazi persecution.

He was writing the truth, and they made him pay for it. He was subjected to menacing incidents on the highway, a hair-trigger confrontation on Main Street, threats by mail from people signing themselves "the Ku Klux Klan." His wife and nieces lost their teaching jobs. And then, out of the blue, DeLaine was named in a \$20,000 slander suit by the black principal who had been charged with abuse of office at the Scott's Branch school and let go by the white county school board the previous October. When the case came to trial, the reverend-superintendent-chairman of the county school board, L.B. McCord, supported the claim of the disreputed ex-principal that J.A. DeLaine had concocted the case out of whole cloth and put the Negro community up to hounding the Negro principal out of town. It came down to Reverend McCord's word against Reverend DeLaine's. Only white men were on the jury. The ex-principal was awarded \$2,700 in damages. J.A. DeLaine vowed to himself that he would pay it only when there was no fight left in him.

There were reports now in April that a black youngster had been kicked to death by a notorious white bigot who caught him urinating in plain view on the side of the road to Manning. DeLaine wrote to the Federal Bureau of Investigation about the report, but the rest of the black community, sensing the heightening tactics of terrorism, clammed up tight. Witnessing all this, Reverend DeLaine's superior, AME Bishop Frank Madison Reid, ordered him out of the county. He was put in charge of St. James Church in Lake City, 35 miles northeast of Summerton. It was one of the churches his father had founded.

On Saturdays, the man they called the "Rev" came home to his embattled people in Clarendon and kept their spirits flying. "The black man in the county had nothing to look forward to until then," says Billie Fleming. "Without the schools, there

was no way to break out." Adds a black farmer who had a hand in that remarkable agrarian uprising, "We just got tired of working the man's fields."

And so for the first time any of them could remember, they had hope as well as a heavier burden of fear. Their yearnings had been gathered up and committed to paper and were being directed by able lawyers of their own race to the courts of the government of the United States. They would need all the hope the "Rev" could generate, for the better part of another year would pass before their lawsuit would come to trial in Charleston. When it did, it would be known as *Briggs v. Elliott*—after Harry Briggs, the former gas-station attendant they would never let become a mechanic, and Roderick W. Elliott, flinty chairman of District No. 22 and owner of the sawmill whose pickup man would not take away the trees that Levi Pearson had cut down to pay for his urgently needed fertilizer.

The case would be joined with four others for consideration by the highest tribunal in the land. One would come from Prince Edward County, Virginia, another from the District of Columbia, another from Delaware, and one from Topeka, Kansas, where the lead plaintiff, Oliver Brown, had unsuccessfully tried to enroll his daughter, Linda, in a white school a few blocks from their home. The final outcome of the cases, collectively styled *Brown v. Board of Education* by the Supreme Court, would profoundly change America. □

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*This article is excerpted from the first chapter of Richard Kluger's Simple Justice, a brilliant history of the 1954 Brown vs. Board of Education decision and the cases and people involved in the Supreme Court opinion. Copyright © 1975 by Richard Kluger, and reprinted by permission of Alfred A. Knopf, Inc.*

"Reason can and will prevail; but of course it can only prevail with publicity — pitiless, blatant publicity. You have got to make the people of the United States and of the world know what is going on in the South. . . . it is your duty."

—W.E.B. Du Bois, 1946,  
speaking at a meeting  
of the Southern Negro  
Youth Congress

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"The crippling of individuals I consider the worst evil of capitalism. Our whole educational system suffers from this evil. An exaggerated competitive attitude is inculcated into the student, who is trained to worship acquisitive success as a preparation for his future career."

— Albert Einstein, 1949



# THE LEGAL BARRIERS CRUMBLE

BY LAUGHLIN McDONALD

At the time of the Declaration of Independence in 1776, slavery had existed in America for more than a century and a half. It continued to exist for almost a hundred years more — until the ratification of the Thirteenth Amendment in 1865. In spite of the clear language in the Declaration of Independence that “all Men are created equal,” the Federal position on slavery was actually one of compromise, leaving the individual states free to adopt their own policies on the lawfulness of that “peculiar institution.”

The Federal accommodation to slavery was embodied in three provisions of the original Constitution, which counted a slave as only three-fifths of a person for purposes of apportionment of the House of Representatives, prohibited Congress from abolishing the slave trade prior to the year 1808 and provided for the return of fugitive slaves to their owners.

Since the states were free to establish their own laws on slavery, it was inevitable that conflicts would arise as to the legal status of slaves who came to reside in states in which slavery had been abolished. In one early decision, the Supreme Judicial Court of Massachusetts held that a slave brought temporarily into Massachusetts (a free state) could not be forced to return to Louisiana. The decision, however, turned not so much on the altered status of the slave under Massachusetts law as upon the absence of any procedures through which the slave owner could enforce his property rights.

*Commonwealth v. Ayres* (1836)<sup>1</sup> ran against the tide of judicial opinion, for most slavery decisions of that

period protected the property rights of slave owners against the human rights of slaves seeking freedom through the courts. The conflicts in state slavery laws, and indeed the status of the slave himself, were finally settled by the Supreme Court in 1857 in *Dred Scott v. Sanford*.<sup>2</sup> The Court held that: (1) slaves were not citizens and thus had no access to Federal courts; (2) temporary residence in a free state or territory did not make a slave free; and (3) the Missouri Compromise of 1820 abolishing slavery in portions of the Louisiana Territory was unconstitutional since it violated the property rights of slave owners.

*Dred Scott* was a watershed opinion. It approved white supremacy as national policy and assigned the Negro the permanent status of a chattel. It thus focused the issue of slavery in a way which the Founding Fathers had avoided in the Constitution. In doing so, it moved the nation an important step closer to the Civil War that erupted four years later.

On January 1, 1863, two years after the beginning of the Civil War, President Lincoln issued the Emancipation Proclamation freeing the slaves in the rebellious Confederate states. Although the Emancipation Proclamation did not free slaves in those states or parts of states loyal to the Union, this fact, and a growing debate over the validity of President Lincoln's abolition of slavery in the Confederacy by executive fiat, were rendered academic by the ratification on December 6, 1865, of the Thirteenth Amendment, ending the institution of slavery in the United States:

**Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime**



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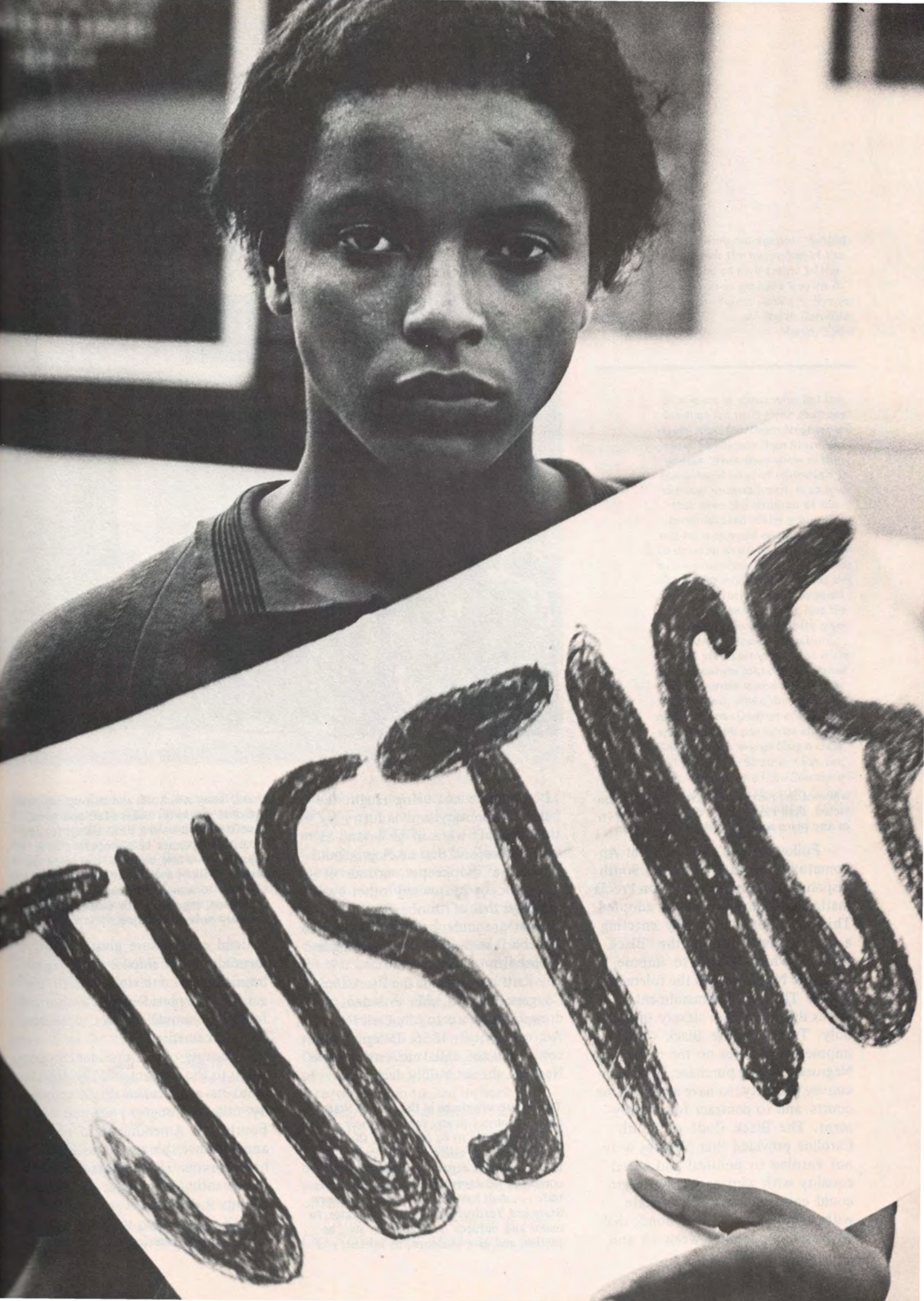






photo by Joe Zinn

whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Following Lee's surrender at Appomatox on April 9, 1865, the South responded to the Emancipation Proclamation and the subsequently adopted Thirteenth Amendment by enacting a series of laws known as the "Black Codes," which sought to impose upon the Negro, within the tolerance of the Thirteenth Amendment, a status different from slavery in name only. Typically, the Black Codes imposed disabilities on the rights of Negroes to own, purchase, inherit or convey property; to have access to the courts; and to contract for employment. The Black Code of South Carolina provided that Negroes were not entitled to political and social equality with whites; that no Negro could enter and live in the state without posting a \$1,000 bond; that all Negro children between 18 and

21 who were not being taught the habits of honesty and industry by their parents were to be bound as apprentices; and that no Negro could become a shopkeeper, artisan or mechanic, or pursue any other business save that of "husbandry, or that of a servant under a contract of service or labor" without first obtaining a license from a district court.

Partly in reply to the Black Codes, Congress enacted, over President Andrew Johnson's veto, the Civil Rights Act of April 9, 1866. Designed to confer full and equal citizenship upon Negroes, the act boldly declared:

**That all persons born in the United States and not subject to any foreign power . . . are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude . . . shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, pur-**

**chase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.**

Federal courts were given exclusive jurisdiction to impose fines and imprisonment for violations of the act, and the president was authorized to use the armed services to ensure its enforcement.

Because of the president's opposition to the new act and the doubts as to its constitutionality expressed by others, Congress enacted the Fourteenth Amendment to provide a constitutional basis for the 1866 legislation. The Fourteenth Amendment was ratified on July 9, 1868.

**Section 1. All persons born or naturalized in the United States, and subject to the**





Ending segregation "would mark the beginning of the end of civilization in the South as we have known it."  
 — Gov. James F. Byrnes  
 of South Carolina,  
 March, 1954

Statistics of those who fail the intelligence tests given draftees show "that Northern Negroes are more intelligent than Southern whites. What they show is that the general level of education in the low-income South is so low that even the children of the more favored white group do not have as good an opportunity to develop as do all groups in the more prosperous states. And they show that what counts is not the mythical racial traits imagined by a Hitler or a Rankin, but the opportunity a community gives its children through education. . . . The 31 states which do not maintain separate schools for whites and Negroes spend \$2,199 per classroom, while the other 17 states and the District of Columbia spend \$1,166 per white class and \$477 for the average Negro class."  
 — The Southern Patriot,  
*magazine of the Southern Conference Education Fund,*  
 November, 1947

jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The last of the Civil War amendments, the Fifteenth Amendment, was passed by Congress in 1869 and was ratified on March 3, 1870. The amendment guarantees the equal right to vote.

**Section 1.** The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Congress passed a variety of laws during the Reconstruction years to guarantee the rights of Negroes and to control the increasing violence against them by such groups as the Ku Klux Klan. Congressional enactments in-

cluded the four Reconstruction Acts of 1867 and 1868, the three Enforcement Acts of 1870 and 1871, and the Civil Rights Act of 1875. But following the Compromise of 1877 and the withdrawal of Federal troops, Reconstruction of the South ended. By the close of the century, much of the civil rights legislation enacted following the war had been repealed or declared unconstitutional in a series of Supreme Court decisions. The postwar amendments remained, but they had been severely limited in their application by the Supreme Court. The nation, weary of sectionalism and the vexing issue of race, once again turned its back upon the Negro, as it had in 1787, and left the states free to solve their "local" problems in their own ways. The South's solution to the Negro problem was disfranchisement and the regime of Jim Crow.

After the 1883 decision in *The Civil Rights Cases*, which struck down



the Federal public-accommodations law, Jim Crow statutes blossomed in the South. It is reported that when the Court's ruling was announced at a performance in the Atlanta Opera House the audience broke into "such a thunder of applause . . . as was never before heard within [its] walls."<sup>3</sup> The origin of the term "Jim Crow" is lost, but the phrase describes laws requiring racial segregation in schools, churches, housing, jobs, prisons, public accommodations, cemeteries — in virtually every aspect of public and private life. A typical Jim Crow law, and one of the first, was adopted by Tennessee in 1881. It required all railroad companies in the state to furnish separate cars, or portions of cars cut off by partitioned walls, for Negro passengers who had paid the same first-class fare as white passengers. Separation of the races was taken to extraordinary lengths in some cases. A Jim Crow Bible was used in Atlanta courts to swear in Negro witnesses, while Birmingham had an ordinance making it a crime "for a Negro and a white person to play together or in company of each other" at checkers or dominoes.<sup>4</sup>

The Supreme Court had ruled in 1878 in *Hall v. DeCuir*<sup>5</sup> that state laws prohibiting racial segregation were unconstitutional where they burdened interstate commerce. Simple logic would suggest that Jim Crow laws requiring racial segregation would be similarly burdensome and equally unconstitutional. But in *Plessy v. Ferguson*, a case as significant for the equal rights of Negroes as *Dred Scott* 39 years before, the Court held that Jim Crow and the doctrine of separate but equal were constitutional.

Plessy, one of whose great-grandparents was black, was a passenger in June, 1892, on the East Louisiana Railway from New Orleans to Covington. He purchased a first-class ticket and took a seat in the car reserved for white passengers. The conductor, however, directed that Plessy take a seat in the Jim Crow car, which by state law was required to be "equal but separate." Plessy refused to move. He was arrested and charged with the crime of going "into a coach or compartment to which by race he does not belong." Plessy argued that the law was unconstitutional and that in any event "the mixture of colored blood was not discernible in him." His

arguments were rejected, and the Court, adhering to the narrow interpretation of the Thirteenth Amendment it had set down in *The Civil Rights Cases* and *Hodges v. United States*, and ignoring the plain language of the Fourteenth Amendment, found Louisiana's Jim Crow law to be constitutional.

#### PLESSY v. FERGUSON (1896)<sup>6</sup>

Mr. Justice Brown . . . delivered the opinion of the court . . .

We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it. The argument necessarily assumes that if, as has been more than once the case, and is not unlikely to be so again, the colored race should become the dominant power in the state legislature, and should enact a law in precisely similar terms, it would thereby relegate the white race to an inferior position. We imagine that the white race, at least, would not acquiesce in this assumption. The argument also assumes that social prejudice may be overcome by legislation, and that equal rights cannot be secured to the negro except by an enforced commingling of the two races. We cannot accept this proposition. If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits, and a voluntary consent of individuals. . . . Legislation is powerless to eradicate racial instincts, or to abolish distinctions based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation. If the civil and political rights of both races be equal, one cannot be inferior to the other civilly or politically. If one race be inferior to the other socially, the constitution of the United States cannot put them on the same plane.

Justice Harlan was the lone dissenter. He called the Court's judgment "pernicious" and prophesied that it would stimulate racial conflict and encourage the states to take further legal measures to deny equality of treatment to Negroes. History proved him to be a seer.

*Plessy v. Ferguson* was not so much the cause as it was evidence of a growing acquiescence in race chauvinism in the United States. Southern moderates, who often showed a modicum of racial tolerance, had been routed by the post-Reconstruction "redeemers," while white supremacy was being given new respectability in the North. In 1907, William Graham

Sumner, a professor of sociology at Yale, published his widely heralded *Folkways* in which he argued that legislation ("stateways") was powerless to change the basic structure of social institutions ("folkways"). That was the reason, he claimed, that Reconstruction had failed and that the Negro was doomed to second-class status.

Elsewhere, at Columbia University William H. Dunning, a professor of history, described the disfranchisement of the Negro as a "reckless . . . species of statecraft,"<sup>7</sup> while at Harvard, William McDougall, professor of psychology, was working toward the conclusion that intelligence was a matter of heredity and that white superiority was a biological imperative.<sup>8</sup> The Federal government had also embarked on a course of imperialism in the late 1890s and, as a result of conquests in the Philippines, Hawaii and Cuba, twentieth-century America suddenly found itself with authority over millions of people who belonged to a "colored" race. As the *New York Times* observed editorially in 1900, "Northern men . . . no longer denounce the suppression of the Negro . . . as it used to be denounced in the reconstruction days. The necessity of it under the supreme law of self-preservation is candidly recognized."<sup>9</sup>

Racial segregation in public education had always been tolerated in the United States, even in those states that first abolished slavery. In fact, the case most strongly relied upon by *Plessy v. Ferguson* in support of its conclusion that segregation was lawful was a decision of the Supreme Judicial Court of Massachusetts, *Roberts v. City of Boston*, upholding public-school separation of children by race. *Plessy* made note of the fact that Massachusetts was one of the "states where the political rights of the colored race have been longest and most earnestly enforced," concluding that, as an actual matter, racial segregation was condoned everywhere.

Grounded upon an opinion from an abolitionist state's approval of racial discrimination in public schools, *Plessy* became in turn the legal basis for school segregation throughout the United States.<sup>10</sup> As late as 1950, segregation in public schools was required or permitted in 21 states and



the District of Columbia.

One of the inequities of "separate but equal" was that schools were never really equal. In 1915, for example, white students in South Carolina went to school 133 days a year, blacks only 67. The pupil-teacher ratio was 36 to 1 for whites but 64 to 1 for blacks. White teachers made more than twice as much as black teachers, while the state spent \$16.22 to teach each white child but only \$1.13 for each black child.<sup>11</sup>

By the late 1930s, the Supreme Court was beginning to question, as it had done in the fields of transportation and real estate, whether separate education was in fact equal, and it attempted to set standards for judging equality. In *State of Missouri ex rel. Gaines v. Canada*, the Court considered the case of a Negro resident of Missouri who had been denied admission to the all-white School of Law of the State University of Missouri. With no state law school available for blacks, the state had agreed to pay Gaines' tuition at the law school of an adjacent state that would admit Negroes. Missouri contended that this version of "separate but equal" was entirely acceptable under *Plessy*. The Supreme Court disagreed.

STATE OF MISSOURI EX REL.  
GAINES v. CANADA (1938)<sup>12</sup>

Mr. Chief Justice Hughes delivered the opinion of the Court. . . .

The basic consideration is not as to what sort of opportunities other States provide, or whether they are as good as those in Missouri, but as to what opportunities Missouri itself furnished to white students and denies to negroes solely upon the grounds of color. The admissibility of laws separating the races in the enjoyment of privileges afforded by the State rests wholly upon the equality of the privileges which the laws give to the separated groups within the State. The question here is not of a duty of the State to supply legal training, or of the quality of the training which it does supply, but of its duty when it provides such training to furnish it to the residents of the State upon the basis of an equality of right.

It does not appear that Gaines ever attended the law school at the State University of Missouri. After the Court's decision, the Missouri legislature passed a statute requiring that a law school be established at Lincoln, the Missouri university for Negroes.

The issues presented in *Gaines*

again came before the Court in 1950 in *Sweatt v. Painter* and *McLaurin v. Oklahoma State Regents for Higher Education*, but with an added twist. Sweatt applied to the University of Texas Law School but was rejected because he was black. He sued for admission, and the state court, in reliance upon *Gaines*, took no action but gave the state of Texas six months to supply Sweatt with a separate law school. A new law school was opened for Negroes, but Sweatt refused to go. He argued that the facilities, even though they were in the state of Texas, were not in fact equal to those available to white students. The Supreme Court agreed and ordered Sweatt admitted to the University of Texas Law School.

SWEATT v. PAINTER (1950)<sup>13</sup>

Mr. Chief Justice Vinson delivered the opinion of the Court. . . .

[In comparing] the University of Texas Law School . . . with the . . . law school for Negroes, we cannot find substantial equality in the educational opportunities offered white and Negro law students by the State. In terms of the number of faculty, variety of courses and opportunity for specialization, size of the student body, scope of the library, availability of law review and similar activities, the University of Texas Law School is superior. What is more important, the University of Texas Law School possesses to a far greater degree those qualities which are incapable of objective measurement but which make for greatness in a law school. Such qualities, to name but a few, include reputation of the faculty, experience of the administration, position and influence of the alumni, standing in the community, traditions and prestige. It is difficult to believe that one who had a free choice between these law schools would consider the question close.

Moreover, although the law is a highly learned profession, we are well aware that it is an intensely practical one. The law school, the proving ground for legal learning and experience, cannot be effective in isolation from the individuals and institutions with which the law interacts. Few students and no one who has practiced law would choose to study in an academic vacuum, removed from the interplay of ideas and the exchange of views with which the law is concerned. The law school to which Texas is willing to admit petitioner excludes from its student body members of racial groups which number 85% of the population of the State and include most of the lawyers, witnesses, jurors, judges and other officials with whom petitioner will inevitably be dealing when he becomes a member of the Texas Bar. With such a substantial and significant segment of society excluded, we cannot conclude that the education offered petitioner is substantially equal to that which he would

"A great shock . . . a crushing blow to all the customs, traditions and mores, extending over more than 200 years, that have been built or grown up around the principle and practice of segregation."

— Huntsville (Ala.) Times,  
May, 1954

"While the NAACP and The Crisis hail this decision as marking a turning point in American race relations, we also feel it necessary to temper our exultation with that warning that this is a major battle won, not a campaign concluded. . . . We are at that point in our fight against segregation where unintelligent optimism and childish faith in a court decision can blind us to the fact that legal abolition of segregation is not the final solution for the social cancer of racism."

— The Crisis,  
June/July, 1954



receive if admitted to the University of Texas Law School.

The second case, *McLaurin*, involved the treatment to be afforded a Negro student after admission to a formerly all-white school. McLaurin was admitted to the University of Oklahoma to take courses leading to a doctorate in education which were not available to him in any Negro institution in the state. By state law, however, the course of instruction had to be given on a racially segregated basis. McLaurin was assigned to sit in a separate section of the classroom surrounded by a rail on which there was a sign saying "Reserved for Colored." He was not allowed to use the tables in the reading room of the library but was required to read at a desk on the mezzanine floor. He had to sit at a special table in the school cafeteria and to eat at specified times. McLaurin finally petitioned the court to have these conditions removed.

**MCLAURIN v. OKLAHOMA STATE REGENTS FOR HIGHER EDUCATION (1950)<sup>14</sup>**

Mr. Justice Vinson delivered the opinion of the Court. . . .

These restrictions were obviously imposed in order to comply, as nearly as could be, with the statutory requirements of Oklahoma. But they signify that the State, in administering the facilities it affords for professional and graduate study, sets McLaurin apart from the other students. The result is that appellant is handicapped in his pursuit of effective instruction. Such restrictions impair and inhibit his ability to study, to engage in discussions and exchange views with other students, and, in general, to learn his profession.

It may be argued that appellant will be in no better position when these restrictions are removed, for he still may be set apart by his fellow students. This we think irrelevant. There is a vast difference — a Constitutional difference — between restrictions imposed by the state which prohibit the intellectual commingling of students, and the refusal of individuals to commingle where the state presents no such bar. . . . The removal of the state restrictions will not necessarily abate individual and group predilections, prejudices and choices. But at the very least, the state will not be depriving appellant of the opportunity to secure acceptance by his fellow students on his own merits.

We hold that under these circumstances the Fourteenth Amendment precludes differences in treatment by the state based upon race. Appellant, having been admitted to a state-supported graduate school, must receive the same treatment at the hands of

the state as students of other races. The judgment is reversed.

In none of these cases had the Court squarely confronted *Plessy v. Ferguson*, since the facilities and educational opportunities were found not to be equal. But in *Brown v. Board of Education*, "separate but equal" was directly presented as a legal concept.



*On the steps of the U.S. Supreme Court: the NAACP attorneys who argued the Brown case.*

*Brown* involved schoolchildren from Kansas, South Carolina, Virginia and Delaware who had been denied nonsegregated education. In a unanimous opinion, the Supreme Court ruled that separate education was inherently unequal and declared it unconstitutional.

**BROWN v. BOARD OF EDUCATION (1954)<sup>15</sup>**

Mr. Chief Justice Warren delivered the opinion of the Court. . . .

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping

him adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

To separate . . . [children] from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the commu-

nity that may affect their hearts and minds in ways unlikely to be undone. . . . Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authority.\* Any language in *Plessy v. Ferguson* contrary to this finding is rejected.

We conclude that in the field of public education the doctrine of "separate but

\* K.B. Clark, *Effect of Prejudice on Personality Development* (Midcentury White House Conference on Children and Youth, 1950); Witmer and Kotinsky, *Personality: the Making* (1952), c. VI; Deutscher and Chein, "The Psychological Effects of Enforced Segregation: A Survey of Social Science Opinion," 26 *J. Psychol.* 253 (1948); Chein, "What are the Psychological Effects of Segregation Under Conditions of Equal Facilities?" 3 *Int. J. Opinion and Attitude Res.* 229 (1949); Brameld, "Educational Costs," in *Discrimination and National Welfare* (MacIver, ed., 1949), 44-48; Frazier, *The Negro in the United States* (1949), 674-681. And see generally Myrdal, *An American Dilemma* (1944).



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equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the law guaranteed by the Fourteenth Amendment.

*Brown* marked the beginning of the end of the formal aspects of Jim Crow and set a new, if stormy, course for race relations in the United States. Over the next twenty years *Brown* was used to topple officially sanctioned racial segregation in virtually every guise in which it came before the Supreme Court. The decade following *Brown*, with some regard for historical analogy, has been called the Second Reconstruction.

A year after the decision in *Brown* declaring segregation in public schools unconstitutional, the Supreme Court in a second opinion known as *Brown II*<sup>16</sup> set out guidelines for implementing desegregation. Mindful of the changes local school officials would have to make in their school systems in order to comply with *Brown*, the Court directed that desegregation proceed under the supervision of the district courts "with all deliberate speed." Implicit in the directive was the belief that the law having been made plain, school and other state officials would proceed in good faith to implement it. Most of them did not.

Some of the border states voluntarily complied with *Brown*, but in the South, where the decision stood to have its greatest impact, an official policy of massive resistance was adopted. Within three years of *Brown*, seven Southern states passed "interposition" or "nullification" resolutions calling for defiance of the Supreme Court's order. Arkansas declared that "the power to regulate or control the operation of the domestic institutions of Arkansas" had never been abandoned to the Federal government and vowed to resist "any and all illegal encroachments upon the powers reserved to the state." South Carolina condemned the Supreme Court's "deliberate, palpable and dangerous attempt to change the true intent and meaning of the Constitution" and predicted that if *Brown* were allowed to stand it would precipitate "the ultimate destruction of constitutional govern-

ment."<sup>17</sup>

The high point of resistance to *Brown* was the famed Declaration of Constitutional Principles by Sam J. Ervin, Jr., U.S. Senator from North Carolina. The declaration, or "Southern Manifesto" as it became known, was published in Congress in 1956, and was signed by 17 senators and 77 representatives, nearly every elected official from the states of the Old South. In the words of the manifesto, "the Supreme Court of the United States, with no legal basis for such action, undertook to exercise their naked judicial power and substituted their personal political and social ideas for the established law of the land." Speaking of *Brown*, the signers pledged "to use all lawful means to bring about a reversal of this decision which is contrary to the Constitution and to prevent the use of force in its implementation."

In their denunciation of *Brown*, the proponents of white supremacy drew again upon the arguments that had been used to maintain the racial status quo since the days of slavery. They pointed to the language in *Plessy v. Ferguson*, which sealed the fate of the first Reconstruction as proof that the "social experiment" undertaken in *Brown* must fail. "If the races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits, and a voluntary consent of individuals. . . . Legislation is powerless to eradicate racial instincts."

In 1959, a Southern journalist, W.D. Workman, Jr.,<sup>18</sup> stated "the case for the South" in a book of the same name:

The heart of the problem lies in the achievement of community acceptance of whatever pattern of race relations seems best for the community. Where there is acceptance of integration, there can be race-mixing with no one the worse save for the few bitter-enders who must then find some personal way out of a situation which meets with the approval of the community in general.

But where there is NOT community acceptance, no amount of pressure — federal, religious, or otherwise — will bring about a satisfactory situation. The matter of race relations is too close a thing, too personal, too intimate, ever to be disposed of by proclamation or by pressure.

The imaginations of Southerners in seeking ways to subvert *Brown* were fertile. Throughout the next decade

"May it come to pass that, in the period of readjustment to the law of the land, Alabama will be spared the impotent wheezing and hoarse croaking of its windbags and demagogues. Let's give ear to the cool and matter-of-fact among our leadership."

— Montgomery Advertiser, May 18, 1954

"It plainly would be rash to shove a town such as Birmingham toward desegregation. Birmingham is plainly not one of the South's many soft underbellies. Birmingham is often a raw industrial town given to arson and dynamite incidents."

— Montgomery Advertiser, against a referendum to allow integrated sports in Birmingham, June 4, 1954



and a half, segregation was perpetuated by such schemes as "freedom-of-choice" plans for pupil assignment, transfer programs for white students into majority white schools, tuition grants, tax credits for donations to private schools, sale or leasing of public schools to private academies, repeal of compulsory-attendance laws, ability grouping, racial assignments within schools, and attacks upon civil-rights groups such as the NAACP and civil-rights lawyers who were pressing for desegregation. The state of Georgia even made it a felony for a state official to spend money on racially integrated schools.

Legal resistance to *Brown* was inevitably accompanied by racial violence. During 1956 and 1957, mob disorders erupted in Clinton and Nashville, Tennessee; Mansfield, Texas; and Sturgis, Kentucky, when attempts were made to desegregate the schools. In Arkansas, Governor Faubus called out the National Guard to prevent black students from integrating Little Rock's Central High.

Federal troops were sent into Little Rock by President Eisenhower on September 25, 1957, and Central High School was desegregated. But the story of Little Rock was not over. Several months after school had gotten under way, the school board requested the Federal court to postpone desegregation because of "extreme public hostility . . . engendered by the official attitudes and actions of the Governor and the legislature." The board contended that the maintenance of a sound educational program at Central High School, with the Negro students in attendance, was impossible. It asked that the students already enrolled be removed and sent to segregated schools and that desegregation be postponed for two and a half years. The Supreme Court denied the request, holding that constitutionally protected rights could not be made to yield to community hostility.

#### COOPER v. AARON (1958)<sup>19</sup>

Opinion of the Court by Chief Justice Warren. . . .

In short, the constitutional rights of children not to be discriminated against in school admission on grounds of race or color declared by this Court in the *Brown* case can neither be nullified openly and directly by state legislators or executive or judicial officers, nor nullified indirectly by them through evasive schemes for

segregation whether attempted "ingeniously or ingenuously."

Concurring opinion of Mr. Justice Frankfurter. . . .

We are now asked to hold that illegal, forcible interference by the state of Arkansas with continuance of what the Constitution commands, and the consequences in disorder that it entrained, should be recognized as justification for undoing what the Board of Education had formulated, what the District Court in 1955 had directed to be carried out, and what was in process of obedience. No explanation that may be offered in support of such a request can obscure the inescapable meaning that law should bow to force. To yield to such a claim would be to enthrone official lawlessness, and lawlessness if not checked is the precursor of anarchy.

*Cooper v. Aaron* rejected community hostility as a legal justification for maintenance of segregation, but Southern resistance to *Brown* remained bitter and undiminished. There was violence at the University of Georgia after Negroes were admitted in 1961 and violence at the University of Mississippi when James Meredith was enrolled in 1962. In Birmingham, following a Federal court order refusing to postpone desegregation of city schools in 1963, a Negro church was bombed on a Sunday morning. Four little girls were killed and 23 others injured. Many Americans were outraged.

As a delaying tactic, massive resistance was a success. By 1964, a decade after *Brown*, seven of the 11 Southern states had not achieved even one-percent integration of blacks with whites in public schools. In 1969, the situation was only slightly better. In Alabama, Georgia, Louisiana, Mississippi, and South Carolina, only 10.5 percent of blacks attended majority white schools. But time was running out for segregation. The movement for equal rights for Negroes during the 1950s and '60s was waging a relentless attack upon the overt forms of discrimination and in doing so mobilized the conscience of the nation.

In the year following the Birmingham bombing and the March on Washington led by Martin Luther King, Jr., Congress enacted the Civil Rights Act of 1964, which was designed to speed up school desegregation. Title VI of that act required all Federal agencies to establish regulations to ensure that Federal assistance would be used by school districts in a non-discriminatory manner. Termination

of funds was authorized in cases where school officials refused to follow the regulations. Title IV of the act gave the Attorney General authority to institute proceedings to compel recalcitrant school districts to desegregate. Congress also provided for technical assistance and grants to districts to assist them in the desegregation process. To supplement the 1964 act, Congress enacted the Elementary and Secondary Education Act of 1965. One of its major provisions was authorization of the establishment of guidelines by the Department of Health, Education and Welfare, which all school districts, except those operating under court-ordered desegregation plans, were required to meet as a condition for Federal assistance. The guidelines mandated the end of de jure segregation in faculty, staff and pupil assignments and provided for termination of Federal assistance to districts that continued to practice discrimination.

The HEW guidelines were attacked on a number of grounds. School districts urged that they required integration, not just the end of segregation. The Fifth Circuit, however, held in *United States v. Jefferson County Board of Education* (1966) that the guidelines were a proper exercise of Federal authority and that they required "states in this circuit to take affirmative action to reorganize their school systems by integrating the students, faculties, facilities and activities. . . . A study of the guidelines shows that the HEW standards are within the rationale of *Brown* and the congressional objectives of the Act."<sup>20</sup>

The Supreme Court also began to dismantle the legal strategies of "massive resistance" to school desegregation. In 1963, in *Goss v. Board of Education*,<sup>21</sup> schemes in which white students could transfer out of majority black schools were held unconstitutional. In *Griffin v. County School Board of Prince Edward County*,<sup>22</sup> the Court held that Virginia could not perpetuate racial segregation by closing public schools and by operating segregated private schools with state funds. In 1968, in an opinion that supported the rationale of the HEW guidelines, the Court held that where "freedom of choice" perpetuated a dual school system



was unconstitutional; that school districts had the duty not merely to cease discrimination but affirmatively to eliminate the effects of past segregation; and that the test of any desegregation plan was whether it promised "realistically to work now."

#### GREEN v. COUNTY SCHOOL BOARD OF NEW KENT COUNTY (1968)<sup>23</sup>

Mr. Justice Brennan delivered the opinion of the Court. . . .

In determining whether respondent School Board met that command by adopting its "freedom-of-choice" plan, it is relevant that this first step did not come until some 11 years after *Brown I* was decided and 10 years after *Brown II* directed the making of a "prompt and reasonable start." This deliberate perpetuation of the unconstitutional dual system can only have compounded the harm of such a system. Such delays are no longer tolerable. . . . Moreover, a plan that at this late date fails to provide meaningful assurance of prompt and effective disestablishment of a dual system is also intolerable. "The time for mere 'deliberate speed' has run out". . . . The burden on a school board today is to come forward with a plan that promises realistically to work, and promises realistically to work now. . . .

The New Kent School Board's "freedom-of-choice" plan cannot be accepted as a sufficient step to "effectuate a transition" to a unitary system. In three years of operation not a single white child has chosen to attend Watkins school and although 115 Negro children enrolled in New Kent school in 1967 (up from 35 in 1965 and 111 in 1966) 85% of the Negro children in the system still attend the all-Negro Watkins school. In other words, the school system remains a dual system. Rather than further the dismantling of the dual system, the plan has operated simply to burden children and their parents with a responsibility which *Brown II* placed squarely on the School Board. The Board must be required to formulate a new plan and, in light of other courses which appear open to the Board, such as zoning, fashion steps which promise realistically to convert promptly to a system without a "white" school and a "Negro" school, but just schools.

A year later in *Alexander v. Holmes County Board of Education*,<sup>24</sup> the Court affirmed its rejection of the *Brown* standard of "all deliberate speed" and held school districts to the duty of terminating dual school systems "at once."

By 1970, "massive resistance" had failed, and it was apparent that a good-faith effort to desegregate schools would be required in those districts where it had been formerly authorized by law. Whether racial attitudes had also been changed, as *Plessy* said the

law was powerless to accomplish, official racial segregation had been thoroughly discredited.

In combating racial isolation, the courts have had to deal with the practical and legal limitations of *Brown*. Is racial balance in *each* school within a school system required? Can or should attendance zones and school-district lines be redrawn? To what extent can busing be required? Is de facto segregation caused by shifts in population, white flight, or other factors, as opposed to de jure segregation required by law, constitutional? Should a national, as opposed to a Southern, standard for desegregation be adopted?

Considering several of these questions in *Swann v. Charlotte-Mecklenburg Board of Education*, the Court held that: although racial balance was not required in schools, ratios of black and white students could properly be considered in shaping a remedy for past segregation; one-race schools were not per se unlawful, but school officials had the burden of showing that their racial composition was not the result of discrimination; and the redrawing of attendance zones, busing and assignment of students on the basis of race were proper remedial measures.

The most controversial aspect of *Swann* was its approval of substantial busing to achieve desegregation:

#### SWANN v. CHARLOTTE-MECKLENBERG BOARD OF EDUCATION(1971)<sup>25</sup>

All things being equal, with no history of discrimination, it might well be desirable to assign pupils to schools nearest their homes. But all things are not equal in a system that has been deliberately constructed and maintained to enforce racial segregation. The remedy for such segregation may be administratively awkward, inconvenient, and even bizarre in some situations and may impose burdens on some; but all awkwardness and inconvenience cannot be avoided in the interim period when remedial adjustments are being made to eliminate the dual school systems. . . .

Bus transportation has been an integral part of the public education system for years, and was perhaps the single most important factor in the transition from the one-room schoolhouse to the consolidated school. Eighteen million of the Nation's public school children, approximately 39%, were transported to their schools by bus in 1969-1970 in all parts of the country. We find no basis for holding that the local school authorities may not be required to

"President Eisenhower asks truth crusade to fight reds," and lashes out against foreign agents as well as "demagogues thirsty for personal power and public notice." President publicly attacks Joseph McCarthy and Senate demands that McCarthy turn over names of 130 alleged Communists in defense plants and in the F.B.I.

— news reports in *June, 1954*

"I don't know anything about the length of time it will take."

— President Dwight Eisenhower in response to question of when schools will be desegregated, *March, 1955*



employ bus transportation as one tool of school desegregation. Desegregation plans cannot be limited to the walk-in school.

In response to anti-busing pressures state legislatures have passed legislation to curb busing, but to date such legislation has been declared unconstitutional. Congressional efforts to ban busing have also been unsuccessful. In *Drummond v. Acree* (1972)<sup>26</sup> the Court held that an Act of Congress prohibiting the use of Federal funds for busing to achieve racial balance did not apply where busing was used to remedy de jure segregation.

Another debate concerning the implementation of *Brown* is whether

there is in fact a distinction between de jure and de facto segregation and, if so, whether the distinction is constitutionally significant. In a famous 1967 opinion, Judge Skelly Wright ruled that the District of Columbia should be required to remedy racial imbalance not simply because it had been maintained by law as had the segregation or racial imbalance declared unconstitutional in *Brown*, but because it denied students equal educational opportunities.

HOBSON v. HANSEN<sup>27</sup>

J. Skelly Wright, Circuit Judge. . . .  
The complaint that analytically no violation of equal protection vests unless

the inequalities stem from a deliberately discriminatory plan is simply false. Whatever the law was once, it is a testament to our maturing concept of equality that, with the help of the Supreme Court decisions in the last decade, we now firmly recognize that the arbitrary quality of thoughtlessness can be as disastrous and unfair to private rights and the public interest as the perversity of a willful scheme.

Judge Wright's analysis has been occasionally followed by other courts but the de jure-de facto distinction has for the most part been retained by the judiciary. In *Keyes v. School District No. 1, Denver, Colorado* (1973),<sup>28</sup> a majority of the Supreme Court held that, even though Denver had never operated its schools pursuant to a law authorizing segregation, school officials had themselves carried out a policy of racial segregation in certain schools in the district, thus making an apparent case of de jure racial discrimination (defined as purposeful or intentional segregation) in the district as a whole. However, two of the justices (William O. Douglas and Louis Powell) felt that the de jure-de facto distinction should be abandoned and that the existence of a dual school system was itself evidence of unlawful segregation.

*Keyes*, especially in retrospect, was significant for two reasons. Although it granted relief to the minority plaintiffs, it was the first modern school desegregation case to divide the Supreme Court. Each of the Court's prior school decisions since *Brown* had been unanimous. In *Keyes*, one of the justices dissented in part and another dissented outright. Secondly, the dissent was mainly over the proper remedy for past segregation, i.e., whether or not a finding of segregation in a portion of a school system justifies requiring the system as a whole to desegregate. The resolution of this issue now appears to hold the key to further meaningful school desegregation in the United States.

The lack of judicial unanimity in *Keyes* became open, fundamental disagreement a year later in *Milliken v. Bradley*, the first case involving metro or cross-district desegregation to be treated by the Court on its merits. Chief Justice Burger wrote the majority opinion which held that racial isolation in Detroit's inner city schools was not significantly the result of official state action or collusion by

**Athens College**  
Athens, Alabama  
DEAN-REGISTRAR OFFICE

June 2, 1954

FOUNDED 1842

*Wright*  
Herbert L. Wright  
Youth Secretary, NAACP  
20 W. 40th Street,  
New York 18, N. Y.

Dear Sir:

We thank you for the list of negro teachers who aspire to teach in white colleges. The same is being returned to you with our compliments.

You are most presumptuous in believing that so soon after the Supreme Court ruling, that private white colleges are ready to hire "nigger" teachers. We will probably never hire any of them. Your northerners "Yankee" friends will employ them. Not us.

Don't insult us any more with such expectations.

Yours truly  
*F. S. Ward*  
F. S. Ward, Registrar



liberately the several school districts in the  
(se. Whatever greater Detroit area and that, as a  
nt to our result, a multi-district desegregation  
at, with the plan could not be required.

ions in the Justice Marshall, the only Negro  
ognize that ever to sit on the Supreme Court,  
lessness can dissented. His dissent took on special  
ivate rights significance, for it was delivered on  
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has been a case which he had himself argued  
er courts, before the Court as chief counsel for  
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*School reacting to a perceived national*  
olorado hostility to further school desegrega-  
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gh Denver commitment to secure equal justice  
s pursuant for all.

gation, MILLIKEN v. BRADLEY (1974)<sup>29</sup>

ves carried Mr. Justice Marshall . . . dissenting. . . .

ation in The rights at issue in this case are too  
ict, thus fundamental to be abridged on grounds  
de jure as superficial as those relied on by the  
d as pur- majority today. We deal here with the  
gation) in right of all of our children, whatever their  
ever, two race, to an equal start in life and to an  
ouglas and equal opportunity to reach their full po-  
e jure-de tential as citizens. Those children who have  
bandoned been denied that right in the past deserve  
ual school better than to see fences thrown up to deny  
unlawful them that right in the future. Our Nation,  
I fear, will be ill-served by the Court's  
refusal to remedy separate and unequal  
education, for unless our children begin to  
learn together, there is little hope that our  
people will ever learn to live together. . . .

Desegregation is not and was never  
prospected to be an easy task. Racial attitudes  
asons. ingrained in our Nation's childhood and  
o the mi- adolescence are not quickly thrown aside  
e first in its middle years. But just as the incon-  
n case to nsequence of some cannot be allowed to  
ach of the stand in the way of the rights of others,  
ns since as public opposition, no matter how  
In *Keyes*, incident, cannot be permitted to divert this  
d in part Court from the enforcement of the con-  
ght. Secy- stitutional principles at issue in this case.  
y over the Today's holding, I fear, is more a reflection  
regation, of a perceived public mood that we have  
ng of gone far enough in enforcing the Constitu-  
a school tion's guarantee of equal justice than it is  
e system the product of neutral principles of law.  
ne resolu- In the short run, it may seem to be the  
s to hold easier course to allow our great metropoli-  
ful school tan areas to be divided up into two cities —  
States. one white, the other black — but it is a  
nimity in course, I predict, our people will ultimately  
amental regret. I dissent.

Cases since *Milliken* have done  
*Milliken* little to dispel Marshall's gloomy  
volving statement that the present Supreme  
regation to Court may have had enough of school  
ts merits. desegregation. Indeed, the Court seems  
ne major- bent on rehabilitating the discredited  
t racial separate but equal doctrine. In three  
ty schools recent decisions, for example, it ap-  
result of proved extensive remedial programs  
sion by for black children to ensure that their

education was equal to that of whites,  
but it struck down desegregation plans  
designed to eliminate separate schools.

In the first of these cases, *Pasadena  
City Board of Education v. Spangler*  
(1976),<sup>30</sup> the Court refused to require  
a school district which had desegregat-  
ed under an earlier court order to  
redraw attendance lines to correct for  
racial imbalance caused by shifts in  
population over which the district had  
no control.

In a second case, the Court  
approved a far-reaching desegregation  
remedy, but significantly it did not  
involve redrawing attendance zones  
and moving students. After *Milliken  
v. Bradley* was sent back to the trial  
court, a new desegregation plan was  
adopted limited to the Detroit school  
system. In addition to providing for  
pupil assignment, the lower court  
required in its order remedial edu-  
cational programs for school children  
who had been the victims of past  
segregation, with the cost of these  
programs to be shared by the Detroit  
school board and the state of Michigan.  
The state sought review of the order  
in the Supreme Court, arguing that the  
provision of remedial educational  
programs could not be required as part  
of a school desegregation decree, and  
that the Eleventh Amendment's grant  
of sovereign immunity to the states  
was a bar in any case to payment by  
the state of the cost of compensatory  
programs. The Supreme Court rejected  
both contentions.

MILLIKEN v. BRADLEY (1977)<sup>31</sup>

Mr. Chief Justice Burger delivered the  
opinion of the Court. . . .

On this record . . . we are bound to  
conclude that the decree before us was  
aptly tailored to remedy the consequences  
of the constitutional violation. Children  
who have been thus educationally and  
culturally set apart from the larger com-  
munity will inevitably acquire speech habits,  
for example, which vary from the envi-  
ronment in which they must ultimately  
function and compete, if they are to enter  
and be a part of that community. This is  
not peculiar to race; in this setting, it can  
affect any children who, as a group, are  
isolated from the mainstream. . . . The root  
condition shown by this record must be  
treated directly by special training at the  
hands of teachers prepared for that task.  
This is what the District Judge in the case  
drew from the record before him as to the  
consequences of Detroit's de jure system,  
and we cannot conclude that the remedies  
decreed exceeded the scope of the violations  
found.

"President Eisenhower, Con-  
gress, Attorney General  
Brownell, the NAACP, and  
other leftist and communist-  
tinged organizations, are  
destined to learn the grim  
fact that in this game of  
clashing opinions the South  
is playing for keeps."

— Editorial,  
Jackson (Miss.) Daily News  
September, 1957

"Just think — we're  
making history."

— One National Guardsman  
to another, Little Rock's  
Central High School,  
September, 1957

Arkansas Governor Orval  
Faubus has "aided in many  
ways in clarifying the issues  
of segregation . . . [and he]  
aroused and educated to our  
point of view millions of  
people here in America and  
abroad who had little or no  
feeling on the issue."

— Roy Wilkins, NAACP  
October, 1958



*Milliken II* used broad and generous language to describe the remedial powers of the federal courts, but any doubt as to the Supreme Court's eagerness to use those powers further to desegregate schools was dispelled by a companion case decided on the same day, *Dayton Board of Education v. Brinkman*. The lower court in *Brinkman* had found evidence of discrimination in operation of Dayton, Ohio, city schools and ordered a systemwide desegregation plan in reliance upon the holding in *Keyes* that the district had a duty to eliminate all the vestiges of prior segregation. The Supreme Court, however, reversed, announcing a new and obscure doctrine that Federal courts had authority to correct only the "incremental . . . effect of segregation."

DAYTON BOARD OF EDUCATION v. BRINKMAN (1977)<sup>32</sup>

The duty of both the District Court and of the Court of Appeals . . . is to first determine whether there was any action in the conduct of the business of the school board which was intended to, and did in fact, discriminate against minority pupils, teachers or staff. . . . If such violations are found, the District Court in the first instance, subject to review by the Court of Appeals, must determine how much incremental segregative effect these violations had on the racial distribution of the Dayton School population as presently constituted, when that distribution is compared to what it would have been in the absence of such constitutional violations. The remedy must be designed to redress that difference, and only if there has been a systemwide impact may there be a systemwide remedy.

While *Brinkman* is not an outright repudiation of *Keyes*, it clearly undercuts its holding that where school authorities have practiced segregation in a meaningful portion of a school system, systemwide desegregation may properly be required.

In 1977, the Supreme Court attracted enormous attention when it agreed to hear the case of Allan Bakke, a white male whose application to the medical school of the University of California at Davis had been rejected. Bakke claimed that the medical school's special admissions program, which set aside 16 of 100 entering seats for "disadvantaged" non-white students, was discrimination against him on the basis of race and was unconstitutional and in violation of Title VI of the Civil Rights Act of

1964.

Although Bakke's case did not involve school desegregation in the classic sense, it did present the Court with the question of whether race could ever be taken into account in remedying the continuing effects of past discrimination. The case, therefore, carried at least the potential for finding unconstitutional, or modifying, the various school desegregation and remedial plans which had been approved in prior years.

The Court announced its much-awaited opinion in *Regents of the University of California v. Bakke* on June 28, 1978. The decision was both complex and narrow, and left unanswered as much as it decided. A major problem in interpreting *Bakke* is that there were six separate opinions. The justices fell generally into two camps. Brennan, Marshall, White and Blackmun voted to uphold the special admissions program under both the Constitution and Title VI on the grounds that race may be taken into account, not to demean or insult a racial group, but to remedy disadvantages caused by past racial prejudice. Four other justices — Burger, Stewart, Rehnquist and Stephens — voted to strike down the California plan. They believed that race could never be the basis of excluding anyone from participating in a Federally funded program under Title VI, but refused to consider whether or not the Constitution ever permitted affirmative action.

The deadlock on the Court was broken by Justice Powell. He agreed with the Brennan wing that race could properly be taken into account under the Constitution and Title VI in remedying past discrimination. But he also agreed with the Burger wing that the California plan was unlawful because it imposed a rigid quota system that excluded applicants *solely* because of race. As a consequence of the various opinions, the special admissions program was invalidated, Bakke was ordered admitted to medical school and the University of California was allowed to devise a new admissions program "properly . . . involving the competitive consideration of race and ethnic origin."

The Powell-Brennan opinions make clear, moreover, that school desegregation plans which take race

into account do not violate either the Constitution or Title VI of the Civil Rights Act of 1964.

REGENTS OF THE UNIVERSITY OF CALIFORNIA v. BAKKE (1978)<sup>33</sup>

Opinion of Mr. Justice Brennan. . . . At least since *Green v. County School Board* . . . it has been clear that a public body which has itself been adjudged to have engaged in racial discrimination cannot bring itself into compliance with the Equal Protection Clause simply by ending its unlawful acts and adopting a neutral stance. Three years later, *Swann v. Charlotte-Mecklenberg Board of Education* . . . reiterated that racially neutral remedies for past discrimination were inadequate where consequences of past discriminatory acts influence or control present decisions. And the Court further held . . . that court could enter desegregation orders which assigned students and faculty by reference to race. . . . Moreover, we stated that school boards, even in the absence of a judicial finding of past discrimination, could voluntarily adopt plans which assigned students with the end of creating racial pluralism by establishing fixed ratios of black and white students in each school. *Green* . . . was recognized as a compelling social goal justifying the overt use of race.

*Bakke* and other recent opinion demonstrate that the present Supreme Court, even though disinclined to require the end of racial isolation in public schools, is not prepared openly to reverse the basic legal principles contained in the major school decision since *Brown*. However, these opinions, particularly *Milliken v. Bradley* written by Chief Justice Burger, with its emphasis on local autonomy and control, point up a basic philosophical difference between the "Burger Court" and its predecessor under Chief Justice Earl Warren. During the Warren Court years, the doors of the Federal courthouse were generally open to blacks and other minorities who claimed to have been denied the equal protection of the Constitution, while the Court stood ready to fashion generous remedies for constitutional violations. But the Burger Court, with increasing frequency, has been closing the door on such complaints and sending the complainants to the state courts for protection of their constitutional rights. This states' rights, or "judicial federalism," approach to constitutional protection has particularly ominous implications for blacks, traditional victims of discriminatory state action.

William H. Taft (later Chief



either the justice) said in 1905 that "the administration of criminal law in all the states of the Union (there may be one or two exceptions) is a disgrace to our civilization."<sup>34</sup> Mr. Justice Frankfurter quoted these words with approval 7 years later in *Leland v. Oregon*.<sup>35</sup> The fact is that state courts have had, and continue to have, an abysmal record of protecting the Constitution both criminal and civil cases. Southern courts, for example, almost without exception, have tolerated every conceivable form of state-imposed racial discrimination, whether in education, ownership of real property, housing, the administration of justice, public accommodations or anything. Times have changed, but they have changed in the Federal courts, and always the resistance to change from state judiciaries was bitter and unyielding. By closing the doors of the Federal courthouse and denying a remedy for violation of constitutional rights, and by elevating the concept of local autonomy to new respectability, the present Supreme Court may, as Justice Marshall predicted, have brought the school desegregation movement to a halt. □

*Laughlin McDonald is the author of "Racial Equality," published by the National Textbook Company (Skokie, Illinois, 1977), from which this article is adapted. He has a law degree from the University of Virginia and is the director of the American Civil Liberties Union's Southern Regional Office in Atlanta, Georgia.*

1. 35 Mass. (18 Pick.) 193 (1836).
2. 60 U.S. (19 How.) 393 (1857).
3. John H. Franklin, "History of Racial Segregation in the United States," *Annals of the American Academy of Political and Social Science*, 34 (March, 1956), 1-5.
4. C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 1957), p. 104.
5. 95 U.S. 485 (1878).
6. 163 U.S. 537 (1896).
7. Quoted in Richard Kluger, *Simple Justice* (New York: Alfred A. Knopf, 1975), p. 85.
8. *Introduction to Social Psychology* (Boston: Luce & Co., 1908). The extent of the degeneration of race relations following the close of the nineteenth century is reflected in the lurid titles of sociological and anthropological writing of the time, e.g., Charles Carroll, *The Tempter of Eve; or, the Criminality of Man's Social, Political and Religious Equality with the Negro, and the Amalgamation to which these Crimes Inevitably Lead* (St. Louis: Adamic Publishing Co., 1902); and Robert W. Shufeldt, *The Negro, a Menace to American Civilization* (Boston: R.G. Badger, 1907).
9. Quoted in Woodward, *The Strange Career of Jim Crow*, p. 55.
10. The post-*Plessy* Supreme Court considered two cases involving racially segregated schools, as opposed to railroad passenger cars. In both, *Plessy* was regarded as controlling, and the segregation was not disturbed. See *Cumming v. Richmond County Board of Education*, 175 U.S. 528 (1899), and *Gong Lum v. Rice*, 275 U.S. 78 (1927).
11. Harold W. Horowitz and Kenneth L. Karst, *Law, Lawyers and Social Change* (Indianapolis: Bobbs-Merrill, 1969), p. 162.
12. 305 U.S. 337 (1938).
13. 339 U.S. 629 (1950).
14. 339 U.S. 637 (1950).
15. 347 U.S. 483 (1954). In a companion case, *Bolling v. Sharpe*, 347 U.S. 497 (1954), the Court held that racial segregation in the District of Columbia violated the due process clause of the Fifth Amendment.
16. 349 U.S. 753 (1955).
17. A Joint Resolution of the State of South Carolina, February 14, 1956.
18. *The Case for the South* (New York: Devin-Adair, 1959), pp. 136, 274.
19. 358 U.S. 1 (1958).
20. 372 F. 2d 836, 862 (5th Cir. 1966).
21. 373 U.S. 683 (1963).
22. 377 U.S. 218 (1964).
23. 391 U.S. 430 (1968).
24. 396 U.S. 19 (1969).
25. 402 U.S. 1 (1971).
26. 409 U.S. 1228 (1972).
27. 269 F. Supp. 401, 297 (D.D.C. 1967), *aff'd sub nom. Smuck V. Hobson*, 408 F.2d 175 (D.C. Cir. 1969).
28. 413 U.S. 189 (1973).
29. 418 U.S. 717 (1974).
30. 427 U.S. 424 (1976).
31. 433 U.S. 424 (1977).
32. 433 U.S. 406 (1977).
33. 98 *Supreme Court Reporter* 2733 (1978).
34. "The Administration of Criminal Law," 15 *Yale L.J.* 1, 11 (1905).
35. 343 U.S. 790, 802 (1952).

"Nobody from the top of heaven to the top of hell can stop the march to freedom. Everybody in the world today might as well make up their minds to march with freedom or freedom is going to march over them."  
 — Rev. William Holmes Border, Atlanta's Wheat Street Baptist Church, on sixth anniversary of Brown, May 17, 1960

"Public opinion is becoming much more strongly alerted or awakened to the dangers of integration and is becoming more strongly pro-segregation. . . . I think the future will draw the lines more sharply. I think the so-called middle ground, the moderate position, will disappear, that it will become completely untenable."  
 — W.J. Simmons, National Coordinator of the Citizens' Councils of America, September, 1962



# THE EXECUTIVE BRANCH STUMBLES

BY LORENZO MIDDLETON

The federal government's attitude toward school desegregation has wavered over the past 25 years between mild uncertainty and acute schizophrenia.

For the first 10 years after the Supreme Court said in the *Brown* decision that it was illegal to operate dual school systems, the government simply scratched its many heads, trying to decide what, if anything, it should do. Then, in a spasm of mid-'60s civil rights activism, it joined the crusade to wipe the segregationist smirk off the face of the South. (The North, of course, had its back turned at the time, and was overlooked.)

The Nixon years followed, when Washington seemed to lie awake nights, devising ways to slow down the desegregation process. And now, in 1979, it seems to be stuck in the mud once again, not sure of where it should be going, or how it got into this mess in the first place.

The people you might want to blame for this strangely inconsistent behavior — the high- and low-level bureaucrats in the Department of Health, Education and Welfare (HEW), and the constitutional experts in the Justice Department — swear it's not their fault. The problem, they explain, is with the *other* bureaucrats, the fickle public, the vote-hungry politicians in Congress, the power-hungry courts, or the headstrong presidents.

The civil rights movement over the years has also produced a large stable of desegregation experts who must share the blame for the government's fly-by-night policies. But, occasionally, a report on the progress of school desegregation will shed considerable light on what the government has been doing. One such

account is *Must We Bus: Segregated Schools and National Policy*, a 1978 book by Gary Orfield published by the Brookings Institution. Now teaching political science at the University of Illinois, Orfield has spent much of his career writing papers and giving speeches that advocate "metropolitan wide desegregation" (also known as busing across city lines). Aside from reaching the expected conclusion — bus we must — his latest study draws on Orfield's 10 years of experience in and around the Washington bureaucracy to give us an insightful look at the chameleon nature of federal desegregation policies.

From the time it began to get involved, with the passage of the 1964 Civil Rights Act, to its latest maneuvering of funds from the South to the North, the government's policies have largely been a series of political reactions that ignore "the legal principles and social ideals originating with the landmark case, *Brown v. Board of Education*." It was not until a decade after the *Brown* decision was handed down — after civil rights groups were worn to a frazzle chipping away at segregation, case by isolated case — that Washington came through with the Civil Rights Act.

Civil rights activists thought the new law was a sign that at last this country had committed itself to eliminating the problems of race relations. After all, the bill was signed by Lyndon Johnson — the first Southern president since before the Civil War — and was supported by a wide spectrum of politicians, from the black leaders who led the March on Washington in 1963 to a surprising number of



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conservative Republicans. For school desegregation, the strength of the act lay in the broad enforcement powers it gave to the Departments of Justice and HEW. The South, where all the early efforts were directed, seemed to have no choice but to comply. Under Title IV of the Act, HEW now had the power to withhold federal funding from any school district maintaining a dual school system. Under Title VI, Justice could knock out the last diehards with federally financed civil rights suits.

This one-two threat was so great that many districts decided to comply immediately, without so much as an arm twisting. During the first year of enforcement, Orfield notes, more black children went to desegregated schools in the South than in the entire decade preceding the Civil Rights Act.

At first, all that was needed in many cases was the issuance of guidelines from HEW that explained what would happen to the school districts that refused to desegregate. Compared to the many rules that were to issue forth from HEW in later years — covering just about every imaginable aspect of education, from teaching the handicapped to school dress codes — the language in that first set of desegregation guidelines was clear and to the point:

*To be eligible to receive or to continue to receive (financial) assistance, school officials must eliminate all practices and characteristics of . . . dual or segregated school systems.*

Those first guidelines, though, set up very minimal standards for desegregation, requiring only that the school officials submit “assurance” that they would comply. HEW sent out a squad of bureaucrats to explain the implications directly to Southern school officials. For the most part these were not crusading civil rights activists. With titles like “education program specialist,” they generally turned out to be no more than career-minded civil servants who wanted only to interpret the law to the school officials and to ask them to cooperate. This could be done by filling out a relatively simple form, as government forms go, which called for little explanation. It also left open the door for the “freedom-of-choice” plans that were later found to be unacceptable.

Soon it became obvious to the policymakers in Washington that their guidelines were too easy. Word was getting back from their men and women in the field that the freedom-of-choice plans were not working: blacks who voiced an interest in integrated schooling were greeted with economic and physical reprisals. Few black children were being enrolled in white schools, and whites were not even considering going to black schools.

So in 1966, new guidelines were issued, stronger this time, warning districts that if their freedom-of-choice plans did not work, they would have to rezone their attendance boundaries and force students to integrate. Naturally, this meant busing. And



while it often meant a shorter bus ride for black children who had been bused past white schools before, it met stiff resistance in the form of the first “neighborhood schools” campaigns that were later to be picked up by Northern resisters.

In 1968, backed by a new Supreme Court ruling, HEW issued a set of even more stringent guidelines, this time ordering the school officials to come up with desegregation plans that involved more than busing a few black students into one or two white schools. “If, under a free choice plan, vestiges of a dual school structure remain,” the new rules said, “the school system is responsible for taking whatever additional steps are necessary to complete the desegregation of its schools.” And this was to be done no later than the fall of 1969.

With each set of guidelines, the resistance became greater. But this was a period when HEW was at its top strength. Its secret weapon was a program that, on the surface, had nothing to do with school desegregation — Title I of the Elementary and Secondary Education Act. This pro-

gram, designed to help “target” schools with high concentrations of poor students, came into being the year after the Civil Rights Act was passed. It began with more than a billion dollars, the largest pool of federal money ever offered to local school districts. It was the threat of losing this huge new source of funding, along with a number of other smaller HEW-financed programs, that eventually brought most Southern school districts into compliance with the Civil Rights Act.

By 1970, HEW had persuaded or pressured almost 1,800 mostly small country school districts in the South to begin to dismantle their segregated systems, which for so long had been protected by law and custom. About 600 of those districts continued to resist up to the point of going through administrative hearings on whether or not their funds should be cut off, and some 200 of them actually went without federal funds for a year or so before they decided to comply.

While HEW was pulling its strings, the Justice Department’s Civil Rights Division worked with groups like the NAACP Legal Defense Fund to build court cases against other Southern recalcitrants. Until 1968, however, Orfield points out, civil rights groups had been critical of Justice’s “cautious approach,” which supported the freedom-of-choice method of desegregation long after HEW began to ask for something stronger. It was then that the Supreme Court ruled in *Green v. County School Board of New Kent County* that all racially identifiable schools must be eliminated by the fall of 1969.

Through those active years in the late 1960s, the government concentrated its desegregation drive on the South and left the North pretty much alone. The legal argument was that segregation in the North was not a result of “official actions” as it was in the South. But it was more than that, Orfield points out. It was politics.

In 1965, HEW made an awkward attempt to defer \$32 million in federal aid from Chicago schools as a result of a civil rights complaint there. But Mayor Richard J. Daley put his powerful organization into motion, and suddenly congressmen were three



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egislation, forcing HEW to beat a  
hasty retreat. Meanwhile, officials in  
HEW’s Office of Education began to  
worry that their efforts to enforce  
desegregation anywhere else might  
lead to a backlash attack on their other  
programs. So the enforcement arm was  
taken out of that office and developed  
as an independent branch of HEW,  
called the Office for Civil Rights.  
As the guidelines for desegregation  
became tougher, Southern congressmen  
fought back by attacking HEW’s  
enforcement powers. While they failed  
to strip the agency altogether of its  
powers, they did succeed in weakening  
its role by spreading the desegregation  
misery to other parts of the country.  
In 1967, Southern legislators won a  
measure that required HEW to enforce  
school desegregation equally around  
the country. And in 1968, Congress  
accepted a Southern proposal that half  
of HEW’s desegregation staff be  
devoted to Northern desegregation  
cases.

This move proved to be the  
beginning of the end of congressional  
support for HEW’s desegregation pow-  
ers, because it meant that now the  
agency would encounter strong oppo-  
sition from both the North and the  
South.

Orfield notes that political oppo-  
sition to forced desegregation began to  
swing into full stride during the 1968  
election campaigns, when George  
Wallace and Richard Nixon, in their  
competition for Southern votes, criti-  
cized HEW and the courts for going  
too far, and extolled the virtues of  
freedom of choice. When Nixon took  
office, HEW’s desegregation efforts  
came to a standstill “in the rural and  
urban South as well as in the Northern  
cities.” Eventually, Nixon’s public  
position on desegregation and busing  
would be even more conservative  
than that of the Southern governors.

One of the first actions of Nixon’s  
new HEW secretary, Robert Finch,  
was to grant delays to five Southern  
districts that were being threatened  
with funding cutoffs because they  
failed to meet the fall 1969 deadline  
for desegregation. “HEW eventually  
withheld funds from three of those  
districts,” Orfield recounts, “but not  
before federal policy became more and  
more fuzzy.”

The deadline for desegregation in

the South was all but scrapped by a  
Nixon administration announcement  
in July, 1969, which included this  
statement: “A policy requiring all  
school districts, regardless of the  
difficulties they face, to complete  
desegregation by the same terminal  
date is too rigid to be either workable or  
equitable.”

A few months later, Attorney  
General John Mitchell told a group of  
conservative congressmen that it might  
not be a bad idea to return to free  
choice plans, even if it meant permit-  
ting resegregation. This new attitude  
conflicted with the efforts of the  
rank-and-file bureaucrats in HEW and  
Justice, which by now included a good  
number of civil rights activists. The  
result, Orfield says, was a “strange  
bureaucratic warfare” that was to last  
throughout the Nixon administration.

It was a period of angry memos,  
administrative confrontations and mass  
resignations. Most of the rebels who  
refused to follow the Nixon line were  
quickly axed. For example, Leon  
Panetta, the director of the Office for  
Civil Rights who had tried to continue  
the enforcement program despite  
orders from above to go slow, picked  
up the newspaper one morning in early  
1970 and discovered he had just been  
fired.

“By 1971,” Orfield writes, “it was  
clear that HEW had given up its  
mission of bringing the nation’s public  
schools into compliance with con-  
stitutional requirements. The ultimate  
sanction of fund cutoffs had been  
publicly abandoned and its last ad-  
ministrative proponent fired. The  
White House openly warned federal  
officials that they would be fired if  
they continued to urge busing. The  
Office for Civil Rights seemed to have  
become an agency without a mission.”

Although he had attacked the  
courts’ role in desegregation during his  
election campaign, Nixon took the  
position early in his administration  
that he would rely on the Justice  
Department to push the issue by filing  
lawsuits. Eventually, the federal courts  
stepped in, ordering many districts to  
desegregate immediately, even though  
the administration made it clear that it  
would let them delay for as long as  
they wanted.

“For many districts, integration  
is proving to be a way station  
between segregation and  
resegregation. Discriminatory  
actions have resulted in a  
black expulsion rate three  
times that for whites in the  
school districts that enroll  
most of the nation’s  
black children.”  
— Vernon E. Jordan, Jr.  
January, 1974

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“The massive forced busing of  
students is the most serious  
threat to education  
I can remember.”  
— Candidate Jimmy Carter,  
February 17, 1976



As the courts continued to rule against its delaying tactics, the Nixon administration finally decided to begin a desegregation push of its own, hoping to neutralize the issue in the South well before the 1972 election. In 1970, President Nixon announced that desegregation was inevitable in the South, while continuing to hold the line against busing in urban areas. After his announcement, Justice officials said they planned to pressure 200 segregated districts in the rural South to desegregate right away. Then came a cabinet-level desegregation committee under Vice President Spiro T. Agnew. This action was effective enough to persuade many of the last Southern holdouts to comply, including, for example, 23 of the 32 remaining segregated districts in Arkansas. Nixon's desegregation policy also included granting money, under the Emergency School Aid Act, to school systems to help them overcome the trauma of desegregation. But the money was often spent hastily, with no consideration for actual progress toward desegregation. Money was given to districts that were "systematically firing black teachers and principals and segregating black children in nominally 'desegregated' buildings."

Meanwhile, another court case was reshaping HEW's role.

In 1969, when the HEW retreat became obvious, civil rights groups, led by the NAACP Legal Defense Fund, filed a suit to force the agency to follow the mandate of the Civil Rights Act. In 1973, in *Adams v. Richardson*, U.S. District Court Judge John H. Pratt in Washington ruled in favor of the civil rights groups, finding that 113 school districts — many of them in the South — had backed down on their promises to desegregate after HEW changed its policies in 1969. Altogether, the court ordered the agency to begin action against 127 districts found to be still operating segregated systems.

The HEW response to the court order was slow, however, and produced almost no new desegregation. But the order did "restore some credibility to the process of enforcing the Civil Rights Act," Orfield concludes. "Compliance machinery unused for four years now began to operate again. While no system had yet lost federal aid because of Judge Pratt's

order, local officials had to consider that possibility."

As the years passed, one of the few aspects of desegregation that the experts have been able to agree on is that a desegregation plan seems to work better if developed "voluntarily," under the not-so-subtle pressures of HEW, than if ordered by the courts. Most of the statistics, according to Orfield, show that "substantially higher levels of segregation" remain under court-ordered plans than under HEW-negotiated plans. One study, for example, done by the U.S. Civil Rights Commission, showed that there was considerably less white flight in districts that had been persuaded to desegregate by HEW than in those that had been ordered to do so by the courts.

But today, with the civil rights momentum halted, for any government agency (federal or local) to undertake to develop a new desegregation plan is to throw itself into the fires of hell. Consequently, the matter has been left almost entirely up to the courts.

HEW and Justice have turned their attention to the problems of districts that have already gone through the initial motions of desegregation. These are the "second generation" problems: the continuing gap in achievement levels of black and white students, the self-segregation of students in desegregated schools, the disproportionate grouping of black students in remedial classes, and the often unnecessary suspension of black students at the first sign of trouble.

Many of these problems are just now being acknowledged in the South. Civil rights groups, dissatisfied with the way black students are being handled in desegregated schools, are being joined by the Justice Department in reopening old suits. HEW is increasing its funding for research and programs designed to eliminate the second-generation problems.

But activists and school officials in the South are beginning to worry that the government is not paying as much attention to their continuing desegregation problems as it once did. They cite recent changes in two programs that have been largely responsible in the past for preventing

desegregated districts from falling into complete chaos.

The oldest of the two programs provided small grants under Title IV of the Civil Rights Act to help school officials cope with desegregation through technical assistance and staff training. Most of this assistance came through a number of desegregation centers, usually attached to universities throughout the South. Recently, while funding for the Title IV program has expanded from \$6 million in 1965 to \$41 million in 1979, the scope of the program has expanded to include other programs to alleviate sex discrimination and language difficulties. At the same time, as the focus of desegregation has shifted to the North, the number of desegregation centers in the South has decreased from 36 in 1975 to 15 this year.

The government is also in the process of overhauling the Emergency School Aid Act (funded at \$291 million for fiscal 1979), which was started in 1973 to provide student services for schools that retained large concentrations of minority students in desegregated districts. The question HEW officials are now asking themselves, a spokesman said, is "for how many years should [ESAA] aid be given to a desegregating school district?"

These latest government actions are worrying the folks in the South who say they still have a lot of work to do to bring about the kind of integration that the *Brown* decision was aiming for. But the prevailing attitude at HEW is that segregation fever has been all but cured in the South while still ravaging the North. And in the words of one bureaucrat: "We have to take the bulk of our programs to where the business is."

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*Lorenzo Middleton is a Washington journalist who has reported extensively on school desegregation issues in The Chronicle of Higher Education and elsewhere.*



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SECTION II

PEOPLE MADE THE DIFFERENCE





# LITTLE ROCK, 1957 THE FIRST DAY

BY ELIZABETH ECKFORD

That night I was so excited I couldn't sleep. The next morning I was about the first one up. While I was pressing my black and white dress — I had made it to wear on the first day of school — my little brother turned on the TV set. They started telling about a large crowd gathered at the school. The man on TV said he wondered if we were going to show up that morning. Mother called from the kitchen, where she was fixing breakfast, "Turn that TV off!" She was so upset and worried. I wanted to comfort her, so I said, "Mother, don't worry."

Dad was walking back and forth, from room to room, with a sad expression. He was chewing on his pipe and he had a cigar in his hand, but he didn't light either one. It would have been funny, only he was so nervous.

Before I left home Mother called us into the living room. She said we should have a word of prayer. Then I caught the bus and got off a block from the school. I saw a large crowd of people standing across the street from the soldiers guarding Central. As I walked on, the crowd suddenly got very quiet. Superintendent Blossom had told us to enter by the front door. I looked at all the people and thought, "Maybe I will be safer if I walk down the block to the front entrance behind the guards."

At the corner I tried to pass through the long line of guards around the school so as to enter the grounds behind them. One of the guards pointed across the street. So I pointed in the same direction and asked whether he meant for me to cross the street and walk down. He nodded "yes." So, I walked across the street conscious of the crowd that stood there, but they moved away from me.

For a moment all I could hear was the shuffling of their feet. Then someone shouted, "Here she comes, get ready!" I moved away from the crowd on the sidewalk and into the street. If the mob came at me I could then cross back over so the guards could protect me.

The crowd moved in closer and then began to follow me, calling me names. I still wasn't afraid. Just a little bit nervous. Then my knees started to shake all of a sudden and I wondered whether I could make it to the center entrance a block away. It was the longest block I ever walked in my whole life.

Even so, I still wasn't too scared because all the time I

kept thinking that the guards would protect me.

When I got in front of the school, I went up to a guard again. But this time he just looked straight ahead and didn't move to let me pass him. I didn't know what to do. Then I looked and saw that the path leading to the front entrance was a little further ahead. So I walked until I was right in front of the path to the front door.

I stood looking at the school — it looked so big! Just then the guards let some white students through.

The crowd was quiet. I guess they were waiting to see what was going to happen. When I was able to steady my knees, I walked up to the guard who had let the white students in. He too didn't move. When I tried to squeeze past him, he raised his bayonet and then the other guards moved in and they raised their bayonets.

They glared at me with a mean look and I was very frightened and didn't know what to do. I turned around and the crowd came toward me.

They moved closer and closer. Somebody started yelling, "Lynch her! Lynch her!"

I tried to see a friendly face somewhere in the mob — someone who maybe would help. I looked into the face of an old woman and it seemed a kind face, but when I looked at her again, she spat on me.

They came closer, shouting, "No nigger bitch is going to get in our school. Get out of here!"

I turned back to the guards but their faces told me I wouldn't get any help from them. Then I looked down the block and saw a bench at the bus stop. I thought, "If I can only get there I will be safe." I don't know why the bench seemed a safe place to me, but I started walking toward it. I tried to close my mind to what they were shouting, and kept saying to myself, "If I can only make it to the bench I will be safe."

When I finally got there, I don't think I could have gone another step. I sat down and the mob crowded up and began shouting all over again. Someone hollered, "Drag her over to this tree! Let's take care of that nigger." Just then a white man sat down beside me, put his arm around me and patted my shoulder. He raised my chin and said, "Don't let them see you cry."



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photographs courtesy of Arkansas Democrat

Elizabeth Eckford, September 3, 1957



LITTLE ROCK, 1957-1960

# “THE MIDDLE GROUND TURNS TO QUICKSAND”

BY CHRIS MAYFIELD

“Five years from now, it may well be said that the entire situation was providential and segregation in the South was dealt its gravest blow . . . when Governor Faubus used troops of the Arkansas National Guard to bar the admission of nine Negro students into Central High School.”

Few observers of Little Rock's desegregation crisis in the fall of 1957 spoke with such prophetic accuracy as Gloster Current, then director of NAACP branches. Many people on both sides of the color line — in Little Rock and across the South — feared that public education would not survive the violence of the desegregation process.

Yet today, not five but 25 years later, Current's prediction has been borne out more fully than perhaps even he could have believed possible. Through Orval Faubus and others like him, lines were drawn for battles which had to be fought were desegregation ever to take place in the South's schools. The Little Rock crisis symbolized the showdown between completely recalcitrant state power and a federal government committed to enforcing the Supreme Court's rulings. Those who chose defiance were eventually defeated, retreating to today's more subtle forms of discrimination. As a result, the student body of Little Rock's Central High School — where armed guards once had to accompany each black student to and from class — is now comprised of about 1,100 whites and 1,000 blacks; desegregation is accepted as an accomplished fact by the citizens of Little Rock, and the same holds true for hundreds of other schools and school systems across the South.







photo by Bern Keating/Black Star



The changes began in Little Rock four days after the Supreme Court handed down its *Brown* decision. School superintendent Virgil Blossom called a meeting of local black leaders and read to them the school board's adopted position on desegregation:

*... Until the Supreme Court of the United States makes its decision of May 17, 1954 more specific, Little Rock School District will continue with its present program.*

*It is our responsibility to comply with federal constitutional requirements, and we intend to do so when the Supreme Court of the United States outlines the methods to be followed.*

*During this interim period we shall do the following:*

- 1. Develop school attendance areas consistent with the location of white and colored pupils. . . .*
- 2. Make the necessary revisions in all types of pupil records. . . .*
- 3. Make research studies needed for the implementation of a sound school system on an integrated basis.*

In other words, the board intended to do a lot of paper work; no real action was planned. The optimistic mood of the black leaders present at the meeting quickly dissipated. L.C. Bates, publisher of the outspoken *Arkansas State Press*, rose and asked, "Then the Board does not intend to integrate the schools in 1954?"

"No," replied Blossom. "It must be done slowly. For instance, we must complete the additional school buildings that are now being started."

Bates turned and walked out of the meeting.

A year after its original ruling, the Supreme Court elaborated on its decision by saying that desegregation should be implemented "with all deliberate speed."

It was left up to district school boards and local courts to figure out exactly what that meant.

Virgil Blossom and the Little Rock school board, like other school officials across the South, interpreted this phrase to mean "as slowly as possible."

According to the board's new plan, released in May, 1955, desegregation in Little Rock was to begin —

because of parental opposition to the alternatives — at the high school level; after being completed successfully in those schools, the process would begin in the junior highs, and then finally in the elementary schools. The board hinted, "Present indications are that the school year 1957-58 may be the first phase of this program." The board — including segregationist Dale Alford and the more liberal Blossom — adopted this plan only after attorneys assured them that it represented "a legal minimum of compliance with the law."



Many members of the black community grew impatient with the school board's slow pace. Early in 1956, the NAACP filed suit charging that the board was not complying with the Supreme Court's ruling. But both the U.S. District Court and the Eighth Circuit Court of Appeals ruled that the school board was acting in accordance with the Supreme Court's instructions to proceed "with all deliberate speed."

Vindicated by the courts, Blossom and his staff continued working towards token desegregation of previously all-white Central High School in the fall of 1957. Blossom tried to pacify people on both sides of the issue, assuring blacks that the board's commitment to desegregation was real, while protesting to whites that he was doing his best to make the process as slow and painless as possible. Both Blossom and the rest of the school board were subjected to intense harassment during the next few years for trying to carry out even a minimal plan of desegregation. In the summer of '57-'58 school term at Central High, an editorial in the NAACP *Crisis* commented:

*Since no one doubts that past year has been sacrificial for [school board members] as well as school superintendent Blossom and teachers, there has been reluctance to pose a pertinent question:*

*Should not their sacrifice have brought them more than the doubt and sorry impasse in which they find themselves?*

Like thousands of other South moderates, Blossom watched the middle ground turn to quicksand beneath his feet.

But in the spring and summer of 1957, as school officials anticipated the scheduled implementation of their plan that fall, the situation in Little Rock was deceptively promising. The voters had apparently voiced support of the Blossom plan in a school board election in 1956 by defeating two rabidly segregationist candidates in favor of two moderates. Orval Faubus was elected to a second term as governor over the more extremist Jim Johnson. And Blossom had succeeded in whittling down the number of black students interested in attending Central High from an original 80 to nine.

The nine black teen-agers — girls and three boys; one senior, two juniors, and six sophomores — were handpicked on the basis of their good health, and emotional maturity. During the months before school started, those students and their parents met often with Mrs. L.C. Bates, state president of the NAACP, and other leaders in the local black community to discuss how they would respond to the trials of the coming year. They were urged to be dignified and nonviolent. "It is cowardly to ignore slurring remarks," advised a speaker at one meeting. "Scriptures tell us to turn the other cheek. Remember that power is always in order."

School opened on September the day after Labor Day. The time of testing for all of the racialized Little Rock's *Arkansas State Press* "Few of us are entirely happy with necessary developments in the law. But certainly we must believe that the school board is simply finding out its clear duty — and is doing so in the ultimate best interests of the school children of Little Rock, who



that the and colored alike. We are confident  
for them that the citizens of Little Rock will  
well as for demonstrate on Tuesday for the world  
m and ha to see that we are a law-abiding  
istance to people."

The *Gazette's* confidence proved  
ill-founded. Late on Labor Day after-  
noon, Governor Faubus called out the  
Arkansas National Guard to prevent  
black students from entering Central  
High the next day.

White moderates and black activ-  
ists alike were outraged that Faubus  
had yielded to segregationist pressure  
and was using Little Rock as a pawn to  
further his own political ambitions.  
"If it were not for my own respect for  
due process of law," declared Mayor  
Woodrow Mann, "I would be tempted  
to issue an executive order interposing  
the city of Little Rock between Gov.  
Faubus and the Little Rock school  
board."

The school board requested that  
"no Negro students attempt to attend  
Central or any other white high school  
until this dilemma is legally resolved."  
None did. On Tuesday, the federal dis-  
trict court, replying to the board's re-  
quest for legal instructions, ordered  
that the desegregation plan be carried  
out as scheduled.

On Wednesday, September 4, the  
nine black teenagers attempted for the  
first time to enter Central High, which  
was now surrounded by National  
Guard troops and an angry segrega-  
tionist mob. Eight were accompanied  
by the city police and a group of con-  
cerned adults — including a few  
white ministers. They were turned  
away by the National Guard and went  
to superintendent Blossom's office to  
demand an official explanation. But  
15-year-old Elizabeth Eckford had  
somehow not been notified of the  
group's plans, and approached the  
school alone. Her encounter with the  
ugly crowd and with the National  
Guard blazed across the wire services  
that evening, focusing international  
attention on Little Rock.

Under pressure to see that the  
orders of federal courts were obeyed,  
President Dwight Eisenhower ner-  
vously called on Faubus to retreat or  
face federal intervention. Classes  
continued for the 2,000 or so white  
students at Central High, while the  
community awaited the results of a  
complicated wrangling between the  
courts, the school board, Faubus and

President Eisenhower.

On September 7, federal district  
Judge Davies denied the school board's  
petition for a temporary suspension of  
desegregation. Gov. Faubus traveled to  
Newport, Rhode Island, to meet with  
Eisenhower; he apparently convinced  
the President of his willingness to  
abide by the law, but still delayed  
withdrawing the National Guard.  
Finally, on Sept. 20, the federal  
district court issued an injunction  
ordering Faubus to remove the troops  
from Central High. Faubus obeyed but  
reiterated his conviction that there



would be violence in the streets of  
Little Rock if black students tried to  
enter the school again.

His prediction proved self-fulfill-  
ing. On Monday, September 23, a  
loud and angry crowd surrounded the  
school. City police, directed by police  
chief Gene Smith, kept them from  
entering the school, but three *Life*  
magazine journalists and one black  
newspaperman covering the story were  
beaten by the crowd. The black stu-  
dents slipped in through a side door  
of the school, unnoticed and un-  
harmful, but were removed later under  
heavy police guard as the crowd  
threatened to break through police  
lines and "drag the niggers out."

Ironically, inside the school things  
hadn't gone too badly for the black  
students. Some white students had  
walked out; others made rude remarks;  
one white girl slapped a black girl who,  
according to Blossom, "turned and  
said 'Thank you' and then walked on  
down the hall." But other white stu-  
dents had made friendly overtures, and  
some had even said that they hoped  
the nine would stay and work things  
out.

By Wednesday, the situation had  
taken another turn. The National

Guard was back at Central High,  
armed with bayonets and augmented  
by 1,000 members of the 101st  
Airborne Division from Fort Campbell,  
Kentucky. But the troops had a new  
role: they were now under orders from  
President Eisenhower to ensure the  
safety of the nine black students as  
they attended Central High.

Violence in the streets continued  
throughout the year, and inside the  
school many white students who had  
been friendly were scared into neu-  
trality by a group of extremists. One  
white student who refused to yield to  
the mob was 17-year-old Robin Wood.  
"I thought that the majority of the  
people were on my side," Robin told  
a reporter. "But I think that the fence-  
straddling kids have gone over to the  
segregationists."

The black students suffered from  
increasingly overt attacks. The harass-  
ment ranged from ugly verbal abuse —  
a group of white girls followed  
Minnijean Brown through the halls all  
one morning whispering "nigger-  
nigger" — to actual physical assaults.  
The black students were repeatedly  
kicked, slapped, knocked into lockers,  
and beaten over the head. Finally  
two guards from the 101st Airborne  
were assigned to follow each student  
from class to class. Minnijean Brown  
was eventually expelled for turning  
on her persecutors and calling them  
"white trash." "They throw rocks at  
you, they spill ink on you — and we  
just have to be little lambs and take  
it," was Minnijean's comment.  
During the year, school authorities  
expelled four white students and  
suspended about a hundred others.

The school year finally ended in  
May, with Ernest Green, now Assistant  
Secretary of Labor, becoming the  
first black student to graduate from  
Central. But there were to be no more  
classes in any high school in Little  
Rock until the fall of 1959. The  
school board asked the federal court  
to grant a "cooling-off" period — no  
more desegregation attempts until  
the fall of 1961; their request was  
granted but finally overruled after an  
appeal from the NAACP.

Meanwhile, Faubus was elected to  
a third term — the first governor in  
Arkansas in 50 years to be so honored  
— and passed a series of bills in the  
state legislature aimed at giving him  
extraordinary powers to curtail the



desegregation process. On September 13, 1958, police served a proclamation on Virgil Blossom, stating that Faubus was using his new authority to close all the city's high schools. Incredibly, this outrage was accepted almost meekly by the majority of Little Rock's students and their parents; the only real protest arose when the school board cancelled the football schedule. With Faubus's willing consent, the city's football program was reinstated — the only school activity offered to the city's high school students that year.

Crushed by the defeat of their minimal desegregation plan and by what appeared to be the complete disintegration of public education in Little Rock, five of the six members of the school board — all except Dr. Dale Alford — resigned. At the next election, five ardent segregationists joined Alford on the board, and Virgil Blossom's contract as superintendent was terminated. Faubus and his segregationist cronies even attempted to legalize a plan for using tax funds to finance private education for students who objected to desegregated schools.

Eventually, the segregationists' excesses began to backfire, and the pendulum of public opinion began to swing the other way. In May of 1959, three school board members tried to fire 44 teachers and school employees for showing "integrationist" tendencies. Previously silent community leaders were finally galvanized into action. A Committee to Stop This Outrageous Purge (STOP) was organized. In a vote on May 25, the three school board members were recalled, and the new board declared its intention to reopen the schools that fall. The federal court invalidated Faubus's legislated school closing powers and placed the board under orders to desegregate under Blossom's original court-approved plan. By July, 1959, all but one of Little Rock's new segregationist academies had closed. (The exception was a school created and funded by Faubus himself.)

The schools opened on August 12, a month early, without National Guard protection and with very little violence compared to the previous year. About 1,000 segregationists did gather at the State Capitol for speeches and demonstrations, and later 200

or so marched off toward the school. But the city police halted the crowd a block from the school, arrested 21 people and effectively daunted those bands of segregationists who would have done violence to the schools.

From then on, desegregation in Little Rock proceeded in an irreversible, if snail's-paced, way. When the schools opened in the fall of 1960, there were eight black students at Central and five at previously all-white Hall High, but still no white students in any black schools. School officials were involved in almost constant court disputes over the next 15 years before full desegregation began in the early '70s, through a court-adopted busing plan.

The events of those first tumultuous years continued to reverberate. The *State Press* — published by black civil rights activists L.C. and Daisy Bates — was run out of business in the fall of 1959, and a similar but unsuccessful boycott was launched against the moderate *Arkansas Gazette*. In 1960 Orval Faubus was elected to an

unprecedented fourth term as governor. The last two of the "Little Rock Nine" graduated in May of 1960; nine went on to college, all to schools outside the South. In March of 1961, after months of harassment from segregationists because of his role in forcing the peaceful reopening of Central High, police chief Gene Smith shot and killed his wife and then himself.

Dozens of others, both black and white, lost their jobs or moved away, unable to cope with the sneers and threats heaped on them for their connections with the desegregation process. Speaking of the "white casualties" of the Little Rock crisis, Mrs. Dale Bates observed, "All of these white Southerners came face to face with the agonizing fact that the same system they had supported all these years was the same system that had been used to deny Negroes their rights — and now being used against them." □

*Chris Mayfield is a staff member of the Institute for Southern Studies.*





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## LITTLE ROCK, 1976 "GOING BACK WOULD BE UNTHINKABLE"

BY JOHN EGERTON

It is surprising to see how much trees can grow in 19 years. In 1957, the magnolias that flanked the main entrance to Little Rock's Central High School barely reached above the ground-floor windows; in 1976, they are more than three stories high.

More than the trees have changed at Central.

"It's an interesting time," says Paul Fair, a 22-year veteran in the school system who was superintendent through most of the '70s. "I didn't believe at first that this could be done. Now I believe anything can be done. It's obvious to me now that desegregation of schools is best. In order to build a solid, cohesive community, you have to have it. Quality education for all is essential in our society. And I feel very strongly that desegregation should be pursued in all sections of the country. The Constitution wasn't written to apply only to some sections and not to others."

Among blacks in Little Rock, there appears to be a general acceptance of desegregation — or at least an absence of any visible or vocal dissatisfaction. Lottie Shackelford, who was a senior at all-black Mann High School during the crisis at Central in 1957, recalls that "we had less of everything — books, equipment, courses, you name it. Now, the opportunities are equal. It's not perfect, but every time you change something you have gains and losses. I could never regret desegregation. It's right." Mrs. Shackelford recently served as president of the Little Rock PTA Council.

Fair, Shackelford and others in Little Rock, in and out of the school system, tend to speak of desegregation in the past tense, as an accomplished fact, and in a sense they are correct:



the ratio of blacks to whites in all but about a half-dozen of the 35 schools is within 10 percentage points, more or less, of the system-wide ratio. Hardly anyone, though — Fair and his colleagues included — asserts that all the problems have been worked out, or that genuine integration has been achieved. Here are some of the reasons why:

**Enrollment.** Back in the early 1960s, before any substantial desegregation had taken place, the school system had about 25,000 pupils, less than 30 percent of whom were black. Since then, there has been a steady increase in the number of blacks and a steady decrease in the number of whites. In 1971, the year busing and full desegregation of the secondary schools began, blacks made up 43 percent of the enrollment. In the fall of 1975, total enrollment increased slightly, for the first time in 10 years — but the total (some 22,000) resulted from an additional 600 blacks, offsetting a loss of over 500 more whites. This year, for the first time, a majority — 52 percent — of the students are black.

**Discipline.** Between 1968 and 1974, while total enrollment was dropping by about 2,000, the number of suspensions increased from 1,300 to 2,000, and the percentage of suspensions meted out to blacks rose from 63 to 85. (In 1974-1975, the total fell off sharply to less than 1,200, and this year the rate has slowed further. It is still true, however, that better than 80 percent of the suspensions are given to blacks.) The administration of discipline is a matter of deep concern to school officials, teachers, parents and students alike.

**Parental participation.** Although

the school system has had some success in involving parents as volunteers in ongoing school activities, rank-and-file participation of parents in the PTA and other programs of that sort has fallen off. Said one parent: "It's been a total failure. Black, white, rich, poor — they stay away in droves." She cited several reasons, among them the fact that many families live distant from the schools their children attend. Also, she said, "It's an urban thing — there's too much going on — and people work, or they don't think their voices count, or they think everything is settled and there's no need for them to go, or they think they have nothing to contribute, or they simply want to be left alone."

**In-school segregation.** By choice or by assignment (the reasons are not altogether clear), some classes end up being virtually all-white or all-black. Outside of classes, there is a considerable amount of self-segregation by both races, particularly in the high schools. There are also divisions by social class. "There are a lot of different social groups here," said one high school student, "and there's not much crossover between them. The splits are racial and economic too — and the only one that's both black and white is the football team."

One parent said the most serious problem in the schools now is "random and unprovoked violence. It's not so much race as it is class — white against white, black against black. I hear the teachers in despair saying they can't do anything with these kids. What you see in the schools is what you see in the city: some selective integration here and there — personal, individual, casual — but deep divisions along economic lines. Color is a lot less important now than money, than what you can afford. Desegregation was worth it — it has to be — but by itself, it's not sufficient. We've moved beyond where we were, but not necessarily closer together. I'm not sure where we've moved."

To one woman who has played a prominent role in school affairs, current problems in public education have little to do with race and much to do with quality. "We've accomplished desegregation," she says. "That's over, and going back would be unthinkable. The problem now is the overall failure of education. I think schools generally



are getting worse and worse, becoming more authoritarian and bureaucratic. Schools don't make a lot of difference for kids. When we were pushing for desegregation, we assumed that some kids were getting a good education. I think that was a false assumption."

John Walker, as the principal attorney for the black plaintiffs in the Little Rock school case, is perhaps in the best position of anyone to assess the changes which have taken place in the city's schools. Walker, a senior partner in a prominent biracial law firm, has handled a number of desegregation cases in Arkansas and elsewhere for the NAACP Legal Defense Fund, and he is generally regarded as the principal architect of the Little Rock plan.

"Now that we're no longer preoccupied with the mechanics of desegregation," he says, "It has become possible to concentrate on educational issues. The quality of education, of teaching, is improving. Little Rock schools deliver much better education than they did 10 years ago. I think whites still get the best of it, but there have been gains for blacks too, and the inequities are not as great as they used to be. The dropout rate has been cut in half since the days of segregation. Without desegregation, there never would have been any change, any quality or equality."

At Central High School, where it all began, the principal is Morris Holmes. He is black, and blunt. His students are rich and poor and middle class, half white and half black. He speaks of "the equal sharing of the burdens of change," and says there is at Central "the spirit of equity, at least, if not yet the fact of it." He is convinced desegregation has been worth the cost:

"There has been no academic decline. A greater percentage of whites and blacks graduate, and more enter college. Our problems now are more economic than racial. The divisions between blacks and whites may be narrowing, but between rich and poor they are widening. Racially, we are moving in the right direction. The Constitution says it's right, and the quality of democracy demands it. Both races have had to give up some identity. There are frustrations, and

temporary setbacks. Nevertheless, 'separate but equal' was a myth, a monster. We can have equity and quality. That's the goal, that's the principle."□

## LITTLE ROCK, 1979

# "THERE HAVE BEEN CHANGES"

BY MIKE MASTERSON

"Back then, we couldn't even begin to envision where we are today," comments Mr. L.C. Bates, publisher of the *Arkansas State Press*, the outspoken black newspaper which was run out of business in 1959 because of its unrelenting stance on desegregation. "Now some of the people who bitterly opposed us give us respect. Arch Ford saw me on the street a while back. He said hello, and it was him who brought up the subject of the old days. He told me, 'You and your people and the fight you made helped bring this about.' I can honestly say I don't believe there's a city in this country with better race relations today. People in Little Rock have learned that displays of discrimination can be futile and costly.

"I noticed the other day," he grinned, "that Governor Wallace said desegregation was the best thing that ever happened to the South. These politicians bend with the wind, don't they?"

Mr. Bates is now 77, and his wife Daisy is 62. Daisy Bates was deeply involved in the Little Rock desegregation struggle. She was state president of the NAACP, and served as mentor to the nine black teen-agers during their ordeal at previously all-white Central High. Almost every afternoon after school, they gathered at her house to rehash the day's events, and to work out their own responses to the taunts and blows they were encounter-

*Excerpted from "School Desegregation: A Report Card From the South," a 1976 study written by John Egerton for the Southern Regional Council.*



ing from their white classmates. Like her husband, Mrs. Bates looks back on those days without bitterness. "As a person loses everything," she says referring to the demise of the *State Press*, "you have to resign yourself, believing if I can't have what I want I'll want what I have. We're not hungry. We have a good home. And we have our health. And we have people who respect us. They see we're right."

The Bates still live in the same colored brick house where the sound of jeers and broken bottles once echoed outside the door. During the crisis years, the house was bombed, the windows were shot out, and the Bates hired guards at their own expense.

"We didn't sleep too much," says Mrs. Bates. "The Governor, well, he was our adversary and he controlled the law."

"Back then, we didn't really know where the end would be. We just hoped right would prevail. If it came to our lives, we used to tell each other that was just the way it was. Time didn't matter, you see; it was the cause."

Mrs. Bates mentions several of the nine students with whom her life was once so closely tied. "Ernest Green, now the Assistant Secretary of Labor," she says, "and Terrance Roberts is a doctor in California. Liz Eckford is doing well at the Employment Security Commission here in Little Rock."



Desegregation in the South, John Egerton Council.



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They are scattered all over, and making good."

In retrospect, the Bates attribute their life-long strength to faith. "We're religious people," says Mr. Bates, "but not church-going people. We started the paper on that strength . . . trying to see if we couldn't somehow change the pattern of racism and segregation.

"See, if Daisy sets her mind to doing something, the harder you oppose her, the harder she fights you. We're both that way, I guess. You also gotta understand that if you do a good job with a paper, you're not going to have many friends. You can't help but make enemies along the way."

Opponents to integration have also mellowed. The name of Dr. Dale Alford was synonymous during the crisis with hard-line segregation, though you wouldn't guess it from his comments today. He was an avowedly segregationist member of the school board at the time when the nine black students were attending Central High. With Faubus's support, he was later elected to Congress, where he blamed Arkansas's racial troubles on Communist agitators.

"The greatest problem at that time," Dr. Alford now admits, "was an objection on my part, and that of thousands of others, to having Little Rock be the first in the nation to desegregate after the *Brown* decision. As a result, I was misrepresented as a racist. I simply felt it should have been done everywhere at the same time. There was no need for a scapegoat. I also felt it was unconstitutional to override the desires of the electorate, period. However, I know it was never the desire of a majority of the people to manifest prejudice or animosity; thus the feeling that we were greatly misrepresented."

Dr. Alford believes many good things resulted from desegregation in Little Rock. "I feel we are making good progress," he says. "I also believe the school system is out in front of other segments of society in matters relative to race relations."

But Dr. Alford still thinks most political leaders acted out of extreme emotion during that period, "Including Chief Justice Earl Warren and Eisenhower. In fact, I've heard it said that Eisenhower made the statement after leaving office that his greatest

mistake as President was in sending troops to Little Rock. I don't know if that is true, but I believe it is accurate."\*

The superintendent of schools in Little Rock today is Paul Masem, an experienced educator and administrator, who says he's "never seen a more extensive commitment to desegregation anywhere in the country."

"There's a lot of money being poured into human relations in the school system here," he said. "There



are constant training programs underway."

Masem came to Little Rock following a nationwide search last summer, the primary school board consideration being an intense devotion to desegregation. He had been assistant superintendent of schools in Montgomery County, Maryland, for several years, and was an administrator in Providence, Rhode Island, schools when that system became the first in the nation to desegregate voluntarily.

Masem asserts that dramatic "white flight" from the city's public schools has not occurred in Little Rock. Statistics of school enrollment appear to support his contention. Records from the Arkansas Department of Education show three percent of the school-aged children in the state were enrolled in private schools in 1957. By 1978, the number had risen

\*Eisenhower did say, in 1958, that he thought desegregation was proceeding too quickly, a statement the NAACP labeled "incredible." He also wrote, in his 1965 autobiography, that "There was only one justification for the use of troops: to uphold the law. Though Faubus denied it, I, as President of the United States . . . had that justification and the clear obligation to act."

to only 3.3 percent. On the other hand, in Pulaski County (Little Rock), over 10 percent of the children are in private schools.

"As a majority black school district, the primary problem today in Little Rock is one of credibility at the enrollment point in school," he said. "There is competition from private schools, but it is at this enrollment point rather than in the higher grades. The process used by these private schools is to enroll children at the preschool level, then add on classes as the children grow into them. In that way, private schools can retain a majority of their school enrollees."

One technique effective in combating the private school approach has been to meet personally with newcoming families and provide them with information packets about the Little Rock school system. "It has been successful," Masem said. In September, 1978, Masem released a formal report that attributed the decline in white enrollment in the Little Rock district to demographic causes (such as a higher birth rate among black families).

"You should understand, too, that the hard-core old-timers were wrong when they said that once the enrollment of blacks rose above 30 percent the quality of a school system was going downhill. Public school students in this city are functioning above the national norm on basic skills tests. It's a total flip-flop from that old philosophy. Thirty percent of school personnel at Central High School are black.

"We also have the highest number of students continuing their education after public school graduation of any other suburban school district in the state. The average SAT scores in Little Rock today are 10 to 15 percent higher than the national average. Yes, there have been changes."

Ernest Green, currently U.S. Assistant Secretary of Labor and the first black graduate of Central High school in 1958, expressed the currently prevailing view in Little Rock in a recent *New York Times* interview. "A majority of white people don't perceive blacks as invisible anymore. The consciousness has been raised." □

Mike Masterson is the executive editor of the *Hot Springs Sentinel-Record*.



BIRMINGHAM, 1956-1979

# THE HISTORY THAT WE MADE

BY ANNE BRADEN

*In the civil rights movement of the 1950s, Birmingham, Alabama became known as the "Johannesburg of North America." Perhaps the most rigidly segregated city in the country, Birmingham even made it against the law for whites and blacks to pass checkers together. The total pattern of segregation was enforced by police action and vigilante terror.*

*On September 9, 1957, the first attempt was made to desegregate Birmingham schools. The Reverend Fred L. Shuttlesworth and his wife Ruth took two of their daughters and another student to Phillips High School. There they were attacked by a mob.*

*Shuttlesworth, now pastor of Greater New Light Baptist Church in Cincinnati, Ohio, recently recalled the day and events that led up to it, and discussed what has happened since. Following are excerpts from what he said.*





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In Alabama, we had a thing called the Pupil Placement Law. The School Board could test students and decide what school to put them in. It was a subterfuge to keep blacks out of white schools. We decided we had to challenge that, and we got petitions signed, parents asking that their children be admitted to white schools. Nine parents signed them — it took a great deal of courage. The people knew they were risking their jobs and maybe their lives, and certainly they were going to be harassed and get threatening calls, and all that.

School officials were evasive, so we decided to try to enroll our children. Frankly, I didn't expect them to let them in, but we wanted to make a test to get the law into court.

So we went that morning — all in one car. There was my wife, our two

older daughters, Pat and Ruby, and Nathaniel Lee — all high school age — and Reverend J.S. Phifer.

When we got there, we saw more Klansmen than police — 15 or 20 white men milling around. I got out. My wife got out. One of the kids, Ruby, attempted to get out, but someone slammed the car door on her foot. Then the men jumped on me. One of them said: "This is the son of a bitch; if we kill him, it'll be all over."

As one of them struck me, I heard a policeman say, "Now you ought not to bother him" — sort of petulant-like, almost sweet — not trying to stop the man at all. I think the police let those people get to me that day. I'll go to glory with that. I think the system wanted the mob to get to me that day; I really feel that was designed to have been my day.

I remember being hit with brass knuckles, and one guy was hitting me with a bicycle chain, and then they were pulling me away from the car. One after another, they were hitting me; I recall being knocked down two or three times. My consciousness was being dulled; I was seeing more gray than light. But somehow I had the presence of mind to know that I had to get back to that car, that this just wasn't the place for me to die.

I discerned where the car was and plunged toward it. I believe it was Reverend Phifer who pulled me in. While it was going on, I could see Ruby, my wife, and she had her purse in the air, trying to use it to ward them off. She had been stabbed in

*The Shuttlesworth house was shattered by a dynamite bomb on Christmas day, 1956.*





the hip, but she didn't know it until later when it began to stain.

We took off through the mob, straight to the hospital. I remember lying there, like a skinned pig, bruised, most of the skin rubbed off my face. And people kept passing by, looking. Of course, everybody who worked in the hospital then was white; the only blacks were cleaning floors, menial jobs.

But I was calm as you please, and as people came by, I'd just smile. There were two nurses in the room, and one of them said: "I'd be damned if I'd let somebody beat me up like this. . . . What you trying to prove?" And I said: "You wouldn't understand, but someday you will." And they x-rayed me over and over, and the doctor just couldn't understand why I didn't have a fractured skull. And I said: "Doctor, the Lord knew I lived in a hard town, so He gave me a hard head."

He wanted me to stay in the hospital a few days, but there was going to be a mass meeting that night, and people were going to be mad. I knew I had to be there. It would have been tragic if violence had broken out in the movement; it would have dissipated the movement, I'm convinced of that. So I went to the church — I remember we had to go through a sea of people to get there. And I sat on the edge of the stage; I couldn't stand up very well, and I said:

"Now I want everybody to be calm. It happened to me, it didn't happen to you, and if I'm not mad, I don't see why you should get mad. I don't want any violence. We have to control ourselves and keep on fighting."

I truly believe that my saying those things was what kept the movement nonviolent. It solidified the calmness, the resolution, the determination of the people. And from that moment, we knew we could go on — to build the movement that eventually, six years later, shook the country and changed Birmingham forever.

*At the time of the Phillips High School incident, the Birmingham civil rights movement was already reaching mass proportions. Shuttlesworth, who had emerged as its leader, was still a young man, 35. He grew up near Birmingham, later went to Alabama*



*Rev. F. L. Shuttlesworth sat in the front of a Birmingham bus. After he sat down, two white women got off the bus.*

*State College and Selma University, became a minister, and in 1953 came back to Birmingham as pastor of Bethel Baptist Church.*

Sometimes I try to figure out when I first realized I had to fight segregation. I guess we accepted it at one point, but I don't think I ever in my life really agreed with segregation. When I went back to Birmingham, I got active in the NAACP, became membership chairman; we were pushing people to register to vote. And then on May 26, 1956, Alabama outlawed the NAACP. The injunction prohibited even collecting a membership.

People began calling me from all around Birmingham — I was widely known — asking what we could do.

And that drove me to come to go with my conscience. It was on Saturday morning, June 2, that I sat up in bed and something said to me, "You shall know the truth and the truth shall make you free." I knew the people had to know the truth, that the state was saying to them you cannot be free and you cannot even fight to be free. So I decided to call a mass meeting, to let the people decide.

It went out all through the press and the radio. And I remember that Saturday night, one of the senior preachers called me up and said the Lord had come to him and told him to tell me to call the meeting on Sunday. And I said, "Is that so? Now just when did the Lord start sending me messages through you? You go back





Blacks waiting to board a bus in Birmingham in 1958 as a test of the city's segregation policy. Thirteen were arrested.

and tell the Lord that the meeting is on, and the only way I'll call it off is if He comes down here and tells me Himself."

So the meeting was held — that next Tuesday, June 5, 1956. And the people came, you couldn't get near that church; half the people had to be turned away, people jamming the aisles. And we formed the Alabama Christian Movement for Human Rights, and people decided they were going to fight for freedom. We began holding mass meetings every Monday night after that.

*The new movement attacked the buses first; many people went to jail for refusing to sit in the back. Shuttlesworth's church and home were bombed — his bed blown out from under him, but leaving him without a scratch. He has always believed*

*he was saved to lead the movement.*

We were attacking segregation on a broad front — the train terminal, buses, the parks, everywhere. I always said that if you have a hen, you don't put her on just one egg. Segregation was destroying people from the minute they were born, in every part of their lives, down to the grave when they were buried in segregated cemeteries. So we attacked it all.

But the schools were key. I remember when the Supreme Court decision came, May 17, 1954. I heard it on the radio and went down to the post office to get a paper, and there it was: "Supreme Court Outlaws School Segregation." I felt like, now we've made it, now people will love, and the milk and honey of freedom and the Promised Land will flow in.

I've always believed that when

children go to school together they won't have the animosity their parents have. Ours is a pluralistic society, whether we like it or not. There's white, there's black, there's Chicano; we're German, we're Polish, we're Appalachian, we're poor, we're middle class, and a few of us are rich, over-rich. But we are all people. That's the way I looked at life — still do. Where children go to school, come up together, they don't fear — why should a black man fear a white man, or vice versa? I just don't think you'd ever have had the violent animosity if this society had allowed its children always to go to school together.

So that's why we went to Phillips High School that morning. But we knew too that we couldn't desegregate the schools without a total movement. After Phillips, we filed suit, and for the next few years we were going on



building the movement. Of course, as everyone knows — it's history now — it came to a climax over public accommodations. We used to say, because of the extreme nature of things there, as Birmingham goes so goes the nation. And it turned out to be that way.

*In 1963, the Birmingham movement invited Dr. Martin Luther King, Jr., and the Southern Christian Leadership Conference (SCLC) to help organize demonstrations against segregation in public places. There followed the mass demonstrations when thousands went to jail, and the nation watched on TV as Police Commissioner Bull Connor ordered the demonstrators attacked with fire hoses and dogs. The movement won, and downtown Birmingham agreed to desegregate its stores and to begin hiring blacks. Meantime, the demonstrations had rocked the nation, and most historians now agree that the ultimate result of Birmingham was the Civil Rights Act of 1964.*

*In Birmingham itself, many struggles lay ahead — it was in that fall of 1963 that the Sixteenth Street Baptist Church was bombed, killing four little black girls. But over the next years, change did permeate the city. In 1978, Birmingham finally honored Shuttlesworth. The mayor and City Council declared "Fred Shuttlesworth Day," and publicly thanked him for bringing desegregation to Birmingham. Shuttlesworth announced that someday he might move back to Birmingham to retire. At least in its parks, its stores, its restaurants, theaters, in its public places generally, Birmingham is now an integrated city.*

*But not in its schools. Token school desegregation started in that fall of 1963 soon after the mass demonstrations, but in the 1970s, a process of resegregation set in.*

White flight has almost done away with what desegregation there was. For instance, Phillips High, where I was mobbed — it's now over 90 percent black. Same at another big high school, and many of the elementary schools.

I don't think it had to be that way. The first problem was a flaw in the ruling of the U.S. Supreme Court. The decision was right; it was overdue. But the flaw was that the Court did

not set up any machinery to implement it. I think they should have appointed a special master to see to it that people would begin moving — someone who would have had the authority to convene the school people in a given area and tell them you must come up with a plan. "All deliberate speed" meant no speed at all without the enforcement of the Court. And even when the Supreme Court finally did try to straighten out that deliberate speed thing, they turned the implementation over to the district judges, most of whom were segregationists.

The second problem was the executive branch of government. You had President Eisenhower, who saw nothing, felt nothing, heard nothing, thought nothing and did nothing.

I'm quite sure that had not the civil rights movement moved everything to a higher pitch we wouldn't even have the school desegregation we've got now. But the problem was that the leadership of the country never said this is right, this is what should be. The Court didn't provide enforcement, the executive didn't lead, Congress didn't do anything until we forced them to pass the Civil Rights Act in 1964, and ever since they've been picking away at that — coming out against busing, doing this, doing that.

The result was that integration of the schools was always in limbo; you could argue a case ad infinitum, instead of going on and making it a de facto situation, immediately. I think the slow process contributed tremendously to the pattern of white flight.

But I think the movement could have turned things around, too. After the big upsurge in Birmingham in 1963, I thought this should be the next step. We should have gone on and desegregated the schools — massively, at 50 percent. I told Martin [Luther King] and Ralph [Abernathy] this. I said we should lead the people all over the South on this issue, and we should start in Birmingham, where we had at that time total support. The people would have done anything; they were ready to fight for change, they wanted change, and they believed they could win.

I said we should go out and get people to sign petitions, to send their children to *all* the white schools. The

law said then that you had a right to go to the school of your choice. And the people would have signed — it wasn't like 1957 when many people were afraid. I believe we could have gotten 10,000 petitions, just like now. This was my idea of real integration instead of tokenism.

And I still think that if the schools had been integrated like that in the mid-'60s, white flight would not have been as meaningful as it is. All the white folks couldn't have flown, not at once. All the suburbs couldn't have been built at once. It would have created an atmosphere that it's done, and it's right.

Martin and Ralph agreed with me. Actually, I had a commitment from Martin at one point that this is what we would do. We could have done it and still gone into Selma on the voting rights drive. But we just never did. After Selma, there were so many people on us [SCLC], people wanted us to come everywhere. And we tried to do everything.

So if there was one thing that was the great mismatch of the civil rights movement, it was the fact that we did not integrate the schools. That's where we missed the mark.

But if you ask me did we fail, I would say no, we did not fail. We failed as a movement to see at one point what the best next step would be. But the movement did not fail. Even with the runaround given us in education, even with all the other problems in the country today, at least we've got a foothold.

And when I think of the people who achieved that in Birmingham, I see it as a glorious age. It was the King Age, the age of little children standing up to fire hoses and the dogs. God always has to have people to work through, and He had thousands in Birmingham. I was just the leader and I personified the movement to many people. But there were many, many who took their stands — the people who signed those petitions for school integration, knowing the reprisals it would mean; the people who were brutalized by the police; the others whose homes were bombed; the thousands who finally went to jail; masses of people who had decided to be free and were willing to fight. That's what made the Birmingham movement. People, thousands of them



Rev. Shuttlesworth attacked in integration try—

# Negro beaten at Phillips High; whites eject Arkansas Negroes

## Minister had sought entry of children

A Negro integration leader was out and bruised during an attack by a group of white men when he tried to enter Phillips High School this morning.

### Board to study petition— 'Keep children where they were,' Negro to

The Rev. F. L. Shuttlesworth, who has been told to continue at Phillips High School, said he had temporarily his children in the schools they have been attending.

Shuttlesworth and his wife are among the 100 Negro families who filed a petition with the City Board of Education to admit their children to three white city schools.

In a registered letter to Dr. Fraser Banks, superintendent of schools, Shuttlesworth had asked that the board study the petition.

The board is expected to meet this afternoon to study the petition.

Shuttlesworth's wife said she was with him when he was attacked.

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POLICE ON GUARD AS INTEGRATION VIOLENCE FLARES AT PHILLIPS. Officers broke up crowds and took up guard posts after outbreak.



REV. F. L. SHUTTLESWORTH

## Slug One In Birmingham School Test

BIRMINGHAM, Ala.—The Rev. F. L. Shuttlesworth, minister and vice-chairman of the Alabama

Phillips High School, he said the school was closed for the day.

Shuttlesworth said he was with his wife when he was attacked.

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## Shuttlesworth urges no reprisals for attack on him at Phillips High

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THE REV. F. L. SHUTTLESWORTH SHOWN AS HE WAS KNOCKED TO STREET OUTSIDE SCHOOL. A lone policeman was pushed aside by the crowd when the Negro drove up to the school.

walking through the Valley of the Shadow and walking in such a way that history must record their valor and their courage.

But if there is anything we should learn from history it's the fact that if you don't keep moving forward you'll be perpetually going backward.

Today, Shuttlesworth is still leading movements for justice. Recently, he went to Birmingham to announce that he would help organize a campaign to free Imani (Johnny Harris) from Death Row in Alabama. In Cincinnati this spring, he was organizing busloads of people to travel to the state capitol to protest soaring utility rates, and working with a committee protesting the killing of a black youth by Cincinnati police.

I believe there will be new mass movements in the 1980s. I believe the people are going to reassert themselves.

I don't know exactly when this new drive will come. I don't know who will lead it, but it will come. Whether it is around the issue of schools... or the utilities... or jobs... or whatever, it will come.

And because of the civil rights movement, we know now what can be done. Because of what we did, the country became partially awake; for a brief moment in our history, this nation was talking about what ought to be done for the poor, what ought to be done for the homeless, what ought to be done for the schools. When the new movements come, it will be easier for them because of the history that we made. □

Anne Braden has worked for 31 years in Southern civil rights, anti-war, civil liberties and labor movement campaigns, and is currently co-chair of the Southern Organizing Committee for Economic & Social Justice (SOC).



INJURED INTEGRATION LEADER REASSURES DAUGHTER IN VIOLENCE. Rev. F. L. Shuttlesworth, Patricia Shuttlesworth, at hospital

## Bystanders to be kept from schools

Following the incident at Phillips High School, Police Commissioner Robert E. Lindbergh ordered Police Chief James Moore to prevent any person who is not a member of the school from entering the school.

## Speaks from stretcher— 'This is freedom's price'—Shuttlesworth

Speaking from a hospital stretcher, the Rev. Shuttlesworth, with a big smile, said, "I guess this is the price you pay for freedom." Shuttlesworth had been brought to University Hospital emergency room for treatment of bruises and lacerations of the head sustained after being attacked by a group of white men at the entrance of Phillips High School.

## Crowds seek glimpse of victim in hospital

After word spread of the Rev. Shuttlesworth's injury, a large crowd gathered in the hall and outside the entrance. A corps of policemen soon arrived and kept the people moving along. Only those with official identification were allowed inside the hospital, and those outside were asked to move along. The crowd continued to stand outside to peer into the windows, to catch a glimpse of the Shuttlesworth group that came there after Shuttlesworth said his daughter had been killed in the KKK raid.



BIRMINGHAM, 1963

## “THE OPPORTUNITIES DADDY FOUGHT FOR”

*When token desegregation finally came to Birmingham in 1963, it was too late for Pat and Ruby Shuttlesworth, or even for their younger brother and sister, Fred, Jr., and Carolyn. For five years, starting in 1956, the family lived in a virtual state of siege, their home under constant guard. In 1961, they moved to Cincinnati, where Shuttlesworth accepted a new pastorate. For the next decade, he commuted back to Birmingham to continue leading the movement there, while the family tried to build a new life.*

*Mrs. Shuttlesworth was never in good health after the stabbing at Phillips and the nervous strain of life in Birmingham. She died in 1971 at the age of 48. Meantime, the children all earned advanced degrees and became teachers.*

*Ruby and Pat now both live in Cincinnati suburbs where their four children attend desegregated schools. Ruby teaches in a desegregated suburban school, and Pat teaches in a mostly black inner-city school. Recently, they too looked back to that day at Phillips in 1957 and talked about what it meant. Excerpts follow.*

*Ruby: I remember when I saw the mob that morning. I just panicked, there was nothing to do, you just sat there. But I think it was worth it. My children, many children, benefit from what was done there. Somebody had to do it. I don't think I would have volunteered, but my father was committed, and I knew that wherever he went, I was okay.*

*And I really wanted to go to Phillips. I knew that there I could get what I needed to become the doctor I wanted to be. I went on and graduated from the black school in Birmingham, and I studied hard, but we just didn't have the facilities. I knew what a Bunsen burner was, because there was a picture of that in a book, but we had no experiments.*

*I entered the University of Cincinnati, took chemistry, failed it,*

*took it again and got an A. Same thing with bacteriology. By then I realized I could never be a doctor; there was just no way to make up for that lost time. I decided to go into nursing — but I was told flatly at UC that the quota for black nurses was filled.*

*I was disappointed, dropped out of school for a while, but then I started to substitute teach. I loved it and went back to school to get the degrees I needed. I'm really dedicated to teaching now; I feel that this is the way I can help children take advantage of the opportunities Daddy fought for. Children are not being motivated.*

*Here in Cincinnati, the schools are in trouble. Where my children go, it's integrated but even there it's resegregating. It's the realtors — they have seemingly dedicated parts of the community to be black.*

*In the city, except for alternative schools, you can't get quality education. And I'm not talking about the way it was in the South. Here they might have better facilities, but there is a lack of caring for the child, especially black children. In Birmingham, they might not have had all the equipment to teach us with, but they made us feel our own worth. Now kids are just numbers. There's been a desegregation suit pending in Cincinnati for five years. Maybe if that is won, it'll make them stop and look at what's happening.*

*Seems like everybody's tried to do the least amount necessary to get by with the law. Daddy was saying the Supreme Court didn't provide any enforcement. Look at the contrast with the new law passed for the handicapped in 1975 — in that they spelled out procedures and what the school systems have to do.*

*Here in Cincinnati, they don't call it segregation. But your economic status places you where you are going to be. Last year, my district in the suburbs spent approximately twice as much per child as the Cincinnati school district does. And it's not just the blacks who get the least, it's the*

*Appalachian whites, too.*

*Pat: We had a very tense childhood. I don't even like to look at the films of Phillips High School now; it just makes me madder.*

*So much of those years we spent in the house — or in the yard. We were not allowed out of the yard after 6 o'clock. The phone rang constantly with threats. We always had the feeling that at any time something could happen. The police would come at two or three a.m., flashing lights. You were always watching even when nobody was coming.*

*And yet, today, I feel that my experiences as a child have helped me handle my life situation as an adult. Things I might have been afraid of, I'm not afraid of. I can speak up and express my opinions to my administrator. And we all learned how to stay calm under pressure.*

*And we still believe in desegregation. I know many black parents who've turned off to it now — things are hard on black children in integrated schools. But I think desegregation is the only reality of life.*

*You just have to deal with the difficulties, teach your children to believe in themselves. You benefit from everything you go through, and when children experience hatred and being in a classroom with white teachers who don't want to teach them, they can learn that they don't have to become like that person, they can become better than that person.*

*Ruby: There are going to be more difficulties in the future. When we were going to college, they were giving grants to black students all over. Not anymore. Now if I say to a student, you can work hard and get a scholarship, I know that's just not so. They put those grants in because of the pressure, and now the pressure is off.*

*Really, the schools are in such a state now, all over, and not just the black schools, it's going to take some thing massive to solve the problem. □*



# NEW ORLEANS 1960-1979

A second Battle of New Orleans erupted in 1960 when the city's public schools were ordered to desegregate. For months, a newly elected conservative governor, Jimmie Davis, and a segregationist state legislature vigorously fought the courts and eventually the Orleans Parish School Board in an effort to seize control of, bankrupt, close down, or otherwise prevent even token integration of the city's schools.

"If they [the federal courts] can do everything they are trying to do," belated Governor Davis, "this state no longer has its sovereignty."

Since local and state officials failed to submit their own plan of desegregation, the court imposed its own: a system of grade-a-year pupil assignment that allowed students, beginning with first graders, to apply to the closest previously all-white or all-black school to their home; the school board, using its own criteria, but without regard to the race of student, would accept or reject the applicant's first choice.

The reluctant school board ultimately established 17 "scientific" and "objective" criteria designed to shield itself from attack by conservatives who

were demanding that it close down the schools altogether. The system the board devised, however, couldn't have been better fashioned for failure. Believing that black children were not intellectually ready to attend white schools, it chose two schools with low median student scores for its plan of token integration. Both schools, McDonogh No. 19 and William Frantz Elementary, are in one of the city's poorest neighborhoods, the racially mixed Ninth Ward, where political organization, and therefore city services, are minimal. Neighborhood



United Press International Photo



whites doubly resented the choice as another indication of the city's indifference toward the area.

To find the "right" tokens, the school board administered intelligence tests to the 136 black applicants seeking to attend white schools, and screened their families for "moral standing." Four girls were selected. On November 14, 1960, escorted by U.S. Marshals, three six-year-olds entered McDonogh 19 and one entered Frantz, greeted by mobs of screaming, spitting, cursing, stone-throwing whites.

Only a few white students attended Frantz that day, and none went to McDonogh. On November 15, at a rally sponsored by the White Citizens Council, Leander Perez, the legendary boss of neighboring Plaquemines Parish, told a crowd of 5,000, "Don't wait for your daughters to be raped by these Congolese. Do something about it now." The following day, a crowd of white teenagers and adults marched on the school board offices and federal judge's office, and before they were dispersed by city police, several blacks inside buses were hurt by flying glass from smashed windows, and two were seriously beaten.

For several months before the first day of integrated schooling, two white groups, Save Our Schools (S.O.S.) and the Committee on Public Education (C.O.P.E.), joined black parents and community leaders to rally support for keeping the schools open. But the attack from the right wing was virulent and consistent. The state legislature tried to take control of the schools, impounded funds to pay teachers, and fired the school board president and its attorney. The federal court continued to overrule the state and recognize the authority of the board to keep the schools open, but sporadic rioting and hostile demonstrations by whites also continued. The spectacle of violence broadcast through nationwide television shattered New Orleans' image as an oasis of racial tolerance in the Deep South. Tourism plummeted; in December, 1960, the New York Times reported a 20 percent decline in business in the city. Only then did the business and social elite denounce the demonstrators and call for law and order. Gradually, the physical and psychological tormenting of the integrators left the limelight and moved indoors.

By the time token integration had yielded to actual integration, most whites had fled for the suburbs, Catholic schools or segregation academies. (Leander Perez had invited the 1,000 white students from the Ninth Ward to attend his Parish schools, and by the end of 1960, nearly 600 were so enrolled.) Today, while New Orleans schools, now 85 percent black, continue to struggle financially, the state legislature is considering measures to provide tuition assistance to parents in

private schools.

In 1960, psychiatrist Robert Coles began studying the affects of segregation and desegregation on young children in New Orleans and Atlanta. His observations, including those excerpts below, formed the first volume in a classic series, Children of Crisis. A portrait of Tessie Prevost, who integrated McDonogh 19, is followed by interviews with the Prevost family conducted in 1979 by Clare Jupiter.

— The Editor





Robert Coles  
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NEW ORLEANS, 1960

# “AS BAD AS THEY MAKE IT, THE STRONGER I’LL GET”

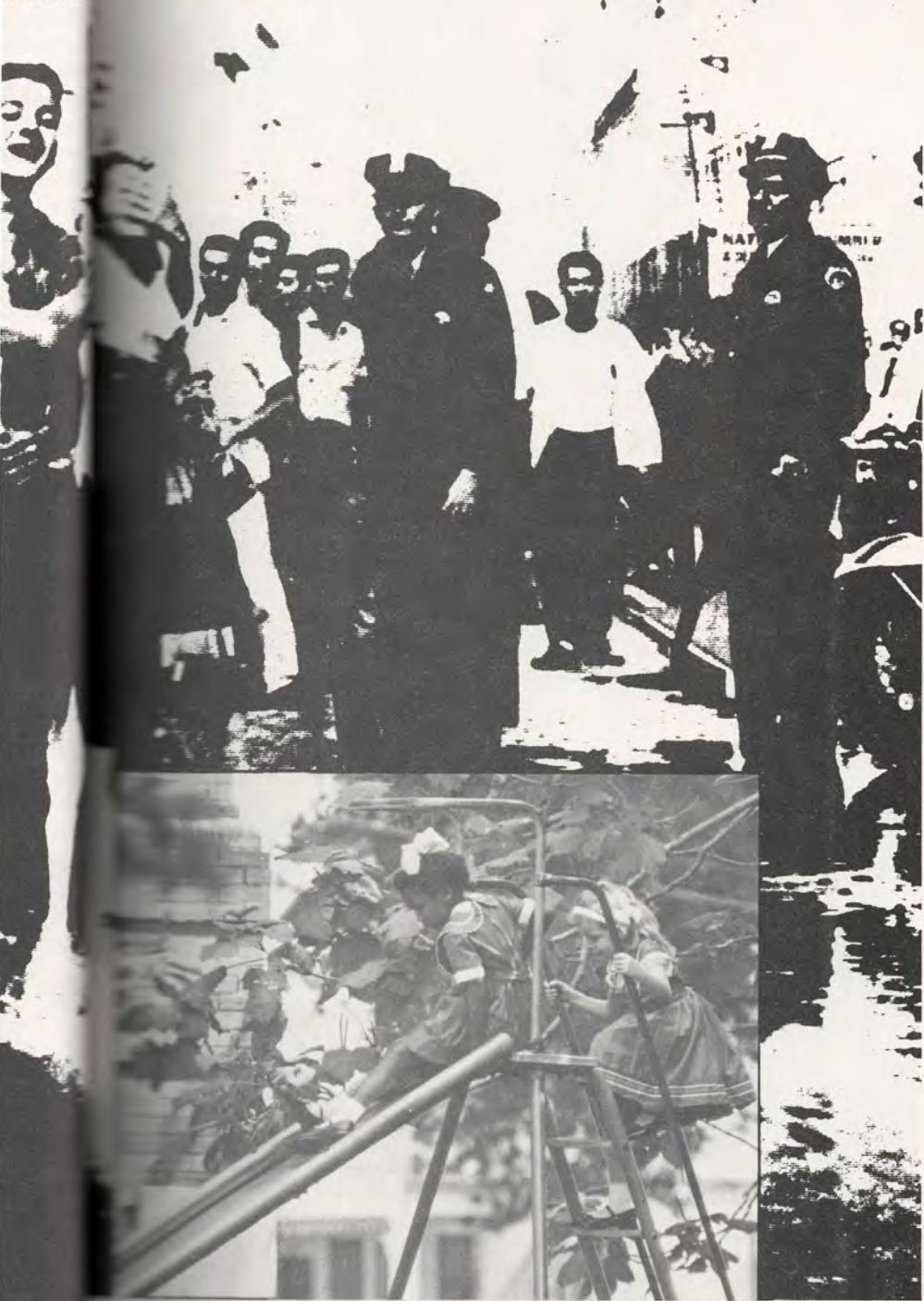
BY ROBERT COLES

“Tessie was the first Negro child to step into that white school. There were three of them, ‘the three little niggers’ they were called, but Tessie stepped into the building first. I saw it with my own eyes, and I won’t forget it, you can be sure. That night I said my prayers, just as I have for over 60 years, but I added something. I said, ‘Lord, you have started giving New Orleans your attention, at last. The whites are screaming at Tessie and me, but that’s because they know You are watching; and they’re mad, because they know they’re bad, and they’ll soon be punished, soon now that You’ve decided to take a hand in our lives here.’ That’s what I said, and some more, too — because I had to repeat myself, I was so happy. The way I see it Tessie and I can be cursed every day, and it will only mean we’re nearer our freedom.”

Tessie’s grandmother lives alone in a little house next door, alone except for a frisky mongrel dog. Tessie is an only child, and an only grandchild. Spot is her dog, boarded with her grandmother for the convenience of Tessie’s mother, who is very neat and resents Spot’s untidy habits. Tessie lives in a new, small ranch house of yellow bricks and pink shutters, with firm, waxed hardwood floors and a kitchen fitted with electric appliances.

Her grandmother’s house is older and her grandmother is a casual housekeeper.

Her life, and the lives of her only son and his wife and their only daughter, had been very difficult from the fall of 1961 until well into 1963, when she remarked to me: “I haven’t seen a crazy letter in two months. They must have decided we’re going to live.” They weren’t always sure they would live, she and her granddaughter. Tessie’s parents felt that without Grandma they all might have *lived* — I think they had their doubts about that, too, but never could admit them to themselves or anyone else — but none of them would have really sur-



Wide World Photo



vived the fear and tension. It wasn't just her extra house and land, and having another person around, it was what Tessie called her grandmother's "gumption."

I thought the two homes did seem like an enclave at times as I watched grandmother and grandchild leave their territory to walk to a nearby public school through curses, spit and brandished fists, through biceps tightened, tongues pointed and mouths filled with what the old woman called "unpleasantness," demeaning her and the little girl pitilessly, confronting them daily with terror and the need somehow to make terms with terror. "I said I'd sooner die than show them one ounce of fear," Tessie's grandmother told me one afternoon, the child nodding along, staring in devotion at the lady. "Some days I thought we were going to die, but it was a test, going by them to get our rights, and the worse it got the more certain I was that we could outlast them."

Tessie's mother is a thin woman of medium size with a noticeably oval, dark-brown face. She has wide eyes and exceptionally long lashes covering them. Sometimes when speaking of her daughter's experiences at school, she would close her eyes for a few seconds but keep on talking. "I try not to go beyond each day. The way I look at it, if you can get your strength up for the present, the future will take care of itself. It was my mother-in-law who was best with Tessie, though. I cry too easily." She had wanted her daughter to go to a desegregated school, but she also acknowledged that she worried about the strain of it upon both her daughter and herself.

"The truth is," she said quietly one day after talking about how she felt when she answered abuse with silence, "I might have taken Tessie out, returned her to a Negro school. I held firm because my husband held firm, and we both held firm because of Tessie's grandmother. My husband and I were angry and scared, but she never gets scared, and if she gets angry only she knows it; and she understands the whites. She's lived and worked with them. We haven't."

She and her husband were young. In many ways they had tried to insulate themselves from the white







Wide World Photo

world, and for a long time had never been much impressed by their mother's intimate knowledge of that world. It was a knowledge, they felt, that stemmed from a kind of peonage, and they wanted no part of it. "My mom still wants to know what's going on in the white world," was the way her son James put it, "but a lot of us younger Negroes didn't much care for a long time. Then the Supreme Court decision came, and we realized we had to come out from our shells, and once and for all fight our way into the white world. It was a good thing people like her were there to help us. You need to know the people you're trying to get with, and you have to know the enemy, too, I guess."

"Can you imagine a more confused three years of school for Tessie than these three?" her grandmother asked me when Tessie was promoted to the fourth grade. Her grandchild and two other girls of six had been the only pupils at school during their entire first year. Everyone else had boycotted. "I guess it wasn't segregation and it wasn't integration, they just had the whole school building for themselves. I kept on telling Tessie, she'd never have it as good again, all that building and teachers to herself and everything. Take advantage of the white man's mess, because it'll work for your gain, that's what I said to her when I thought she needed a little helping word here or there."

When the boycott was partially broken the second year, Tessie learned to live with a few white classmates. As her grandmother told it, "That was a big thing for the girls, counting how many whites came back to school. They gave me a day-by-day accounting. I would know all their names and what they would say every



Wide World Photo



minute of the day." Finally, after a pleasant year in a school of about 20, their school was decreed a Negro school; however, as "integrated" students, in contrast to all their Negro neighbors of like age, they were transferred to another white school, for the third year of what some brochures, advertising the city's assets, called "quality education."

It was no great blessing for the three girls to leave McDonogh. In their new school they were alone in a mass of white children. They found the sheer numbers of children strange, and they found the attitudes of some of the older children, the fifth and sixth graders, decidedly unfriendly. In a sense, they also saw themselves leave the stage of history, disappear into the crowd, left with their memories — of newspapermen, cameras, federal marshals and letters from all over the world.

"Tessie was always quiet, so she kept quiet during all the troubles. The teachers never quite knew what she was thinking, and it bothered them a lot. They couldn't help feeling that if she talked more she'd be in a safer state of health. They worried about how brave and silent she was." Her grandmother followed that description with her own attitude: "I tell her that it doesn't make any difference what you say, or if you say anything. It doesn't even matter if it's easy or hard for you at school. It's *going* to be hard, sometime or other it's going to be hard in this world, and Tessie girl, you'd just as well start getting used to it now."

Tessie was indeed a silent child, a deep, thoughtful child, I felt. With paper and crayons and with some games, she could give expression to what she felt and thought about the world around her. She liked to draw, and she put a great deal of time and energy into her efforts. When the drawings were completed, she wanted to keep them, holding them in her room for weeks, looking at them, sometimes decorating her walls with them, and eventually giving them silently and shyly to me. She knew she was telling me something about herself and giving me something of herself.

I thought it was helpful for her to give her fears and hopes some expression, to put them into pictures. She could give representation to her tor-

mentors, to her dread of their vengeance, to her feelings of weakness, to her natural wish to escape, to be a little white girl living a less turmoil-filled life. By keeping the drawings with her for a while, she could confront them when she felt able to, and eventually allow them to settle in her mind as the fantasies they were.

Then, the master of their contents, she could hand them over to me. "I know it's scary sometimes going to school," she told me one day, "but not as scary as what I can dream up. So I told Granny that as bad as they make it for us, the stronger I'll get, because I'll beat them to the punch by imagining it even worse than it is, like I did with that picture I drew the other day. Remember?"

I saw Tessie much less frequently when she was in fourth and fifth grades. I was studying the psychological adjustments of migrant farmworker families, and none of those families came near New Orleans. But I always tried to see her on "promotion day." It is her favorite day of the year. Her grandmother bakes a "promotion cake" for her, and each year I receive a card from both of them asking me to come celebrate "Tessie's Day."

In June of 1965, she was promoted to the sixth grade. I noticed then how very tall she was becoming. It is in her blood to be tall, I know, but I was surprised to see such growth in a child not yet in adolescence. I told Tessie that and she replied: "It's because you go away, then come back. If you stayed, you wouldn't notice me growing, then I'd just be Tessie, not tall Tessie." She added very quickly, "It's that way at school now, too: everything goes fine with the whites until I get sick and stay home. Then, when I come back to school, it takes them a day or so to get used to me, all over again. They look at me as if I was a stranger, then the next day it's all forgotten and I'm glad, because they know me again." □

*Robert Coles is the author of the multi-volume Children of Crisis, from which this selection is excerpted. He has written extensively on topics related to children and desegregation. His latest book, written with his wife Jane, is Women of Crisis, published by Delacorte Press. This excerpt is copyrighted and used by permission of the author.*



*Tessie Prevost still lives with her parents in the same house she was raised in, and her grandmother, now 75, still lives next door. Tessie is now 24 and works as a typist for the city department of streets. She had wanted to be a teacher, but when she went to college at the University of Southwestern Louisiana in Lafayette, she found a breed of racism reminiscent of her first years in public schools. "I thought things had changed," she recalls, "but when I got to Lafayette, people were calling me nigger again, which is something I hadn't heard in 10 years. Finally, I didn't want to be a teacher anymore, I just came home."*

*In March, 1979, Clare Jupiter, a former member of the Southern Exposure staff, talked with Tessie about her first years in school, and then talked with her mother and grandmother, Mrs. Dorothy Prevost and Mrs. Dora Prevost. Excerpts from their comments follow.*

**Tessie:** I don't really remember the first time I learned I would be going to another school. I remember going to take the test. I guess it was the school board test, that's what it was.

Then we were chosen, so we went to McDonogh, three of us went to McDonogh, one went to Frantz, and I remember the first day cause we went to school in cabs. I remember seeing the other two girls. Now we parked not in the block of McDonogh, but the next street down from it. They were parked around the back way, but how we got around to the front, I don't remember that.

But I remember that first day. My daddy was with me. My mother told me that I asked her when we got to the front of the school and there were hundreds of people out there — I thought it was like Mardi Gras — "Why you sending me to school when it's Carnival. Everybody's out and I'm going to school." I don't remember if I realized what it really meant. It was



NEW ORLEANS, 1979

## “IT WAS WORTH IT”

BY CLARE JUPITER



photos by Larry Songy

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my parents hid it from me, but just that I was six years old. No way they could really explain that to me. I don't remember the first day in school, but I remember going to school and seeing it all on TV. I was excited about that. I had a dog and it was on TV cause they came to the house. We used to sit and watch the news waiting for it to come on.

That first year, when they had all the people out there [hostile demonstrators], that was the worst, really a bad year. I think it was worse on my parents and grandmother than it was on me. I remember seeing all those people out there and just looking around. They had marshals out there. I guess I just really didn't know what it was all about.

That first year, there were no other kids. It was just the three of us. They had only white kids going there before, but when we went they just kind of watched them out. The second year, there were about 15 of us, and then the next year was when they turned that school over to blacks, and we had to go to another school. We went to Semmes. Now, that I remember very well. It was completely different from the way it was at McDonogh. Cause when we went to McDonogh that first year, it was just us three in the whole building. And we were the only three black kids the second year, but the white kids were friendly. We would sit out on the lawn, in the yard. The first year, we never went outside, but the second year we were able to go out and play.

When we got to Semmes, it was just a completely different scene. That's where the prejudice came in, and that's when my parents began telling me — I would say I really don't want to go to school, I'm tired of it — and they would sit down and talk to me, and say this is something that you're not doing just for yourself, but for somebody else, maybe you'll have a little sister or little

brother, and they'll be able to go to any school they want to go to, and the little kids around here, they'll be able to go to any school they want to. So then I kind of realized, and kind of put up with it.

But those years at Semmes were something. We used to have to fight every day. We used to get beat up every day. We used to get spit on every day. That first year at Semmes, we had about eight blacks at most. We had to band close together. Cause we were small. We were in the third grade and they had kids there in the fifth grade and sixth grade. They used to look like men and women to me, you know. We had a teacher, Miss Dunn, she hated us. She used to let the kids beat us, let them spit on us, and every time we passed, she would hold her nose like we stank, you know. She'd have all the other kids doing this — this was the teacher. She was the fifth-grade teacher.

In the fourth grade, we had gotten kind of used to it. More blacks came, but the ones that were there before, some of them didn't come back. Some of the ones that started that fourth year with us, they didn't stay. Their parents took them off — I guess they just didn't want to go through the hassle. But then it got better after we got older. We were able to defend ourselves. Cause we were getting up into the other grades and we were able to defend ourselves.

I can't say that I had any white friends from elementary school. I used to ask my momma and daddy why they were acting this way. I would ask them "What did we do?" And they would say that's just the way some people are, some people are just ignorant. They can't help it. The kids, they couldn't really be blamed for it, cause it's not their fault. It was their parents mostly that had put this into them. But it was bad for awhile, especially at Semmes. I got tired of it. I just didn't want to do it anymore. My stomach

would start getting messed up while I was at Semmes.

I do think it was worth it now. I don't think I realized what we were doing then. It wasn't until some years later. I don't know what happened to that book, but we had a book here, Dr. Coles' book, did you see that? I don't remember him at all. Things like that, you don't hardly forget, but I don't remember him at all, coming here to visit and talk with me. But some years later, I went to see this movie — "Watts," I think it was — and at the beginning of the movie, they had clippings like with Jessie Jackson and his "I Am Somebody" speech. And they had that picture from the front of Dr. Coles' book, that picture was in the movie. And I looked at it, and it kind of like brought tears to my eyes when I saw it.

I said to my friend, "Look at this," because they were like talking about me and "I Am Somebody" and showing pictures of black leaders and reading from black poetry, and showing a picture from this book. I didn't realize it was as widespread as it was, or that other people knew about it. It didn't seem like a big thing to me really. But people would start talking, saying "Yes, I remember this, this was the first little black girl who went to the white school." And people would ask me about how I felt, and they still do, and I really can't remember how I felt that first day. But I know it was worth it.





**Mrs. Dorothy Prevost, Tessie's mother:** My husband Charles always did say, "Why should Tessie go way back there to school when here is a school right here, a few blocks from us." This was McDonogh. Tessie had been in kindergarten, and she was very advanced. We didn't have the money to put her in a private school, but we wanted her to keep up her pace of learning. We knew McDonogh had better facilities. There were only 150 students over there, in this big building, but over at Hardin, it was crowded. And it was 15 blocks away, which for a little girl of six is a little bit too far.

So when it came time to register Tessie I went to McDonogh. We never realized there would be such a big to-do about it. They told me that I couldn't come there and that I had to go to the nearest black school. This was 1960. It was me and another lady I saw there. Just us two blacks. We just went on our own.

Then the school board decided to give tests to children about to go to the first grade. It was so hard, they knew plenty of black people wouldn't pass it. But Tessie was very smart. They chose her and two other girls to go to McDonogh. I remember they sent us a registered letter. Nobody was supposed to know which school she was going to; it was just between us and the school board. I was so excited when I got the letter. The man brought it at night, it was a special delivery letter from the school board.

We weren't really afraid. We were concerned about Tessie, that she would get an education. It was worth it. The schools are better now. I can see it with Tory's homework [Tory is Tessie's younger sister]. There are better materials, better facilities for black children. The children can grasp things better, and learn more.

**Mrs. Dora Prevost, Tessie's grandmother:** Well, time brings about changes. I wish they had some of what they have now when my children was going to school. They would have had better schools. But if things were like they are now, I'd be happy. But we had to struggle. One thing, I was determined that my children were going to have an education regardless. I felt in my soul — didn't know if I would live to see it — that things were going to be better for the black man, and I wanted

them to be able to take their place. It was a struggle putting my children through school. Carfare then was a nickel, and my husband and I walked to work so they could have that nickel. I didn't want them to have to struggle like me. I wanted to be a nurse so bad, but I knew you had to go to school, and I couldn't.

I can remember when black people could first vote. Black people didn't always vote, no, no, no. I don't remember the year now, but that was a time when the Negroes found out they could vote, that was beautiful. But they didn't always vote. I do know that it was a joyous time among black people, because the vote is the thing that gives you a little power, you know. Course after they passed the law that people could vote, they still had a long ways to go. Because the people would try to discourage you, you know. But I never let an opportunity pass to vote, because I know what it means. See, I could remember when Negroes couldn't vote, so now I have an opportunity to vote, I'm certainly not going to let it pass.

I wasn't surprised by what we had to go through. I felt this way about Tessie going to school, that if we could hold out then all of this foolishness would pass. And sure enough it did. It did get better.

A lot of people is under the impression that you want to socialize with their people. Or that we want our sons and daughters to marry into their families. That's the kind of idea they had. We don't have that kind of idea. But that's what's in the back of other people's minds. But all people want is equal rights. Treat me as a person, don't treat me according to my color, treat me as a person. The next generation will see what it's all about, white and black, and start getting together.

The main trouble we had those first years, we got from the people right in this vicinity here. This was a mixed neighborhood. Poor white people, you know. We had plenty of trouble, and I got most of it, cause Dorothy and Charles worked and I had Tessie. I got terrible phone calls. The only thing that stopped one particular lady from bothering me, she used to bother me all the time. See, I'm not an obscene person. I'm not going to call you a dirty name because you called me one. She found out the house, she got the number, and she called me up. She said,

"You nigger s.b." She said, "If you don't get your granddaughter out of that school, you're going to be sorry."

So I said, "Aw, honey, what you want to call me a name like that for? Don't you know your grandmother is my aunt." Wham, she hung up. We had a lot of Creole people down here and mixed. Now she thought I was going to call her a bad name because she called me one. But I said, "Honey, you ought to be ashamed of yourself for talk about your ancestors that way." Wham, she hung up.

You see, what these people was trying to do was break us down and others would say, "Well, I'm not sending my child out there to be embarrassed." But Charles and Dorothy, they stuck it out. Even though it cost suffering cause they were suffering and worrying, we were all suffering. I would say to myself, poor little thing, she had to be out there with all those white people, they don't want her. I would say that to myself, but I wouldn't say that to her. I would let her see me smile.

She told me when she came home one day, "Some boys out there sure bad, they say all these ugly things to us." But their parents were telling them that. They were trying to discourage Charles and Dorothy from sending her.

They had one teacher up there named Semmes who told Tessie, "I don't know why y'all come up here. You know they don't want you here." So when she came home and told me that, I felt to embarrass a child like that. But I wouldn't let her see the tears in my eyes. When I went to make my prayers, I prayed for that school. I asked the Lord to break down that segregation that the little kids wouldn't have to suffer. You see, I don't care what they do to me, I can take it. But when you come down to hurting little children you know, that's a different thing.

Things are so much better now. But there's still room for a lot of improvement. I believe there's a lot of improvement on both sides. I do believe that in a few years maybe, this thing will go out to where a man is a man, but they're going to have to grow to that. You take where people been doing something for centuries, you can't get over that overnight. I believe it will be better, but not overnight. And the best thing for our children is education. We improve as we go. □



NEW ORLEANS, 1960

# "THE VILEST SORT OF ABUSE"

During the last days of November, 1960, Reverend Lloyd Foreman and Mrs. James Gabrielle, who had continued to take their children to the Frantz school after one Negro girl began attending, were subjected to abuse and physical violence by the mob in front of the school. This, coupled with the fact that several parents in the Frantz school area had appealed to S.O.S. for help in returning their children to school, led to the organization of a volunteer "carlift," run by parents from the uptown section of New Orleans, which transported the children to school in relative safety. The "carlift" began on December 1.

The car carrying Yolanda Gabrielle was stoned and manhandled by the mob. Later in the week, it was pursued for two miles by a truck which had tried to run it. Until Wednesday, December 7, the drivers and the women who escorted the children into the school were subjected to the vilest sort of abuse from the daily-assembled crowds. On December 7, the police guarding the school pushed the crowd behind barricades a full block away from the school.

The crowd then dispersed to roam the streets of the Florida Housing Project, where many of the children live. Their parents were subjected to an organ-

ized telephone campaign of threats and abuse. Their houses and other properties were stoned, as was one of the mothers of a child at Frantz. The jobs of the fathers were threatened; four of them lost their jobs. James Gabrielle, ostracized by his fellow workers, quit his job and took his family to Rhode Island. The volunteer drivers were threatened with death, arson, disfigurement and other unpleasantness in a concerted telephone campaign. The police were unable to prevent these occurrences; and, with the exception of a couple of juveniles alleged to have stoned Mrs. Marion McKinley, no one connected

with the demonstrations was arrested, nor was the mob in front of the school dispersed or told to move on.

The white enrollment at Frantz rose to a high of 23, but by February, 1961, fell to seven. The parents were, naturally, frightened by the threats levelled at them and at their children. On December 8, 1960, a list of all the volunteer drivers, together with a description of their cars and the names and telephone numbers of their owners, was circulated among the mob by the Citizens Council. Since several cars had already been attacked, the job of transporting the children to school was turned over to federal marshals, who also accompanied the Negro child to school.

A white child, son of John Thompson, an employee of Walgreen's, briefly attended McDonogh No. 19 in January, 1961. Whites picketed a Walgreen's store, and the chairman of the White Citizen's Council announced that a state-wide picket would be set up unless the boy was removed from the school. On January 31, the complete white boycott of McDonogh was restored when Thompson withdrew his son from the school and moved his family out of the city.

—excerpt from *The New Orleans School Crisis*, prepared by the Louisiana State Advisory Committee on Civil Rights, 1961.



Yolanda Gabrielle

Wide World Photo



PRINCE EDWARD COUNTY,  
1979

## “JUST SAY THAT WE REMEMBER”

BY R.C. SMITH

**Monday, May 17, 1954:** The Supreme Court handed down its school desegregation decision, and certain politicians in the South folded the corners of their calendars on the date, for opprobrious naming later on.

**May 17, 1954:** Governor Thomas Stanley of Virginia said that the Supreme Court decision called for “cool heads, calm study and sound judgment.” He promised to consult “leaders of both races” in the state.

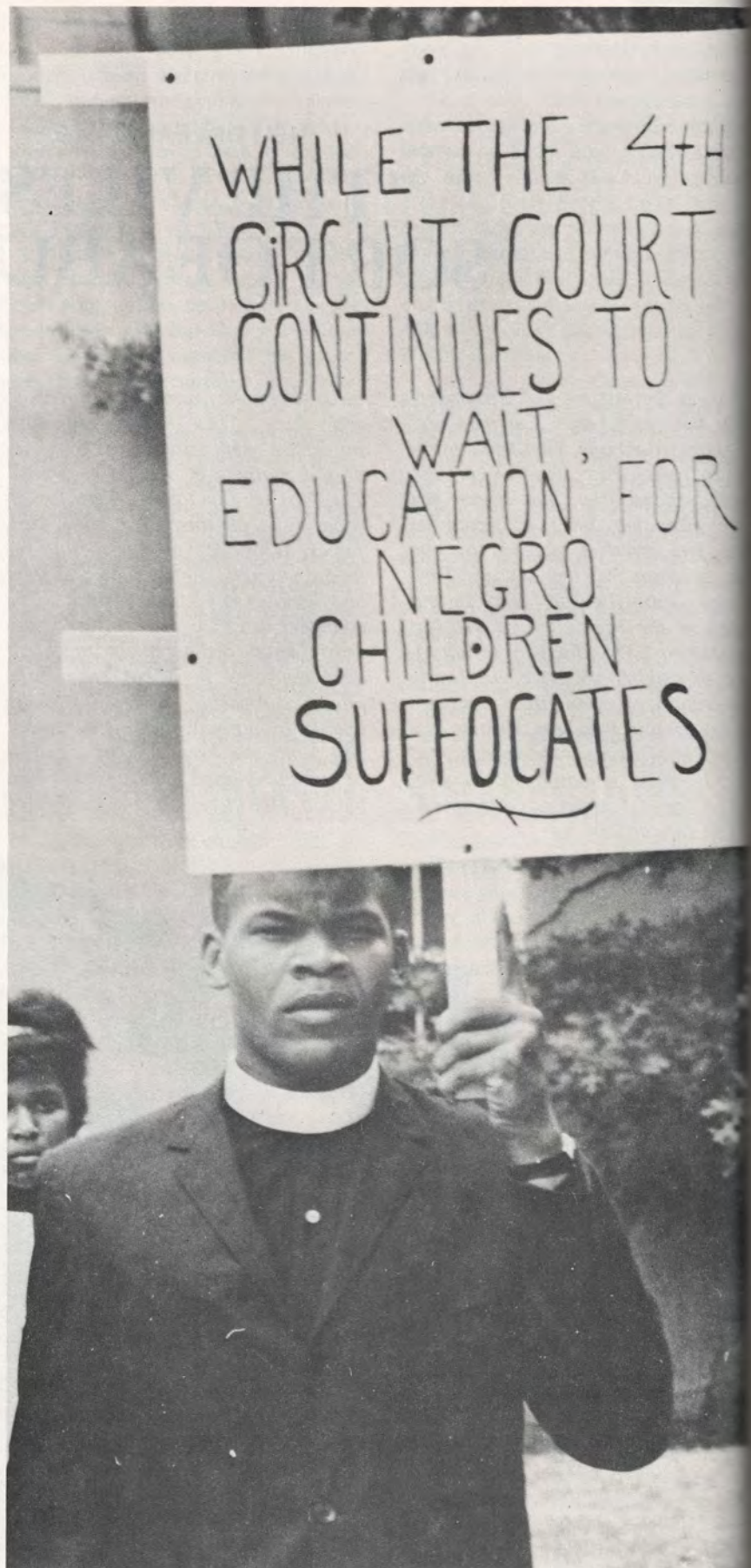
**May 17, 1954:** Officials of Richmond, Henrico and Chesterfield county schools said that they would sit tight until a nonsegregation policy pattern was formulated by the state.

**May 17, 1954:** Virginia Senator Harry Flood Byrd, leader of the Party, said that the decision “will bring implications and dangers of the greatest consequence.”

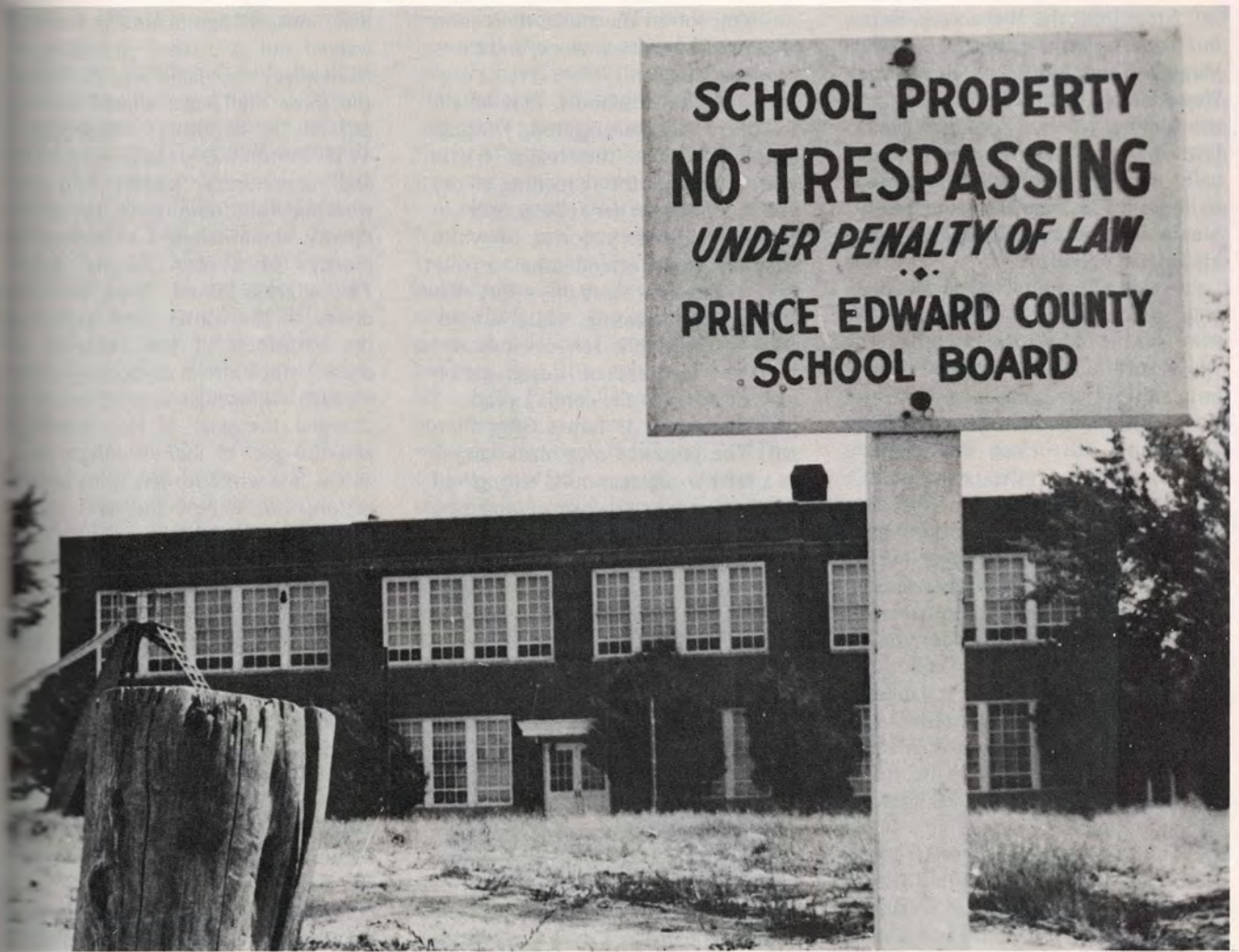
**May 19, 1954:** Governor Stanley said that he would appoint a study commission (no mention of “both races”) and that the present policies of segregation would remain in effect for the coming year.

**June 20, 1954:** Fourth District leaders met in the Petersburg fire house and declared themselves “unalterably opposed” to integration in the schools. The meeting was presided over by State Senator Garland Gray, a high Byrd official who was to be appointed to head Governor Stanley’s study commission.

**June 25, 1954:** Five weeks after his moderate statement on the Supreme Court’s decision, Governor Stanley declared: “I shall use every legal means at my command to continue segregated schools in Virginia.







*In 1959, rather than desegregate, Prince Edward County, Virginia, closed its 21 public schools, including Moton High School of blacks. At far left, Rev. Goodwin Douglas, in 1963, protests the continued school closing; at left, Rev. L. Francis Griffin and Ida Pearl Ross pray after the same 1963 demonstration.*

Wide World Photo



Step into the Weyanoke Hotel in Farmville, Prince Edward County, Virginia, and you fall through a Wonderland rabbit hole 20 years deep. The elderly "colored" man lingering in attendance by the manually operated elevator wears deeper wrinkles but exudes the same faintly Stepin Fetchit aura. He is the only black in the hotel.

At dinner among the good ladies and gentlemen — traveling tradesmen and proper townspeople, all white, white, white. Beer is served, but only by request: the waitress leans close to explain in a whisper, "We don't put it on the menu."

Prim, proper, resistant to change, this was the Weyanoke Hotel in the 1950s and now; and to a considerable extent, this was Prince Edward County, where segregationists in the "battle between gentlemen" closed their public schools for four years between 1959 and 1964. No bombs were thrown, no gunshots exchanged, little physical violence offered. Only 1,700 casualties — 1,700 black, school-age children, the great majority of whom had little formal education during that period.

The sensation of time frozen in the past was one answer to my questions of progress in Prince Edward County. "We have had some deaths," commented Dr. C.G. Gordon Moss, retired dean of women at Longwood College and leader of white efforts to preserve the public school system open to all, "but I haven't noticed any spiritual transformation."

The Reverend L. Francis Griffin, the black Baptist pastor who, following a 1951 student strike for a new black high school, assumed leadership of the black community's efforts to desegregate the schools, put it this way: "We are bringing more blacks to middle-class status, but we still don't have any control over economics; we're still the last to be hired and the first to be fired."

James E. Ghee, the first black lawyer to establish a full-time practice in Prince Edward, sounds an equally pessimistic note: "I suspect that if the same people of Prince Edward who closed the schools in 1959 were confronted with the same choice today they would do the same thing."

Yet, for all the stasis, there is an undertow of sorts at work, and there has been change.

The public schools, first of all, are open and desegregated. The segregationists lost the major battle years ago with the reopening of the public schools under federal order in 1964. The great majority of white children still attend the private Prince Edward Academy, but the constantly increasing white attendance in the public schools indicates that the process of desegregation may speed up in the coming years.

Then there is James Ghee himself. The presence of a black lawyer in a former segregationist stronghold is an element of change, and one with an exponential effect. He is involved, for instance, in the establishment of legal aid societies in a number of Southside Virginia communities. There is also evidence that the faculties of Prince Edward's two institutions of higher learning — who displayed a tragic unwillingness to aid the effort to keep open the schools — are beginning to play a more positive role in the county's life.

Each of these advances deserves a closer look. In a sense, each stems from the history of school desegregation in Prince Edward, a history as rich in civil rights activism as any in the rural South.

In 1951, the black students at

R.R. Moton High School in Farmville walked out on strike, protesting the inadequacy of facilities, particularly the three "tar paper shack" buildings put up as temporary classrooms in 1948. Moton was grossly overcrowded and community leaders had been working for some time to get the county commissioners to appropriate money for a new "Negro" school. The shacks leaked, were cold and drafty in the winter, and symbolized the emptiness of the "separate but equal" doctrine in a county with a modern white high school. The strike changed the goal of Rev. Griffin and the goal of many younger blacks and a few white leaders — to desegregation, not a new but still racially separated school. While Griffin's strong stance against segregation followed the students' action, he soon took the lead in a sermon declaring that "I know God does not desire segregation."

The Moton student strike, encouraged by progressive black leaders but genuinely a product of youthful idealism, came at the best possible time. The NAACP had just recently attacked segregation in the *Briggs* case in Clarendon County, South Carolina (see page 5). With the help of Griffin and the state NAACP, Prince Edward took part, along with the *Briggs* case, in the consolidated school desegregation suit that slowly worked its way up to the Supreme Court where it would, in 1954, make



Opening day of the Prince Edward Free School in the gym of Moton High School in 1963. Richard Moss, son of Gordon Moss, was the only white student.



1 Farm... history as *Brown v. Topeka Board of*  
testing... education.

But the Prince Edward situation  
was an example of civil rights activism,  
in a sense much more closely related  
to the sit-ins and Freedom Rides ahead  
of the 1960s than to the cut-and-dried  
negotiations of the 1950s over inadequate  
black schools. The blacks of Prince  
Edward, led by 15-year-old Barbara  
Griffin, had taken to the streets carry-  
ing crudely drawn banners of defiance.  
The fact that they were children of  
a young age posed a symbolism of hope  
for the future as much as it did redress  
Griffin's past.

Whether or not Prince Edward  
was a model for further civil rights  
activism, it was to bear a scar from the  
Supreme Court decision that no other  
community in the country suffered.  
In the years immediately following  
the 1954 *Brown* decision, local whites  
began organizing to oppose desegrega-  
tion. While some parts of the South  
obeyed the Court decisions, the  
whites who controlled Prince Edward  
turned the county into its "experiment in  
segregation." After years of preparation  
by the "Defenders of State Sovereignty  
and Individual Liberties," Prince  
Edward closed its schools in 1959 (see  
below). Attempts were even made by the  
organization running the whites-only  
private schools to buy the empty  
white public high school. The county's  
blacks, with no place for their children  
to go to school, would have four  
years in which to accumulate special  
privileges.

The residue of the Prince Edward  
county was a virtually all-black public  
school system and a private school  
for whites, funded from inside and  
outside the county, with essentially  
the same faculty as the previous white  
public schools. But, in recent years,  
there has been a slow chipping away at  
the solidity of the white position: in  
1969 only two dozen whites attended  
the public schools; now one out of five  
of the roughly 2,000 public school  
students are white.

Attorney Ghee is among those  
who think there is a good chance that  
the county's private school system is  
headed for deep, treacherous waters.  
There is, he argues, a major challenge  
to its tax-exempt status, part of a web  
of national litigation in which Prince  
Edward is enmeshed. But even if the  
system survives this threat, there are

financial problems. "I think inflation  
has been the worst enemy the private  
schools have, and if the county goes to  
100 percent of appraised value for  
real-estate taxes, you might find a  
flurry of exits from the private schools  
into the public schools."

How good are the schools now?  
You can get contrasting opinions  
readily enough. Griffin thinks the  
public schools in the county are roughly  
comparable to those which stayed  
open in adjoining counties. He also  
believes that the public and private  
schools in Prince Edward are roughly  
comparable in terms of what they  
offer and how well they teach it. "This  
county muffed a great chance to  
establish an educational model back  
in 1964. It had the chance to get



money from the government to help  
rehabilitate those black children and  
to use that money wisely to show how  
to educate kids from a rural, poor  
background... It didn't do that; it  
was a failure of imagination — or  
initiative."

Even today, Prince Edward de-  
votes a significantly smaller propor-  
tion of its yearly expenditures to  
education than do surrounding coun-  
ties. But the situation has certainly  
improved since 1962, when Prince  
Edward spent \$38,000 on education  
while neighboring Cumberland, with  
one half the population, spent  
\$435,000.

During the 1963-64 school year,  
a "Free School" for the children who  
had been shut out was operated amidst  
a certain amount of fanfare and with  
glowing claims of success by its  
administrators. Griffin does not feel  
that the school accomplished the  
success claimed. In 1964, a Michigan  
State University team studied the edu-  
cational impact of the closings on the  
black children of the county and  
concluded that irreparable damage had

probably occurred. Of the 1,700  
children involved, the study said,  
approximately 1,100 had practically  
no formal or very little formal educa-  
tion during the years the schools were  
closed. But no follow-up has been  
done since that time.

Attorney Ghee and others are  
trying to bring together these former  
students — described by Moss and  
others as "the crippled generation."  
An "alumni" association has been  
formed composed of blacks who  
would have been in either the elemen-  
tary or high school during the years  
the schools were closed. The organiza-  
tion's major goal is to establish a  
directory to help members provide  
each other with housing, job possibili-  
ties and other necessities to a con-  
stantly migrating population. In addi-  
tion, the organization provides scholar-  
ship money to needy, promising black  
students of the community to con-  
tinue their education — if they express  
a desire to return to Prince Edward.

The sense of continuity, the need  
to believe that at least some of the  
potential leaders raised in the com-  
munity will return to right wrongs,  
remains intense in Prince Edward.  
Some, like Ghee, do return. "We  
helped him get out of here and get his  
education," Griffin says, "and I  
kept telling him that once he got his  
little act together, he'd be gone and  
we'd hear from him every Christmas  
real faithful." The preacher grins:  
"He fooled us. He came back."

Ghee, who got his law degree  
from the University of Virginia,  
concedes that there was a certain  
amount of skepticism about his  
returning to Prince Edward. He was  
working in Richmond for the pres-  
tigious law firm that includes among  
its partners Oliver Hill, the NAACP  
lawyer who had much to do with the  
original Prince Edward suit that  
became part of *Brown*.

"My friends told me that if I  
came back here the folks would be  
paying me in produce and chickens,"  
he laughed. "Now they are asking me  
if there is room for them to come in.  
In a way, it's surprising, but the people  
here want service and are willing to  
pay for it."

His clients include some whites,  
and he is involved in both nonracial  
and civil-rights-inspired litigation. Of

*continued on p. 70*



PRINCE EDWARD, 1954-1959

# "OUR WHITE CASE IS LOST"

"Barrye Wall came to me on the street one day and said, 'Bob, the Negro organization of the NAACP has made right much progress in recent years. It's not the type of progress that we like, but it's done in an orderly way, legally, and with plenty of money and smart lawyers. We ought to organize the same way and see what we can do.'"

Barrye Wall — editor of the *Farmville Herald* — and Bob — Bob Crawford, laundry owner and some-

time school board chairman — joined with other Southside Virginia political and business leaders soon after their 1954 conversation to build an organization to fight desegregation. One month after the *Brown* decision, Wall and Crawford and 70 other Virginia leaders, including 20 Fourth District state senators and representatives, met in Petersburg. This meeting, known now as the Petersburg Firehouse meeting, set the tone for resistance across the South. Massive resistance was born. Five days later the resistance movement began to dig in its heels. Governor Thomas B.

Stanley declared that he would "every legal means at my command to maintain segregated schools."

In the coming weeks, meetings were held in both Farmville and Petersburg, and the new organization took its name: "The Defenders of State Sovereignty and Individual Liberty." The Defenders pledged to maintain states' rights, individualism, and segregation in the schools. In October, 1954, the organization adopted a state charter and 2,000 members. Its true strength was even greater than its numbers suggest: for example, in Prince Edward County, the Defenders controlled the local government through the organization's directors, which included the mayor,





...members, a former school board member, a newspaper publisher and a tobacco manufacturer. Virtually all Southside Virginia communities were similarly organized. The Defenders, as befitting pillars of the community, were careful to avoid violence and the extreme racism of the Klan or the White Citizens Council. Defenders statements stressed individual rights, private enterprise and a strict interpretation of the Constitution with segregation added almost as an afterthought. But, although the Defenders kept clear of the Klan's membership, greater than any example. Defenders government directors, Mayor, the

tactics — “If this community should suffer just one incident of Klanism, our white case is lost” — their goals were identical.

The attack on the public schools began in spring of 1955 when the Prince Edward Board of Supervisors voted to delay appropriating funds until the last possible moment. They met again on May 31, just hours after the second *Brown* decision ordered desegregation “with all deliberate speed.” Before a packed house, the Board approved Supervisor John Bruce’s motion to appropriate only the legal minimum of \$150,000, a fraction of the amount needed to operate the county’s schools. Hours after the Supreme Court ordered desegregation, Prince Edward became — as the Defenders had intended — the national symbol of defiance, of the inapplicability of desegregation by decree. Prince Edward would, in effect, close its schools rather than comply.

Prince Edward leaders chose “reasonable” defiance, ostensibly in support of state law and locally controlled education. More importantly, the Prince Edward strategy was designed around a long-term struggle. Even before the May 31 vote, Wall had observed that public education would have to be replaced rather than just eliminated. At a mass meeting held at Longwood College on June 7, with the heads of several local PTAs on the speakers’ platform — all acting as individuals, all staunch Defenders — the issue came to a head. The Defenders had prepared well: supporters of public schools, unwilling to defend integration, could only present a lukewarm case. The meeting ended with a vote of 1,250 to 25 in favor of Mayor W. C. Fitzpatrick’s motion to establish a private corporation to raise funds to pay white teachers should schools be closed. The implication was that the white teachers would continue teaching in new private schools. By mid-July the Prince Edward Educational Foundation, synonymous with the Defenders, had collected \$180,000 in pledges. No *ad hoc* body thrown together at the Longwood meeting, the Foundation was the end

product of careful planning by Defender leadership, based on the expectation of abandoning the public schools for segregated private schools.

When a federal court postponed desegregation on July 18, 1955, the Foundation accepted the move as a respite, but continued to hold the pledges. As *Herald* editor Wall wrote, “Its work has not ended; it has just begun.” When the NAACP sought a court order for desegregation by fall of 1956, the county responded quickly with a petition signed by 4,184 people (about 8,460 whites, including children, lived in Prince Edward) opposing desegregation; the Board of Supervisors reaffirmed its pledge not to appropriate money for integrated schools.

In September, 1958, the statewide resistance, of which Prince Edward had been a leader, reached its climax. Under state law, 12,000 children in Norfolk, Front Royal and Charlottesville were locked out of schools which had been desegregated under court decree. In January, 1959, the courts struck down the state’s massive resistance laws. Thirty black children began to attend formerly white schools in three communities. The crisis in most of Virginia was over.

But in Prince Edward, under court order to desegregate public schools by the following September, the crisis began in earnest. On June 2, 1959, the Board of Supervisors voted not to appropriate money to operate public schools. Led by Farmville’s Roy Pearson, an official of Standard Oil, the local white community — assisted by donations from throughout the United States — turned out in force. The organizational staff included a Foundation director for each school district, the president of each PTA and the local school principals. By September, the private schools, Prince Edward’s “experiment in ignorance,” were opened with a speech by Pearson: “The spotlight will be on you and your accomplishments. If we have a successful year, the hopes of hundreds of thousands will be kindled.”

Prince Edward had been a focal point of resistance since 1954. It became, after 1959, a testing ground for the new segregationist academies, a continuing symbol of resistance to federal edict, resistance to equal education, resistance to change. □



*Demonstration at the Virginia state capitol, January 1, 1960, protesting the closing of Prince Edward schools.*



*continued from p. 67*

the major civil rights issues that remain to be taken up in the courts, he lists employment first.

Ghee is not the only native Prince Edward black to return. Others have done so, including a number of participants in the original Moton school strike. One of these is the Reverend James Samuel Williams. Because Williams' mother opposed the 1951 strike, he played only a minor role; in 1963, however, while serving informally as assistant to Reverend Griffin, he was arrested and jailed along with other protesters trying to desegregate a theater and two lunch counters. Williams later spent several years in Buffalo, New York, developing special ministries — a settlement house, a VISTA program, community organizations.

Returning recently to Farmville, Williams worked with a community-based organization, but that employment ended recently, and he is looking for something to do. "One thing, I'm not interested much in preaching sermons on Sunday and then going home to work on next Sunday's sermon. I want to get involved in the issues that are important to blacks in Prince Edward — particularly employment."

He is sure that the school strike 28 years ago settled his attitude so far as this aspect of his ministry is concerned. He is disturbed only that a younger generation of Prince Edward blacks often do not know about what happened in the county between 1951 and 1964. "It's something that should be taught," he feels, "but remember, the entire mood of the nation is different now. Young people in their twenties don't even know what transpired back then."

It is certainly true that the approach to problems of a racial nature is different now than it was in the turbulent '60s. Much of the burden for action has been taken up by men like Ghee, who looks the model of conservative propriety in dress, a successful, buttoned-down lawyer. Yet the legal aid society movement with

which he is involved may have more potential for creating change than many of the highly publicized active demonstrations of the 1960s. "I can tell you this," Ghee says, "when the state bar association heard about [the legal aid societies], they went against it. I went to Lynchburg and was called a gangster for not getting the bar association involved."

The efforts to set up legal aid societies in Farmville — to supply legal assistance to poor people who would otherwise go unrepresented — is nothing new. Gordon Moss spearheaded such an effort in the 1960s with the Reverend Griffin's assistance. Moss remembers the bar association's opposition to it. Griffin remembers that opposition, too. "In all my life," he recalls with a chuckle, "I never saw so many lawyers suddenly anxious to help the poor."

The potential impact of legal aid offices is best understood in reference to the numbers involved. In Lynchburg, Danville and South Boston, legal aid offices are already open. When Farmville and Emporia offices open in 1991, there will be 15 to 17 lawyers serving the area's poor people. "Hopefully," says Ghee, "that will bring us out of the Dark Ages."

Among other activist organizations



*One of 15 "activity centers" set up for black children in Prince Edward in 1961. The center was in a small hut and had 29 pupils.*



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that are relatively new to Southside Virginia is the Fifth District Voters League. The Fifth District covers roughly the same region as the legal aid society offices. The League was created partly out of frustration stemming from a reapportionment done by the Virginia General Assembly based on the 1970 census. The aim of the reapportionment was to prevent a black congressman from being elected in the old Fourth District, a real possibility ever since S.L. Tucker, a veteran civil rights lawyer, got 27,000 votes in 1964.

The existence of the League and the legal aid offices doesn't mean that Southside Virginia is on the verge of being galvanized into a new activism. As both Ghee and Williams noted, the mood of the entire country is different now, less intense, less demonstrative. But in this less abrasive mood, one group which abrogated its responsibility in the trying years of massive resistance has finally begun to be involved in community affairs — the faculties of predominantly white Longwood College for women in Farmville and Hampden-Sydney College.

Ghee, for one, sees a sharp increase in the amount of involvement by liberal faculty members. "For one thing, they send their kids to

public schools. . . . But beyond that, there has been a member of the school board from Longwood since the schools reopened. A professor from Longwood is chairman of the Democratic party committee, which also includes a member from the Hampden-Sydney faculty. Hampden-Sydney officials have taken an active part in developing a recreation center primarily for blacks in that part of the county."

Dr. Moss agrees that Hampden-Sydney is involved, but he is less inclined to see change at Longwood. He suffered through long years of virtual ostracism while on the Longwood faculty as a result of the forthright stand he took in favor of desegregation. Asked how he is treated now that he is long retired and living as a private citizen in Farmville, he smiled. "The same people, more or less, treat me more or less the same way. Most people will speak to me now when they pass me on the street, anyway."

The Reverend Griffin thinks that the increased participation in community affairs by the more liberal-leaning faculty members of the county's two colleges is a sign of the times. "Remember, black people didn't participate anything like they should have in the affairs of Prince Edward County back then either. They now

participate maybe because whites don't react as sharply as they once did. You can go to an NAACP meeting now without anyone taking your name down. I expect it's the same with the whites — the pressure is off."

Gordon Moss still attends NAACP meetings with the preacher, but both of these men are older; Moss is retired and Griffin nearing that age. If important issues are to be resolved in Prince Edward County — employment perhaps the most striking of them — it will come as a result of the work of Ghee and Williams and other younger leaders of the county.

Meanwhile, the memory of the school closings has not entirely dissipated. The Branch-Moton Prince Edward Alumni Association is planning to commemorate the 20th anniversary of the school closings in the fall of 1979 with a meeting and major speaker.

Perhaps "commemorate," with its implications of proud or happy recollection, is not the word. "Call it an observance," says Ghee. "Or just say that we remember." □

*R. C. Smith, a former reporter with the Virginian-Pilot, authored the book, They Closed Their Schools (UNC Press, 1965), about Prince Edward County.*



Wide World Photo

First grade class in Charlottesville, Virginia, gets underway in 1958 in the teacher's home after the city's schools closed.





## “A CHANCE

I had a nigger schoolteacher in 1967, when I was a tenth-grader at LaFayette High School in Chambers County, Alabama. That was my first experience with desegregation, and one of the things I remember best about it is that somehow in the course of that year the nigger teacher stopped being a nigger and became just a teacher.

It was no small achievement, and she paid a steep emotional price; maybe there were other reasons, but she didn't return the next year.

Many white students did what they could to make Miss Oliver's life miserable, especially at the start, and I was among them. I don't think we meant it personally. But she was black and this was a white school, regardless of what any judge said, and she wasn't supposed to be there.

So what if this was a full decade after desegregation began elsewhere across the South? Our town was small and slow to change and it was, as far as I and my classmates could see, untouched by the civil rights movement. About half its 3,500 people were black, but except for the workplace and the market place, all life was neatly divided.

Even when work brought whites and blacks together, there were dividers. I worked summers on a dairy farm alongside a black teenager named Lewis Ware. We laughed and joked and played together in the fields, but when

the hay was in the barn he went home to his world and I went home to mine. If I saw Lewis uptown, I would wave and speak, but then I might turn to my friends and say, "Oh, that's Lewis, one of the niggers I work with."

What stood between Lewis and me were custom and training, the same barriers which caused half a school year to go by before I could see my black schoolteacher as an individual. The difficulty wasn't mine alone. She told me later that year, "The first time I saw you I didn't think you had sense enough to write your own name." She was referring not entirely to my physiognomy, but to the circumstances of the first time she literally saw me, which was from the bottom of a pile of hooting and guffawing boys who had spilled from a closet in the back of the classroom. We had been hiding in the closet so that when she entered the room and began to call the class roll, we could answer "here" from inside the closet. It was both a joke and the calculated first step in a series of petty harassments intended to drive her from our school.

Fortunately, most of us were educable, and she was a strong woman and a good teacher. She won some of her students over with her patience and what came to be acknowledged as courage; she won others by absorbing them in the history she taught; mostly she won by simply holding

on until her white students got to know her. It was a gradual process but by the end of the year all but a very few of her students had stopped baiting her. And that was progress.

I honestly don't know whether school desegregation in LaFayette made any difference educationally, but it did let many black and white students get to know each other on a level more real than we had known before.

Of course, some parents never gave their children that chance. By the time I was a senior, a private academy had been established in LaFayette and drew white students, first in a trickle and then a flood, away from the public schools. Today, the student body at LaFayette High School is only a little more than 10 percent white.

The private school was called Chambers Academy. Its boosters talked about quality education and keeping up standards. But the new school chose "the Rebels" as its official nickname, gray as the school colors and the Stars and Bars of the Confederacy as the school flag. The lines seemed clearly drawn then, and for many whites in the LaFayettes of the South, they still are. But during the period, school desegregation helped me make the same individual discoveries about people and about race that were being made by — or had already been made by — many other white Southerners.

It was only a symbol, but the word "nigger" disappeared from my vocabulary in 1967. Others haven't yet learned that lesson and some never will. Even in my immediate family, for instance, the word is commonly used; to avoid making trouble, simply ignore it. I recently went back to LaFayette to conduct some interviews and I found that many whites — with one significant exception — still use the term casually and, in most cases, unselfconsciously. The exception: the white students I interviewed at the public high school.

There are seeds of hope there.



# CE TO KNOW EACH OTHER”

BY RANDALL WILLIAMS

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*Rudolph Copeland and Randall Williams were seniors in the first fully desegregated class at LaFayette High School. The year was 1969. A decade later, the two met to discuss school integration in their home town. The interview was recorded at Camp Lejeune, North Carolina, where Copeland is a lieutenant in the U.S. Marine Corps. Williams also lives in North Carolina, at Chapel Hill, where he is a staff member of the Institute for Southern Studies.*

RW: Desegregation came to us a little later than in most other places. We had had a handful of black students at LaFayette High since about 1967 under the so-called freedom-of-choice plan. Then the year we were seniors, they put our two schools together. What did you expect to find?

RC: First, it's important that other parts of the country had integrated earlier and that a few black students had gone to LaFayette High before the majority came. Most of us at Chambers County Training School were getting separated with the news from the rest of the country. Plus, we were getting feedback from the few who went to LaFayette High as to how it really was. We would ask them, "Are they smart, are they good athletes, how did they treat you?" So we kind of knew what to expect. In high school at that time of course, the big thing was sports and everybody was concerned with how the integration thing was going to affect his particular job performance. I remember I was the quarterback at our school and I was really wondering, "Hey, if we integrate, I wonder what position will I get?" Because I knew there would be all kinds of opposition to my being quarterback at LHS.

RW: One thing we white students weren't very much aware of at the time was that you were coming to *our* school. We were letting you in, so to speak. What did you think about that?

RC: We didn't really want to go, for one thing. Again, we had just

revamped our athletic program, this was our senior year — we thought, "Hey, let the next group go, I don't want to go." But any kind of change is going to be like that. Nobody wants to be the first to do something they're not sure of. We didn't know what your reaction was going to be, we didn't even know what our reaction was going to be. I think that overall it went very smoothly, much more smoothly than was expected.

RW: I look back at where blacks and whites stood in terms of leadership roles, and I was looking in the yearbook at the picture of the class officers, without a single black representative and I remembered how we deliberately excluded you there by holding the elections the previous spring — when you people weren't even in our school.

RC: I know.

RW: Looking back at that I feel guilty as hell but we did it deliberately. We were thinking, we're going to fix this, we'll settle this by electing our class officers before they get here. And you knew that?

RC: Right. We expected that, but what could we do about it? Why cause so much hell about it? Everybody knew that had been done in the past, so all we could have done was to have said that the elections were illegitimate and should be done over, which wouldn't have happened and would have made things a lot more antagonistic. It just didn't emerge as a serious consideration. But I do remember thinking I should have been given a chance at quarterback. One game the starting quarterback got injured and I went in and we scored two touchdowns. I thought, "Gee, coach, what kind of evidence do you want?" I couldn't understand that. So there was that kind of syndrome. I thought, well, maybe he won't let me do it because he's afraid I'll do it better.

RW: Of course, black athletes were welcomed on the playing field in ways that they weren't elsewhere. We used to have these little post-game parties

and they continued after the merger, too, but they were very informal then and blacks were just not notified. You must have known about that and maybe you had parties of your own. There were a couple of exceptions. Donna Ramage's (now an eighth-grade English teacher at LaFayette High) parents invited the whole team out one night. But generally there was a reluctance on that point, mostly on the part of the parents. There was a social line that the parents were unwilling to cross or to let us cross.

RC: Oh yes, we knew all about that. I don't think we had a prom that year, either.

RW: Well, actually, Rudy, we did have one, but you weren't invited.

RC: Okay. Well, you see, there it is. But we expected that kind of stuff and I don't think it was surprising. Why should it be? Right now it might be different.

RW: But it must have been disappointing.

RC: It's disappointing when you expect something, when you've been doing something and can't do it anymore. But when you've never done it and you can't do it, that's different. It was clear that we weren't going to be included in some things.

RW: But looking at the situation in LaFayette, it doesn't seem that there has been that much progress. Now the school system is mostly black, there are no mixed civic clubs, no blacks in elective office, the list could go on and on.

RC: That's a reflection of the community. If I live on this side of town and you live on that side of town, there's really no cause for us to get together. It's the same for blacks who live on one side of town and those who live on the other. No interaction. So interaction of that kind has to be built around some medium where people can be and not feel threatened and uncomfortable. But as long as there is no medium, you're never going to have progress. And school was definitely a medium for us. □



# “I EXPECT I’LL GET A PLAQUE”

BY STEVE HOFFIUS

South Carolina legislators were angered and shocked with some regularity in the early 1950s by court decisions against segregated facilities and by the increased demands of blacks for equality. The Supreme Court’s decision on what the legislators called Black Monday, May 17, 1954, was the final blow. So offended were they that in assembly they declared membership in the National Association for the Advancement of Colored People a criminal act sufficient to cause dismissal as a public school teacher.

Similar moves were not uncommon in other Southern states. Also in 1955, legislators in Georgia went so far as to prepare bills that would have abolished the offensive U.S. Supreme Court and would have removed all Negroes from the state. In some contexts of the time, the South Carolina lawmakers may have seemed restrained. They did not, of course, seem restrained to those teachers caught in the net of their edicts.

In 1956, almost as soon as the ink was dry affirming the statute, 11 black teachers known to be members of the NAACP in Charleston and 31 in Clarendon County were fired. One of them, Septima Poinsette Clark, has since become a person of mythic reputation. Her own vigor, intelligence and gumption notwithstanding, she gained that reknown in no small part because of the huff South Carolina’s parliamentarians got

themselves into over the *Brown* decision.

Septima Clark’s heresy began in innocence when, at 18, she boarded a launch in her native Charleston for Johns Island, a moss-draped, isolated place then in 1916. Her first class consisted of 132 students, squeezed into a two-room, log cabin-style schoolhouse. Clark, a graduate of Charleston’s Avery Normal Institute, taught one half the students, the older ones, in one room, while an associate her own age taught the younger ones in the other. The building had a chimney built in the center with a fireplace opening into each room. Students warmed their lunches — usually oysters and grits brought in soup cans — in front of the fireplace.

The girls among Clark’s students — scholars they were then called — had to gather dried brush or grass for kindling; the boys brought in wood, usually from trees just chopped. “By the time you could get that green wood burning,” Clark remembered recently, “it was about time to go home.” On days when dried wood was found, the fireplace provided more than enough heat . . . for the students up front. Students in the back of the room remained cold throughout the day. “I never had been so cold in all my life,” she said. “My feet got so cold they were swollen and red, ‘chidding’ they called it.”

Even in the coldest weather, either the windows or door had to be left

open for light. Windows were covered only with wooden shutters; when closed against the wind, they offered no light at all. “The windows to the side where the wind wasn’t blowing were left open. That’s how the kids could see,” she recalled.

Classroom walls were covered with paper bags, provided by a Charleston dry-cleaning establishment. The bags provided enough space “to write pretty little stories about ‘We walk down the road and the trees are beginning to turn and their colors are green and red and yellow’ or whatever they were, or ‘We plant cotton and pick cotton and take our money from the crop and buy our candy.’” Kneeling on the floor with their paper placed on backless benches, students copied the sentences. Other lessons were copied from the blackboard: a wall painted flat black. Her students, Clark wrote in her 1962 autobiography *Echo In My Soul*, ranged in age

*from the beginning tots to boys and girls in the eighth grade — when they got a chance to come. . . . Some Johns Island children walked eight or ten miles a day to attend school. And while the crops were being harvested, as a rule only the children too young to work in the fields were allowed to come to school. On rainy days when no work could be done in the fields we would have a large*





Septima Clark, second from left, at Highlander Center in Monteagle, Tennessee.

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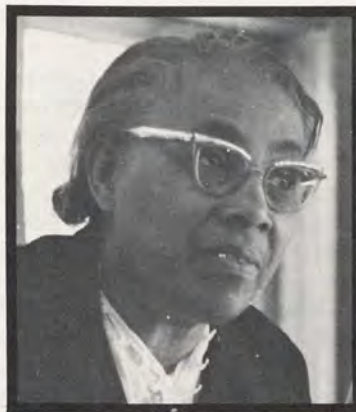
*attendance. But if by noon the sun came out, the plantation overseer would ride up to school and call for the tenants' children.*

For their efforts, Clark and her fellow teacher were paid \$25 a month. Because she was rated as a principal, Clark received an extra \$5. White teachers with the same qualifications received \$85 a month, and taught under far different conditions. "The three white teachers in our community had from three to 18 pupils each." Their schoolhouse was well lit, heated and well equipped.

Clark was able to gain all of her board and lodging for \$8 a month. "I allowed myself \$2 spending money; the \$20 I sent home. And usually with the \$2, or most of it, I bought meat and poultry that I sent home on the returning launch."

For \$8, Clark shared an attic room at the home of Rev. J.J. Jenkins and his family. The room had no heat, but a chimney ran through it, providing some warmth. She bathed in a tin tub in front of the fire down-stairs, after the family members had gone to bed. When it rained, the Jenkinses sometimes drove Clark to school. Most days she walked the three-mile round trip.

Clark taught on Johns Island from 1916 to 1919 and again in 1926 until 1929. She also taught in Hickory and Mars Hill, North Carolina, and Charleston, McClellanville and Columbia,



South Carolina. She took courses in North and South Carolina colleges, eventually earning her master's. And she joined the NAACP.

Clark first heard of the organization in early 1917 when a Presbyterian gathering brought a number of preachers to Johns Island. Many were members. They described the group's importance, and what it might do for an island like Johns. ("We had a sheriff who shot people down for no good reason, so we needed their help.") She quickly joined the Charleston chapter and worked on a number of issues, including gathering signatures to support the notion of black women teaching in the black public schools. In 1920, she explained, white school leaders decreed that only mulattoes unable to find work as domestics would teach black children in Charleston. Black parents, they claimed, would not accept black

teachers, and whites were no longer allowed to teach blacks. Clark worked on the signature drive and when the school leaders were faced with thousands of signatures, they relented. Black women began to fill the teaching slots. In Columbia, Clark worked with the NAACP to equalize black and white teacher salaries. Because of these efforts, Clark's salary tripled to \$175 a month when the law was changed in 1942. By 1947 it had reached almost \$450.

When Septima Clark was fired by the state in 1956, school officials did not point to the work she had done with the NAACP, but simply to the fact that she admitted being a member. Clark and the other teachers from Charleston and Clarendon Counties immediately contacted the NAACP, which took their case to court. In the midst of the trial, Clark explained, "The judge announced, 'We don't know all of the facts, and we'll dismiss this case for another month, and then the lawyers can bring us in new briefs.' The next day the legislature was called in," and changed the wording of the law so it simply required that teachers "list their affiliations."

Some of the fired teachers were rehired. Clark was not. She alone of the group had enough experience to be eligible to receive an annual pension of \$3,600. She got nothing. She only received the \$1,500 she had invested in the retirement fund with no interest. She wrote the NAACP for help,





Esau Jenkins, Morris Mitchell and Septima Clark at Highlander Center in Knoxville, Tennessee, ca. 1965.

but "we never heard any more; we never went back in. And I filled out a questionnaire for Thurgood Marshall, who was at the national office, and evidently it caught dust; I never heard any more from him."

Much more was heard from Septima Clark, however. She turned down several offers for good-paying teaching jobs in New York, deciding instead to stay in the South and work with the Highlander Folk School in Monteagle, Tennessee. There Myles Horton and others had developed an adult literacy program they called the Citizenship Schools. The idea was to teach disfranchised blacks how to read and write so they could register to vote. As director of the program, Clark crisscrossed the South setting up schools in beauty parlors, country stores and private homes.

By 1960, with increasing numbers of blacks successfully passing the stern registration tests, the program became a focus of Southern political leaders' fears. Tennessee officials, at the behest of politicians from Georgia and Arkansas, made their first moves to close Highlander that year. Clark and Horton, fearing the state might succeed, arranged with Dr. Martin Luther King, Jr., and his aide, the Reverend Andrew Young, who had previously worked with Clark at Highlander, to adopt the literacy program as the Southern Christian Leadership Conference's own, thus ensuring its survival. (Highlander was closed in Monteagle,

reopened in Knoxville, Tennessee, and later moved to New Market, Tennessee, where it is located at present.)

Clark continued the Citizenship Schools, which eventually prepared over 140,000 adults for the registration tests. Much of the celebrity status she enjoys today derives from the importance of the Citizenship Schools and her association with Dr. King. She was one of the few women on the SCLC board until she retired in 1970. "Ralph Abernathy demanded most every meeting, 'Why is Septima Clark on the board of directors?' And Dr. King would say, 'Because she sets up the programs that allowed us to expand into 11 Southern states and she deserves to be on our board.'" She smiled at the memory, and nodded as she spoke.

After she returned to Charleston, the awards and commendations began to appear. Dozens of magazines and newspaper articles have been written about her work. In 1975, she was elected to a seat on the same board of education which years before had fired her, becoming the third woman and first black woman ever to sit on the Charleston County School Board. That same year, the National Education Association gave her that organization's highest award, the H. Council Trenholm Humanitarian Award.

Whenever she was honored, interviewed or asked to speak, she always mentioned how she'd lost her pension when she was fired. South Carolina's

political leaders began feeling the force of her remarks. In 1976, the state issued her a check for \$3,600, the sum she was entitled to annually. The governor apologized to her for the fact she'd been unfairly fired. And every year since, Clark has received a pension check for \$3,600. But she never been paid her pension for 20 years between 1956 and 1976, and she has been paid the four percent interest she was promised when she committed \$1,500 to the retirement fund.

Today, at 80, having gotten what she believes is justice plus a measure of retribution, Clark never fails to mention what she believes the state owes her. Bud Ferillo, Jr., executive director of Research and Personnel Services for the state of South Carolina, was the last official to write her back in July, 1978. "The matter of back pay," he said, "the matter has not been resolved in your favor as of this time but it is under the consideration of the state here."

On February 23, 1978, Clark received the Living Legend Award from President Jimmy Carter. "I expect I'll get a plaque," she said shortly before she left for the reception at the White House. "I don't have any of plaques now. It'd be nice to have some money, too." □

*Steve Hoffius is a freelance writer in Charleston, South Carolina, and a frequent contributor to the magazine Exposure.*



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# "BREAKING THE CONSPIRACY OF SILENCE"

BY MARCIA KUNSTEL

Three white women sat undisturbed for five hours on an isolated bench in a roadside park off the Natchez Trace. One talked virtually non-stop, spilling out the anguish and frustration and anger pent up for maybe 20 years, telling the two strangers how wrong the dual society was, how she couldn't understand the degradation or the injustice or the violence done to black people. These were things she couldn't talk about to anybody else. Certainly not to her husband or her son or the neighbors. Certainly not in the "Mississippi Summer" of 1964.

She had insisted on the clandestine park meeting, in fact, because eyebrows would raise if strangers in a car with a city tag drove up to her rural Leake County home. What if anyone found out she was meeting with people working for school desegregation? She spent five hours of a lifetime unburdening her passion to the strangers, composed herself, and then parted as the summer sun began to draw back its angry heat. And that was all. The two city women never again saw their kindred soul from the country, but they will never forget her.



## We'd All Better Pray The Women Win

A new organization of leading Mississippi women known as "Mississippians for Public Education" is understating its case.

More properly the group could call itself "Mississippians For Education."

And the more quickly its opponents understand this point, the more quickly we in Mississippi can get on with the very, very difficult task of building and maintaining a superior school system.

"Mississippians for Public Education" is composed of the wives of some of our state's top leadership in business and industry who are in many instances recognized civic leaders themselves.

They have limited their objective strictly to keeping our public schools open. But in fact, the success of this effort apparently will determine whether Mississippi has any schools at all—public or private.

Here is our problem:

A federal appeals court in Richmond, Virginia, has ruled in the Surry County case that no state tuition grants may be made to pupils attending private schools as long as public schools are closed.

As a result of this decision, all the parents who thought they were going to get state refunds of \$300 per child for sending their children to the county's private school last year find that the money has to come out of their own pocket.

In Surry County, Virginia—the only test case in which a federal appeals court has ruled on this issue thus far—the community thus finds that it has no public school but at the same time is denied state tuition support for a private school.

As a result it now appears that several hundred white children may not have any school at all to attend this fall since their parents can't pay \$300 or more per child for their youngsters to attend the private school.

The group who have been trying to brand some of Mississippi's leading women as left wingers and Communists need to stop, therefore, and figure how they are going to operate private schools if public schools are closed.

The Virginia judge who made the original Surry County ruling reaffirmed his decision on Wednesday of this week, saying flatly that public funds may not be used to aid children attending a segregated private school as long as public schools are closed.

Thus if the Citizens Council and other groups which have been conducting the new Mississippi women's organization really want their private school plan to succeed, they should be encouraging the women in their effort to keep public schools of our state open.

For it is a poorly informed individual, indeed, who thinks that the U. S. Supreme Court is going to overrule the federal appeals court that barred state tuition grants for private classes as long as public schools were closed.

Rather than flying at each other's throats, therefore, it behooves us in Mississippi to start working together to make the best of what is generally recognized as being a very, very difficult situation. Nothing is gained by trying to brand as left-wing or Communist a group of women who are in many instances the top leaders of their community and the wives of the leading business and professional men of their area.

For if state supported education—either public or private—is saved in Mississippi, it will be done because of success of the women's group known as "Mississippians for Public Education."

If this organization grows tired of the abuse heaped upon it by groups like the Citizens Council and the American for Preservation of something or other—we forget the exact name—it may give up in its efforts to save public schools. Then the federal courts will rule that tuition grants to provide classes are illegal in every county where public education has been abandoned.

And in a situation like that, who's the real American—the group that tries to save education or the group which tries to create a situation in which all schools supported by the state in any way—public or private—are abandoned?

Should be Prince Edward County

"I can still see her face," Winifred Green says nearly 15 years later. "I remember feeling that if we did nothing else, we still provided support for some people in horribly oppressive situations." Connie Curry describes it as "breaking down the conspiracy of silence, that deadening silence."

White middle- and upper-class Southern women who worked for school integration, like Green and Curry, count such meetings as small but significant steps that helped change the climate of fear surrounding race relations in the early 1960s. In Mississippi and throughout the South, this relative handful of women talked to PTAs or church groups, traveled the dirt roads of farm communities or the black-topped avenues

of silk-stocking suburbs, looking for anyone who would listen to their words of reason and caution.

They worked through religious groups, YWCAs, Leagues of Women Voters, human relations councils, or started their own independent organizations of "concerned women." They issued pleas that their fellow Southerners eschew violence, abide by the law, and act rationally to keep the federal bayonets from baring in their schools. They appeared on television and radio shows, and put full-page ads in the local newspapers, making it clear that, yes, these were white women, often from families that were pillars of the old society, saying a new society was inevitable so let's make it happen with as little hurt as possible.



# Appeal In School Case Won't Stop Integration

"We'd go in our nice linen dresses, sit on the porch and drink tea. And we'd talk in very grave tones about what would happen if the schools closed," said Green, who was a moving force behind Mississippians for Public Education. "What we said we wanted to do was help the schools open without violence. We didn't talk about the moral necessity of desegregation, although it was believed very strongly. . . . Some said they'd like to help, but they couldn't because of their husbands. A lot said, 'You're right and we'll help you.' And some said, 'You're crazy. The races were meant to be separate.'"

So, Ms. Green, what was the ultimate effect of Mississippians for Public Education?

"I don't think you can say we alone prevented violence on the opening day of school in Jackson or Biloxi or Leake County, although opening day was peaceful. But we did supply that kind of support. We did help create an atmosphere that made white violence and unofficial resistance less permissible, and a peaceful transition to desegregated schools more acceptable. While COFO [the Council of Federated Organizations] and the kids were cracking open society on one level — challenging, confronting segregation head-on — I think we made a crack on another level in that state. Some so-called nice, white women were trying, to borrow a phrase from the Quakers, to 'speak truth to power.' Whether Mississippi wanted to hear it or not, the law was clear: it was time to integrate the schools. It just hadn't been polite to say that before. But these women said it and helped set the stage for other things to happen."

"It wasn't just a moral thing anymore," said Curry looking back to 1964. "There had been white Southern women earlier, back in the '30s fighting lynching, but among whites they were really all alone. They were considered crazy because they took their religious commitment to brotherhood so seriously. In the '50s and into the '60s, Miss Tilly with the Southern Regional Council was talking to church groups around the South. If she could get a group of black and white church women to just sit down together, that was a real triumph. Just to sit down and talk together."

"By 1964 the mood was changing. People had seen the violence when James Meredith integrated Ole Miss. The March on Washington happened, and the Civil Rights bill was being discussed in Washington. Work was going on all over the South, especially in Mississippi, and it seemed clear that change was going to come. Everyone knew they were being watched. The political realities were different, so we had not only church ladies, but women who knew something about hardnosed politics or who were just angry at the way Mississippi's politicians and leaders were handling things. Some of those women eventually got involved with Democratic party politics, like Marge Curette who organized the Biloxi area for Mississippians for Public Education. They would go visit businessmen and tell them that it would hurt the state economically if there was violence. We got some of those men to speak out, but, you know, there was still this incredible hostility and fear in the air about what integration would mean. It was unreal."

## Judge Makes Order To Mix Permanent

By WILLIAM L. CHAZE  
Clarion-Ledger Staff Writer

Acting with great reluctance, U.S. District Judge Sidney Mize Tuesday ordered school desegregation this September in Jackson, Biloxi, and Leake County. He did this by making permanent a previous temporary injunction.

The Jackson school board immediately announced it will appeal the case, but indicated the appeal would not stop the integration. The school board has further indicated the first grade will be its choice for a beginning. The court has ordered one grade a year desegregated.

**DUE WEDNESDAY**  
The court has ordered Jackson, Biloxi and Leake County boards to submit their desegregation plans by next Wednesday.

Judge Mize's reluctance to render the decision was expressed in a good many words. He said he was obliged to issue the order because of previous rulings of superior courts, although "the facts in this case point up a most serious reconsideration, and indeed cry out

for a reappraisal and complete reconsideration of the findings and conclusions" reached by the U.S. Supreme Court in its 1954 desegregation decision.

The Jackson school board, in a defense unique at this point, tacitly admitted segregation of public schools and put on the stand witnesses who said that Negro students are inferior to whites.

Judge Mize, summarizing testimony the Jackson school board had spread on the record in his court, declared this evidence was "conclusive to the effect that the cranial capacity and brain size of the average Negro is approximately 10 per cent less than that of the average white person of similar age and size, and that brain size is correlated with intelligence."

**MUST FOLLOW RULINGS**  
Judge Mize said the material was overwhelming, but that he is bound to follow previous rulings of higher courts, and if differences in learning capacities constitute a proper basis for segregated schools, "it is the function of the U.S. Supreme Court to make such a decision."

Continued On Page 14

1

In helping change the limits of Southern society, these women in Mississippi and Georgia and elsewhere sometimes broadly expanded the limits of their own lives, stepping out on radically different paths than their — or their families — ever would have dreamed possible. Others did not through such monumental personal changes. Similarly, the reasons leading to their initial involvement differed with some profoundly affected by the brutality happening in the streets of their cities, others seeing in segregation an inexplicable contradiction of their religious training, and others moved by a complex of experiences. Here are a few of the women:

Eileen Walbert, now 59, moved to Birmingham in 1947 from a small



own in Virginia. Her parents were from the North initially; they didn't give her what she called the "plantation background" of many Southerners, with a segregation mentality and black domestics as household fixtures. In fact, there were no blacks in her village and few signs of the de jure segregation apparent in other towns.

"My first impression of Birmingham was that this must be what it was like in Nazi Germany," she recalled. "People weren't wearing armbands, the color of their skin was enough to separate them out. I hadn't known about anything like that. I had no idea what was going on. I didn't realize that people were kept down by the system, that there were laws to do that. . . . Those huge signs in the streets and over the drinking fountains. It was such a shock.

"In 1954 somehow we thought everything would be wonderful. We thought it was a time to celebrate, that all children would go to school together and everything would be okay."

Everything was not okay, because nothing changed for years. In the early '50s, when people tried to carry out that mandate of 1954, Birmingham literally exploded. The Reverend Fred Shuttlesworth, a black minister, had tried to enroll his children in a white school in the late '50s and had organized community civil rights efforts. He was beaten and his home was bombed.

"Actually, my daughter was saying, 'You've got to do something,'" Mrs. Walbert said. "When the Shuttlesworth home was bombed, she wrote a letter to him saying how much she admired his courage and looked forward to meeting him and his children. . . . I remember driving down the street with my daughter and seeing a group of demonstrators. I guess they were mostly from Miles College. There was this tall, gray-haired man, a man I had met somewhere before. . . . and he was so quiet and refined and so dignified. He was the only white person I saw among them. I had thought that nice, middle-class white people didn't get involved in demonstrations. Then I looked around and saw that most of the people who were doing that probably would rather be home reading a book or something. That was a major breakthrough in my thinking.

"When I first started going to the

# 44th Negro Registered

By JOHN PERKINS  
Daily News Staff Writer

A Negro boy today registered for the first grade at Watkins Elementary School on Northside Dr., the 44th of his race to seek to attend previously all-white schools in Jackson.

School officials reported the Negro boy was the only first grade pupil today to take advantage of court-ordered desegregation here this fall.

Earlier, 43 Negro first graders, including eight at Watkins, had registered at previously all-white grammar schools. The Negro pupils were not identified.

First grade pupils were allowed to register at the school of their choice among the 38 city elementary schools.

Today, a key factor was that 678 Negroes registered at 12 Negro elementary schools, still about 500 shy of what school officials had originally forecast for Negro first grade enrollment.

Registration figures following today's session revealed that 3,170 of an expected 3,800 first graders have registered. Of this total, 1,881 are white and 1,289 Negro, including the 44 who have sought to attend previously all-white schools.

There were no reported attempts by Negro pupils in grades 2-12 to register at white schools.

An additional 176 white first-graders registered today.

Jackson school officials chose the first grade when a federal court ordered them to desegregate at least one grade this fall.

Today, registration for grades 2-12 got underway, and

late registration for first graders was conducted.

Registration will continue Thursday from 8:30 a.m. until noon and classes for all grades start Monday.

School officials Thursday will notify parents of first graders by mail whether their child will be allowed to attend the school at which they applied.

Watkins School officials reported first grade registration was down about 20 persons from an anticipated total of 90, but that grades 2-6 there were apparently enrolling the expected number.

School officials won't know exactly how many pupils will be in the Jackson Public System this year until classes start Monday, but they have said they expect first month enrollment to be 35,500, including 20,750 white and 14,750 Negro pupils.

On August 20, the date set for first grade registration, only about 60 per cent of the expected 3,800 first graders showed up.

About 1,200 Negroes failed to register, and school officials said they did not know the reason for this.

That same day, 1705 of an expected 2,000 white first graders did register, while only 610 Negro first graders showed up.

Continued on Page 10-A

Human Relations Council [at the encouragement of a friend], it was because of the brutality going on. . . . It just seemed to me that you could hardly pick up the paper without finding out that some black man was shot and killed by a policeman. . . . I can't tell you how terrible it was here. It was

so oppressive, if you didn't do something, you felt like you'd explode."

What Walbert did was help chronicle deficiencies in the black schools, work with the lawyers seeking relief for those conditions, and help recruit black children to integrate the white schools. She worked with black minis-



ters in the area, and then with the parents of student-age children willing to take the risks involved in having their child desegregate a school. "These meetings were always extremely emotional times for me," Walbert recalled. "I was constantly torn between rage and tears that they had been denied an education. There were counties then that didn't even have high schools for blacks."

She also worked to gather white support for integration and wrote letters to the newspaper, abhorring the insanity of the day. "Every time I wrote a letter I got a few telephone calls and letters, but they were not threatening. They'd argue, and I would argue back. I don't think I changed anybody's opinion, but they didn't change mine either. . . . My husband, who teaches piano, would lose a few students when I'd write a letter. . . . Birmingham had the usual little scandal sheet saying we were communists . . . and that was rather unpleasant, to have your character maligned. Your picture would be right on the front page.

"In a way I thought it was so much easier for me than even for people, like my husband, who still had to keep teaching and seeing people who didn't believe the way we did. It must have been harder for people who had to keep working in that hostile environment every day. I spent most of my time in the movement. . . . Actually, when I started getting involved in these meetings, I just sort of cut myself off from anyone who wouldn't approve. Once someone burned a little cross in our yard, but I don't think the Klan did it. It was too small for that.

"I really just sort of turned off to everybody who wasn't involved. . . . I felt more at home in the black community at that time, and safer. . . . I developed sort of a fear or apprehension of white people whom I didn't know, or didn't know how they thought. But I was with the right people and the people I cared about. It resulted in lasting friendships. They're the people I still see today."

After school integration, the push moved to voting rights and voter registration. Walbert joined with others to comb the black community for people to register, joined other whites in the Concerned White Citizens of Alabama, who staged a small march in

Selma the day before the big march of 1965 to show that not all white people in Alabama were resisters. Her activism carried Walbert into Birmingham's small anti-war movement later. But the Birmingham Human Relations Council "sort of fell apart" after the Selma march, and Walbert's civil rights activities followed suit in 1967 or '68.

"It seemed to me maybe we stopped too soon after Selma. I don't know why. Maybe everyone thought so much had been accomplished. The Voting Rights Act passed. . . . Then along came the black power movement, and I was a little sensitive about that. . . . Maybe I regret some that I stopped as early as I did."

Now Walbert has bowed out of the arena of social activism, finding most of her energy consumed by her personal life. She still supports the causes and principles of her earlier activism, but is glad to see the severity of the racism in Birmingham diminished from the intensity of the mid-'60s. "There is still a tremendous amount of prejudice and discrimination here still, but it's much better than it was."

## 2

In the 1950s and early '60s, Eleanor "Lea" Bockman lived for her Catholic faith, her husband and her children (they ultimately numbered seven). She came from one of Atlanta's prominent families, her father being a senior partner in the prestigious law firm of King & Spaulding, the professional home of presidential confidant Charles Kirbo and Attorney General Griffin Bell. "As a child we had three live-in black servants. I spent as much time with them as with my parents. Not that my parents neglected me. I think I had one of the healthiest upbringings possible in a bourgeois setting. . . . My parents expected me to think and to go to college, but I was programmed to be a wife and mother. And I fulfilled all the expectations. I married at 21, had my first baby nine months later and another the next year."

Between having babies, Bockman also did some crucial reading. She was living in Carrollton, a small town about 50 miles west of Atlanta, and the closest Catholic church was 20 miles away. She read partly to keep in

touch with her religion. She discovered Jesuit writings on social injustices and actions to relieve them. When Bockman and her husband and kids moved back to Atlanta, she began to act.

"I knew the racial situation was wrong, that I had to do something about it. . . . About this time [around 1962] there was a conference at Atlanta University [a black university complex] that a friend was going to and she said I should come along. I had never been there — can you imagine? — though I'd lived in Atlanta all my life. It was the first time I saw an articulate black woman. It opened a whole new vista to me about my prejudices." That combination of influences — the university meeting, the Jesuit works and the values instilled by her parents, helped bring her into the movement.

The Catholic Archbishop Paul J. Hallinan, a force in changing Southern race relations, actively promoted interracial discussion groups in the homes of local parishioners. The Bockman took part. Her husband's interest in the discussion groups soon waned, but Bockman remained involved, continuing social contacts with Atlanta blacks and helping find sleeping places for freedom riders or other Northern support troops. "I couldn't have them in my home. That wasn't accepted. I was still having babies."

What was accepted was being the Catholic person on a racially and religiously mixed panel of mothers put together by the National Conference of Christians and Jews. The black mother was Coretta King. Each was told to think about ways to raise children free from racial prejudice. Then they met for brainstorming on how to get the necessity of that across to people who weren't at all sure they wanted children who didn't discriminate. They solicited invitations to speak at PTAs and civic groups and appeared on radio and television talk shows.

The fear of violence surrounding school integration was not so great in Atlanta as in many other Southern cities, partly because the city's white business moguls had counted the dollar losses — both in property and image — suffered in places like Little Rock and New Orleans when fighting bloodied their streets. The Chamber of Commerce was laying the ground



...shall make no law... abridging the Freedom of speech or of the press... —1st Amendment, Bill of Rights, U. S. Constitution.

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INDEPENDENT, NON-PARTISAN, CONSERVATIVE

BIRMINGHAM, ALABAMA - FEBRUARY 8, FEBRUARY 15, 1967

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## SUPREME COURT PLACES LIMIT ON SELF DEFENSE

### Alabama Council On Human Relations Meets And Eals In Birmingham

### Ruling Causes Confusion

SOME OF THOSE WHO ATTENDED



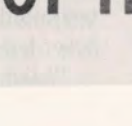
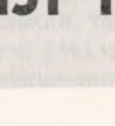
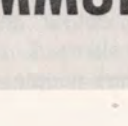
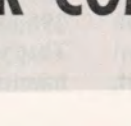
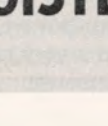
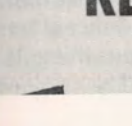
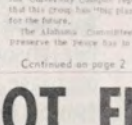
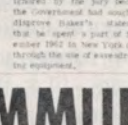
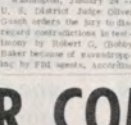
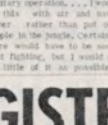
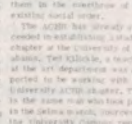
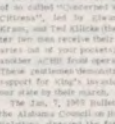
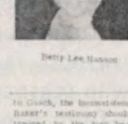
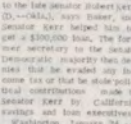
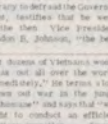
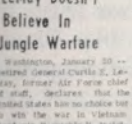
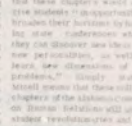
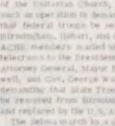
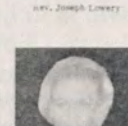
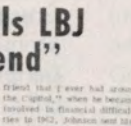
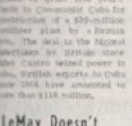
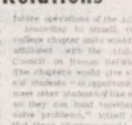
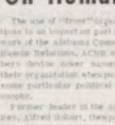
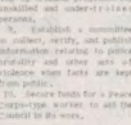
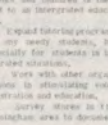
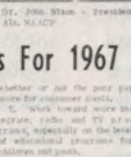
Rev. T. J. Rogers (center) was the featured speaker at the Ala. Council on Human Relations meeting, 10 p.m., tonight at the First African Baptist Church, Birmingham.



Rev. Charles, president of Alabama Council on Human Relations and pastor of First Baptist Church in Birmingham, presided over the meeting.



Bob Miller, president of the local chapter of students for a Democratic Society (S.D.S.).



### ACHR Goals For 1967

1. Help politicians to learn and white communities the positive values of an integrated education for white children, as well as for Negro children.
2. Encourage directly and indirectly the various school boards in Jefferson County to follow the 1967 guidelines.
3. Continue to inform Negro parents and children of their right to an integrated education.
4. Expand tutoring programs for our needy students, but especially for students in low-income areas.
5. Work with other organizations in obtaining more protection and education.
6. Survey schools in the Birmingham area to determine whether or not the best pay more for summer costs.
7. Work toward more integration, rather than 70-30 programs, especially on the level of educational programs for children and youth.
8. Work with other groups to obtain more employment opportunities and to working on training programs for unskilled and under-trained persons.
9. Establish a committee to monitor, verify, and publicize information relating to police brutality and other acts of violence when facts are kept from public.
10. Secure funds for a Peace Corps-type worker to all the Council to do work.

### British Aid To Cuba

London, January 31 — Earl D. Sayers, British ambassador here for the Washington Post, reports that the British Labor Government of Britain has agreed to grant the next year's aid to Communist Cuba for maintenance of a \$20-million program to provide more British aid to Cuba.

### LeMay Doesn't Believe In Jungle Warfare

Washington, January 30 — General Curtis E. LeMay, former Air Force chief of staff, declares that the United States has no choice but to win the war in Vietnam "and win it quickly." He said that there is no hope of negotiating with North Vietnam, and that the only way to win is a military victory.

### Baker Calls LBJ "Best Friend"

Washington, January 30 — Robert G. (Doc) Baker, who is being tried on charges of tax evasion, theft, and conspiracy to defraud the government, testified that he was the "best friend" of President Lyndon B. Johnson.

### More On The 'Radical Left' Ala. Council On Human Relations

The use of "radical" organizations in an effort to gain the support of the Alabama Council on Human Relations (ACHR) was being sought, according to a report by the Birmingham Post-Herald. The report stated that the ACHR is being used to gain support for the Birmingham Post-Herald.

### B'ham Independent Exclusive Third Continuing Interview By An Independent Reporter With Michael Lisanti Concerning Charges Made Against Judge Frank M. Johnson, Richmond Flowers, Joe Brock Gantt, And Others

By J. P. Benjamin  
The Birmingham Independent has published a series of articles concerning the Birmingham Post-Herald's investigation into the activities of the Alabama Council on Human Relations (ACHR). The articles have been published in a series of interviews with Michael Lisanti, a member of the ACHR.

# REGISTER COMMUNIST NOT FIREARMS



work for "the city too busy to hate," and it was working. Women like Bockman were more concerned with making integration succeed than with defusing those set on making it fail.

"The idea was to stimulate discussion. . . . If it didn't change people's minds, it made them rethink their values. At least it made them think. And the teachers and others felt supported when they had to go into these situations of explaining desegregation to angry parents. I'm convinced we made a very good impact. . . . My husband's attitude was 'Don't push things.' Doing it through the church was okay, as long as I met my other responsibilities as a mother and wife. And I could do even this, remember, only because of money. I had black women to take care of the kids or clean the house. . . . The route I had chosen [activism through the church] was bad enough. But as long as I didn't do anything to gain notoriety, it was okay. . . . I did feel the responsibility to my children. I couldn't break from my family. I was always careful not to do things that would land me in jail. It wasn't fear. But it was just not right for me to do that. . . . I wasn't an individual. I was still a wife and a mother and a daughter to all these other people. I never saw myself as a civil rights activist."

Because she did have that commitment to family, and to what her family thought was proper, Bockman didn't put up freedom riders or march in Selma or do the other, more activist things she wanted to do. The quiet yearnings were there, but for years she was able to gain sufficient satisfaction from actions spinning off the church. Within those limits, however, she met Unitarians and Quakers and persons of other faiths, whose religions had led them, too, into the civil rights movement. She added the ecumenical movement to her list of concerns, which perhaps had an effect opposite that intended. "In the middle of that, I saw each faith still said it was the best, it still had the real line to God, or its people were the chosen ones. That really made me question the hypocrisy of religion. Plus there was the problem of birth control. I was 38 and had just had another kid."

Over the years one question led to another, just as civil rights work led to

anti-war work led to women's rights work. The social circle that had been almost exclusively Catholic opened wider and wider, with expanding friendships bringing expanding thoughts about the states of world affairs as well as human affairs, about the roles of governments and of individuals in relating to each other. Black people, Bockman discovered, were not the only oppressed people. The women's movement had a profound effect.

Today, Bockman is almost another person, so far removed is she from the lady who tentatively walked into Atlanta University less than 20 years ago and found that black women can think and express themselves. At the age of

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*"I didn't like the idea that if I had a black person over, my life might be in danger."*

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56 she is a socialist — an active member of the Socialist Workers Party. She is divorced, maintaining what she considers truly good relations with only three of her seven children. She lives alone in an apartment and works as a legal secretary, supplementing her salary with a closely controlled inheritance (her father put it in a trust when he got inklings she was a socialist), and with alimony payments that Bockman considers fully justified for 30 years of service.

③

The coming of age of school integration also weaned Winifred Green from the Old South. Reared quite properly in a Jackson, Mississippi, family headed by a father who practiced law in a fine corporate firm, Green followed the expected course leading her through church and school and marriage and nice groups like the Junior League. But the course was interrupted by a drastic detour that never led her back to the old road.

"Like most middle-class people, it

was the church for me. It got me out of Mississippi. When I was 15, I went to Boston for a youth convention. I don't know if it was actually religious or the exposure to a larger world that made the impact. In Boston, first of all, I discovered that there were black Episcopalians. That really blew my mind. . . . Plus, people were talking about ideas. To learn as early as I did not only that blacks are human beings, but they're very, very smart, that was an incredible thing. . . . The church wasn't talking about civil rights in Boston. I didn't come back burning to integrate the schools and restaurants."

But Boston supplied some fodder for a curious mind. Another help and another break from her comfortable Jackson life came when Green went with her husband — she dropped out of college to marry at 21 — to a bleak military assignment in Augusta, Georgia, in 1960. "Service wives are discriminated against, so I couldn't get a job. We didn't have any spare cash. I was looking for things to do. The big high was walking around an air-conditioned supermarket. . . . When I still had those nice little linen dresses from Nieman's and my grandmother's pearls, I didn't have much else. I also had time to decide I didn't like the way things were in Jackson. I didn't like the idea that if I had a black person over, my life might be in danger."

Rather than go back to the Junior League and other socially proper activities when they returned to Jackson, Green went back to school. She did that partly out of intuition that her marriage would end soon, and she believed that she would need a degree to make it alone. At Millsaps College, a small Methodist school in Jackson, Green met Patt Derian, wife of a prominent doctor. Now she is Jimmy Carter's voice for human rights in the U.S. State Department, but in the early 60's Derian was just another older student who, like Green, had some real concern about events unfolding in Mississippi.

"She [Derian] told me there was a group of white women meeting and talking about what to do about our schools. The mood in the state legislature and in the state in 1962 and 1963 was that we'd rather close them. That was a very serious thing. It could have happened. . . . The violence ac-



got me... conserving James Meredith's enroll-  
15, I... at Ole Miss convinced me that  
vention... potential for violence through-  
lly relig... the state was great. I was so in-  
world... sad at the useless nature of  
on, first... Then I was mad as hell that we  
were bla... elect somebody who would let  
blew... happen. There were so many  
re talk... that violence could have been  
early a... mented."

re huma... The women's group met informally  
y smar... a year or so, then Derian and  
g... and a couple of others decided  
out of... needed to do more than talk.  
ome ba... They went to the town's leading lib-  
chools... she had already had a cross  
... in her yard - and were intro-  
ne fode... to Jean Fairfax of the American  
r help... Friends Service Committee (AFSC).  
comfor... Fairfax was also active with the  
en Gra... AACP Legal Defense Fund and was  
dropp... Jackson working to help prepare the  
'I - to... black community for the school inte-  
August... in the fall of 1964. Fairfax not  
vives an... only put them in touch with organ-  
could... ations like the Southern Regional  
ny spars... Council in Atlanta, but also turned  
s to de... over to the women her own newest  
ound an... worker in the AFSC, Connie Curry.

... While  
dresse... woman, but one less steeped in the  
mother's... tradition. Her parents were born in Ire-  
e. I also... land. She also had the broadening ex-  
like the... perience of a Fulbright Scholarship  
didn't... and was baptized in the fire of the  
ck pen... early lunch-counter sit-ins during her  
nger."... first job as a staff person for the Na-  
Junior... tional Student Association. Curry was  
r activ... already committed to the cause. The  
ckson... atmosphere in Jackson and through-  
he did... out Mississippi was such that Curry  
at her... usually was introduced as somebody's  
d be... roommate or sister or a friend passing  
ree to... through town. She wasn't often iden-  
ege, a... tified as being on the AFSC payroll.

"It was all very clandestine," re-  
called Curry. "Jean Fairfax and I  
would meet in the Catholic Church in  
Jackson. She'd tell me what was going  
on in the black community and I'd  
tell her about the white side of town.  
We weren't even trying to hold pub-  
lic meetings with blacks and whites  
together. People doing that - like the  
Mississippi Council for Human Rela-  
tions - were still considered mavericks.  
But there were other things respectable  
white women could do just in the  
white community."

Curry recalled her introduction to  
the group of women Derian and Green  
had brought together. "The first time I

went to Jackson, I remember it was a  
really fine luncheon at somebody's  
house. Everybody was well dressed  
and very ladylike. All I could think of  
was that this could have been me if  
I had gone the traditional way of  
Agnes Scott College [where she grad-  
uated]. It was funny, to tell the  
truth. I was perfectly at home, but  
I thought if they really knew I had  
been on the SNCC board or if they  
really knew what all I had done...  
I really respected the group. I would  
read the papers and listen to the pol-  
iticians and think, 'No wonder these  
people feel the way they do.' They  
were given no options."

This small band of women had  
decided there were options, and took

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*This small band of women had  
decided there were options, and  
took it upon themselves to  
convince other Mississippians.*

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it on themselves to convince other  
Mississippians. They organized an of-  
ficial group, calling themselves Missis-  
sippians for Public Education, and  
began, in the words of Curry, "giving  
the impression that we were a strong  
organization." They put up billboards  
urging parents to "send your children  
to public schools." They contacted  
ministers, businessmen, editors and  
other community leaders to help fos-  
ter a mood of moderation and respect  
for the law. They published a pamph-  
let, "A Time to Speak," and distrib-  
uted it all over the state. In the weeks  
before school opened in Jackson,  
Green and Curry passed it out door-  
to-door in the white neighborhoods  
with children who would be attend-  
ing integrated schools. They ran full-  
page newspaper ads basically outlining  
the choices: there could be either a  
peaceful opening or a violent closing  
of the schools in the fall. It included  
a coupon to be returned by those  
wanting more information on how to  
achieve the former. From the ads and  
from word of mouth, the women  
found others willing to preach the  
need for rational, reasonable action.

"In the spring and summer of '64,  
Connie and I traveled all over the  
state, finding people... This was the  
'Mississippi Summer,' you know. In  
my opinion the reason we didn't have  
more harassment is because the people  
who would have harassed us had what  
they felt were more important things  
to do." Like resisting COFO. Or har-  
assing SNCC workers, even killing  
some summer workers - Chaney,  
Schwerner and Goodman were the  
most famous. Occasional negative re-  
actions were inevitable, such as when  
the White Citizens' Council would put  
Green's phone number on its "dial  
the truth" hot line, a recording that  
told whom to call if you wanted to  
talk to one of the troublemakers.

There were other personal pressures  
on Green. "I went through several  
stages with my parents. There were  
periods that I couldn't go into their  
house. I expected it. But very quickly,  
after it became known to my family  
and friends that I not only was against  
segregation but was going to do some-  
thing about it, I had a whole new fam-  
ily of friends. The movement provided  
a whole social scene."

The movement also provided a life's  
work. After the schools opened that  
fall, Green left Jackson and her mar-  
riage. In Atlanta she worked for the  
Georgia Council on Human Relations,  
recruiting black children to integrate  
schools around the state, then joined  
the AFSC for a three-month assign-  
ment finding out what happened to  
black children (and their families)  
who desegregated Alabama schools.  
A brief stint with the Southern Re-  
gional Council followed, but Green  
shortly landed a permanent spot with  
the AFSC, and has been there ever  
since.

At the age of 41, she still is trying  
to make schools comply with the laws,  
as director of the organization's  
Southern Education Project, but now  
the battle includes other fronts; stop-  
ping sex discrimination is an important  
part of Green's work. Right now she is  
doing it back in Jackson. □

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*Marcia Kunstel has been a news-  
paper reporter in the South for eight  
years and is currently a general assign-  
ment writer for the Atlanta Journal.*



# “WHAT IS HARVARD DOING HERE?”

BY PAT STEVENS

*“I want to disassociate myself from any idea that this is a sacrifice. I see it as a job of enormous reward,” said John Usher Monro, Dean of Harvard College, in 1967 on the occasion of announcing his resignation from one of the most prestigious jobs in American undergraduate education in order to become Director of Freshman Studies at Miles College, a small, non-accredited black college in Birmingham, Alabama.*

*At Harvard, President Nathan M. Pusey expressed regret over the loss of “a great Dean of the College who was among the first to seek out submerged talents among the nation’s youth and bring them into the great stream of higher education.”*

*John Monro was born in North Andover, Massachusetts, December 13, 1912. He worked his way through Phillips Academy at Andover, Massachusetts, and was a scholarship student at Harvard. His background includes newspaper work and 21 years as an administrator at Harvard College. In 1967, Monro received the honorary degree of “Doctor of Humane Letters” from Harvard University with this citation: “A man of conscience and character, during nearly three decades he has helped Harvard College serve the aspirations of her sons.”*

*Dr. and Mrs. Monro now make their home in Jackson, Mississippi, where in September, 1978, Dr. Monro joined the faculty of Tougaloo College. The following interview by Pat Stevens was conducted in December, 1978, in the Writing Laboratory on the campus of Tougaloo College.*

I think of myself as a member of the higher education profession; that’s where everything begins. I had certain ideas about what colleges and universities ought to be doing, and because of their power and wealth, they’re enormously powerful institutions in our society. We keep talking about this being a society of equal opportunity, but it really isn’t; our institutions, it seems to me, ought to work on the side of equal opportunity and not on the side of reinforcing privilege.

I really got into this after the war when I came back from the Navy and went to Harvard, and I was working with the veterans’ admissions to start with. James B. Conant, Harvard’s president, had been one of the principal sponsors of the GI bill that Congress and a lot of people were opposing. Conant sponsored it on two accounts. One was that we had this enormous deficit of education, thanks to the men having gone off to war, and hardly anybody was in college. You owed it to the veterans anyway. They had to get their lives back in shape and their careers in order. And finally, Conant was a profound believer in the democratization of the university, and the power and importance of the school system.

At the peak of our operation, we had about 12,000 students at Harvard, of whom 9,000 were veterans, in all of our graduate schools; this would have been about 1947-48. I guess people who lived through that would tell you still that there was never a time like that ever at Harvard or any of the other universities. I mean such motiva-

tion, such energy, attention, more students, you know, guys that we had reasons for being there, and we paid attention, and it was an extraordinarily vigorous time. But it was also a very democratic time, before all these guys across the board for federal aid to come.

So we all learned a tremendous lesson and when that was over, my assignment was to work on the scholarship program of the college and admissions for the college on the civilian side. There were some realities that struck me and my colleagues there right away, namely that we had 1,000-1,100 freshmen, and we would have had four or five black students at the college, and if we were anywhere near national percentages we would have 120-125 black students. The disparity was just too big for us to ignore. So we started trying to do something in 1950. I remember very well going out, trying to see what we could do about recruiting black students at Harvard College. And it was so pathetic. We didn’t know anything about it; all we knew was that Harvard or other Harvard was not contributing in any way to the solution of this age-old problem of providing education, and we were talking about deprivation, and we were talking about admission and financial aid and so on of the college, and we were talking to do something about it. Well, it went on for some time. I was in Chicago. I went to all the high schools in Chicago, the black high schools in Chicago, and traipsed around with skeptical principals. “What are you doing here?” and all the rest of it.



thing. "What is Harvard doing here?" But we attracted a few students, and they did well, but then it was a very inefficient operation, so we finally hooked up with a thing called the National Scholarship Service and Fund for Negro Students, which was operating in New York. Inevitably we gravitated toward them and they toward us, and then we really began to cook because they had a national system for identifying black students and they were interested in our interest, and it took us three or four years, but ultimately we threw in heavily with them, and I became very much interested in this.

I was given charge of the Harvard financial aid program in the early 1950s and worked on this very hard on the Harvard scene but also on the national scene, working to help start up college scholarship service and to establish a uniform basis of need which is now used for federal scholarships and college scholarships across the country. Some of us worked on that real early, and I got very much interested in the responsible distribution of scholarship-financial aid funds to people who needed it the most.

Well, all of this was the best statement I knew how to make about this problem of using the universities and colleges as a way of opening up opportunity. But it was a very limited thing, and the longer I stayed with it and the longer I studied it, the more convinced I became that Harvard was doing the best it could and doing very well relatively speaking, but I wasn't really satisfied with my own participation in it. I got more and more interested for various reasons through the foundations and contacts with black colleges, and most particularly with Miles College in Birmingham, which had just in 1962-63 changed management. The new president was a marvelous man named Lucius Pitts who took over at just that time. The college was a broken-back college just ready to go out of business; it was unaccredited, losing students, had a student body of 300-400, a budget of \$250,000 a year, and was really in terrible shape.



*"There's no question this has been the richest experience in my life."*

I met Lucius Pitts in 1962; he was then head of ATA, which was the American Teachers' Association, the black teachers' group, the analogue of NEA. And he and I did some things with ATA, and this really began to get me into the South. Then he said, "Well, you know, I've taken over this college. You'd better come over and see us," so I did in the late summer of 1963, which was the summer of the big disturbances, of the Martin King demonstrations in Birmingham. Well, Pitts and I got along fine, and I could see what he was struggling with, and I was struck by the potential of Miles College.

At that time at Miles College there were — and this really played into my concern — there were 3,000 black boys and girls who graduated from Birmingham and the county schools every year, and there was no four-year college for them to go to except Miles College. Everybody else was segregated. If a kid had money enough to go 50 or 100 miles away to college, he could go to another black school — Talladega, Stillman, A&M, State, but there was nothing in Birmingham for that whole population except Miles College. And yet it was busted, and here was this gallant guy trying to put it together.

Miles had had a fairly conservative management with respect to civil rights, but Pitts got there in the spring of 1962 and his first statement to the students was, "You know, if I was at your age feeling the way I do, I would be downtown demonstrating. Why aren't you doing that?" And they looked at him, and they couldn't believe it. But he said, "I'm serious. It's a new day, and at your age you should be pounding on the city, and on the power structure, and so let's go!"

So they did. And as a matter of fact those students initiated the boycotts in the spring of 1962 of the downtown merchants at Easter time which really opened up everybody's eyes to what could happen. They worked through the churches, and they had about 500 black churches lined up, and they just killed the downtown market. Black people just didn't go downtown at the Easter of 1962. So everybody woke up. Martin King woke up and said, "Hey, Birmingham's getting ready," and so a year later King came in, but it was the Miles students with Pitts behind them that set things off. When he did this, he shut down any aid he was getting from local people. He told me, "We're broke, but our souls are in good shape." That's the kind of guy



he was.

So after we had some exchange, he asked me to come down and be a consultant to the faculty in the development of the freshman curriculum, and I told him I surely would. So I began to spend time in 1963, more and more time, working with the faculty as a consultant, committee work, and then I began teaching in the summer of 1964 as a summer exercise. I got Harvard's permission to do this and came down, and this was the summer of the civil rights activity anyway, and we brought a student group down from Harvard, and we had them set up reading centers with the Miles students across the city and so on, and one thing led to another.

It started when I was 50, in 1963; I'm now 65, going on 66, and there's no question this has been the richest experience in my life. I'm just so grateful to have had a chance to get a little bit straightened out on this whole issue of race, particularly. I was fortunate enough to enjoy this extraordinary friendship with an extraordinary man, Lucius Pitts. He's one of my great heroes; he's now dead, but he was a great man, and it was marvelous to work with him as long as I could.

It was so fascinating. I was looking at kids who then, as now, had tremendous ability and really second-rate schooling and preparation. An interesting question was — you know, first-class kids in every way, intelligent, superb human beings — was there any way in which you could shake them up and get them off to college and connect up for them? And there surely was. The black colleges were doing it, so one thing led to another, and I worked there summers of 1964, '65, '66, each time developing a little more. In 1966 I remember we had an Upward Bound program which was the first year of the Upward Bound program, and the Harvard students helped me to put that together; they saw the possibility and wrote it up and so from my desk at Harvard with the Harvard students, we put that program in

shape.

It was so clear that I was putting more and more time in on Miles that Pitts finally asked me the right question, "Well, here I am and here you are; why don't you come on down and run the freshman program?" And I said, "Well, I thought you'd never ask." So I told him I'd have to give Harvard a year's notice, but all of these elements went into my decision. One, this profound conviction about what America is all about, which is equal opportunity. Second, the sense that the higher education institutions have a grave responsibility here. Third, that by and large they are not doing well at it, and they're doing better now, since the black revolution of the 1960s, but not near enough.

You take, for instance, big state universities across the country. The major state universities are only five percent black — that includes the South, you know, where the black population runs 34-40 percent. This is the reason for the *Adams-Califano* litigation now, to force the state universities to begin to desegregate really. You've got segregated higher education systems in this state and Alabama and Georgia; you've got black colleges that are 100 percent black and you've got white colleges that are 95-100 percent white, and you don't have much in between.

There is nothing that prevents the big great state universities with all their resources and all their money and their connections from doing a most remarkable job of working with black youngsters or minority youngsters of any kind. The only thing that prevents them is, first, they don't particularly care about it. I mean the faculties are off on some other thing. Second, the tradition running through our whole society is institutional racism anyway; they don't want to do it unless they have to do it. Third, the students are badly prepared. There's no two ways about it. And that's true not only of black students but of white students as well, in our high schools.

But the pieces are all in place now. None of these problems is insur-

mountable. The message I'd like to get across, above all else, is that there being kept out of the major colleges by tests and attitudes and the rest of it, are hundreds and hundreds and hundreds of able black students who can perfectly well do the work and who may not need remediation work at all but who may need some, but the kind of remediation work they need is well understood and is all institutionalized and functioning very well at places like Tougaloo and the junior colleges and community colleges. They knew at the City University in New York when they went to the open-door process that there were literally tens of thousands of youngsters in underprivileged situations who can do this work even with the preparation that they have, provided that the college get itself together and make up its mind it wants to do it. And the whole point of *Adams-Califano* is really to require a commitment, and I'm embarrassed in my profession in American higher education, that it should have happened in this way. I just can't tell you how embarrassed I am to find that the great institutions of higher learning in this country are on the wrong side of a federal suit to do the job that they ought to be doing.

If the *Adams-Califano* case pushes administrators into building statistical records, and turns into a kind of revolving door situation, that's murder, just murder, because what they'll do is run people through the front door and count them, and get them out the back door. You have to have a very solid, sensitive program of special work. We know how to do it now, a lot of people know how to do it. Here's one of the best books on the business, Mina P. Shaughnessy's book on *Errors and Expectations*. This is a product of the work that was done when Mina P. Shaughnessy was head of the remediation English work at City University in New York at the height of their open-door process, and she's one of the great teachers of English in the country. What she wanted to make a systematic study of was



I like to... that out... the main... s and all... and hum... le black... ll do the... eed any... who ma... ediation... erstood... id func... ougal... munity... ity Uni... ey were... here an... young... ons who... the bat... rovide... her and... o do it... Adams... e this... sed for... higher... ve to... n't tell... d that... arning... ng end... o that...

the problems are, classify, categorize the problems, and figure out pedagogical solutions. And she got up this little book, *Errors and Expectations*, which is a real Bible for us in this because it's so beautifully done and so compassionate, humane and humorous a book.

Another thing you have to do is to modify the admissions process, and there are colleges that are doing that, doing that very, very well. The tests tell you something, but the test doesn't tell you everything by any means, and I say this as a former trustee of the College Entrance Examination Board, one of the main figures of the college board history in the past in lots of ways, and so I'm well aware of the tests and their value.

What tests do is give you an efficient way of identifying a pool of people who are apt to succeed in college. Here is the human pie and here are people who score high on the tests, and if you take your students out of that area, the chances are that they are going to succeed. The chances

are better that they are going to succeed than if you take them from out here, see. The only trouble with that, as everybody knows who has been in the admissions business, is that this is an alumnus' son, and this is a football player, and this is the millionaire's son, and this is the son of a board or faculty member, you know, you take them and they also do very well. An interesting thing is that the percentage of failure in that group is about the same and the dropout is about the same, as in the other group. It may be that the percentage of students with honors is not that great, but actually the people can do the work.

So when you exclude people simply on the basis of the test, you are excluding a whole lot of people who *can* do well, but you don't have any categorical way of finding them. And if you're dealing with a big admissions process efficiently, you need a categorical way of doing it. You can say this pool of people that promises success is very high. Out here the

promise of success is uncertain. That's the difference.

Now it turns out that black kids are out here by the thousands. They don't do particularly well on the test, but they're going to do well in college if you get them in. And if you give them a hand. So what follows from this is that if you use tests, I have no problem with that, but you had better also have some other mechanisms besides the test for making your decisions; and you don't have any firm cutoffs: you modify. There is really no double standard involved. It comes down to the fact that colleges have always adjusted their admissions standards to achieve the kind of community they want. Everybody understands, you know, that the University of Alabama has, what, 40 scholarships to award to football players. Everybody in the University of Alabama understands perfectly well when they bring on a basketball team and the whole basketball team is black. Which means that you had to set aside five places or 10



photo by Gill Ford

*"The disappearance of the black college might all be very well in a society clean on the issue of racism, but it's hard to contemplate in a society which is full of institutional racism."*



or 15 or whatever black places to get that basketball team. And nobody complains about it. But if you turn the thing around and say that this applies equally from the university point of view, to have an integrated student body in which you have a significant representation of minority students, then everybody gets in an uproar, and my feeling about this is that what you're looking at here is subliminal racism, I can't help but say that. I think that the overwhelming need of this country is to get over white supremacy in this crazy world. I mean, you cannot live on a basis of white supremacy anymore. The world is not white; the world is two-thirds colored.

The other aspect of this, besides admissions, is a sensible program of remediation which takes account of whatever shortcomings the kid may have. If you decide he's a smart kid, a motivated kid, doing pretty well on exams, but he may run into trouble in the formal program at the college, then you need an intermediate stage of some kind to work him through, and that's not hard, particularly if you put him in the hands of, say if it's a black student, of some black individual on the faculty or counseling staff who really knows his way around, somebody he'll believe. A black counselor can say to him, "Look kid, you've got to have this. Let me tell you about this place." If the white counselor tells him, he won't believe it because the student is a stranger in a minority scene. This is the importance of having black individuals on the staff, in the dean's office, on the counseling staff and the faculty who know the scene and can help with the credibility, help not only establish programs. Of course, this is one of the major failures of the major universities, that they have a wretched record, most of them, on affirmative action in their own faculty and staff.

In that context of institutional racism, I want to say something more here about the importance of the black college, as an open door for black students, with special attention to their needs. I've made the analogy

to women's colleges in this respect, and also Catholic colleges, Brandeis University and what not. The analogy works very well, I think, that women's colleges were set up at a time when men's colleges wouldn't let them in and when women wanted a college education, so you had these great women's college getting started. And similarly the Catholic colleges such as Holy Cross, Boston College, Notre Dame and Fordham got started when Irish Catholics couldn't get into colleges. Also these colleges, the women's colleges, the Catholic colleges, the black colleges, are repositories of special points of view; that's important in education. Women's colleges can, and often do, deal very specifically with the role of women, the special educational needs of women, especially, say, in preparing women for the career patterns that women have to go through, this whole business of how do you raise a family and have a career too.

Also, I learned from my younger daughter, a women's college is an institutional strong point for women; it's her reference point. My reference point is Harvard, but hers is Mount Holyoke, and she chose this. Long before she ever went there, she decided she was going to a women's college because all of her life she was going to have that as a reference point. And she didn't want to have a reference point that was 60 percent male.

The whole business behind the black college stands on the same thing. I'm a black student. I may have all the offers in the world, but I may want to go to Tougaloo because that's my reference point, and our business here is partly to lay out the whole truth about what's happened to the black community in this country, and where they go from here. In a constructive, thoughtful, hard-nosed way, what are you going to do to cope with institutional white racism in the United States? And you have to deal with that. And you can deal with that in a sensible, rational way and you certainly have to.

So the black college now, and for

the last 100 years since emancipation has been one of the most important institutional strong points in the black community, not only in terms of opportunity for students, but also in terms of being an institution, and you're not institutionalized in this country, you're nothing. I mean, you've got to be in a labor union, the Democratic Party, the ROTC Club, you know, heaven knows what. But this is the name of the game in our country, to get yourself organized and the black community is not organized, fundamentally, relative speaking. They've got churches; on the national level they've got the NAACP and the Urban League, sort of, but in terms of the interlock of strong institutional — I mean, take Harvard University as a great white power center, with over a billion dollars in endowment, and cross connections that run out; the old boy network from Harvard goes into Wall Street into politics, and so who you know and how you get along works through networks, and the black community just doesn't have it. And you've got to have it. And so the black schools used to be, in terms of prestige, influence, institutional community matters, all this stuff, prestige, role models and all the rest of it. The reason people are interested about the possible diminution and eventual disappearance of the black college is that that may all be very well in a society which is clean on the issue of racism, but it's hard to contemplate in a society which is full of institutional racism. And so the black people in this country need institutional strength to fight their battles, and this is one of the places where they get that strength here at the black college. □

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*Pat Stevens, of Jackson, Mississippi is the Gulf Coast area faculty coordinator for the Goddard College Graduate Program, and teaches in the Community Enrichment programs at Mississippi College and the University of Southern Mississippi, Gulf Coast campus.*





SECTION III

AGENDA FOR THE 1980s





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## FOCUS ON THE CLASSROOM

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By Frank Kunstel

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Vietnam is not the only place where America has measured success by a body count.

In school desegregation also, a preoccupation with numbers of people has obscured more meaningful goals. The feat of getting black and white students into the same buildings has required extraordinary efforts, but even as Southern schools have achieved the proper "body count," it has become apparent that gathering people in the same physical space is not enough. Attention is shifting to what goes on behind the classroom door — the information taught, the methods used to teach it, and the way students and teachers interact, all of which come under the broad category of curriculum. What has desegregation actually accomplished and what remains to be addressed in this crucial area?

The pace of any educational change approximates that of a wounded turtle. The oldest readers of this article could walk into most classrooms in the country and find things nearly the same as when they were students. Desks are still in rows facing the teacher's desk at the front of the room; instruction is generally teacher-directed, whole-group-centered and textbook-oriented; and the object of education is still the acquisition of knowledge. Some teachers are genuinely concerned that students develop emotionally as well as intellectually, but tests and texts still focus on information. Given these basic facts of educational life, any curricular change is noteworthy.

The changes under desegregation

are perhaps more remarkable since they have come so quickly and without a consensus among those doing the changing. Racially mixed enrollments came only around 1970 in most Southern schools, and since the first two or three years in most systems were occupied with adjusting to the procedural aspects of desegregation, attention to curriculum has developed only within the last five to eight years — a fleeting moment given the pace of educational change.

In those few years, educators have sought different, often conflicting, goals through adjustments in the curriculum. Those who seek justice and equality have promoted the inclusion of black history, interracial contact through small-group work in class and the study of social problems like race relations and poverty. Others, who may reject the notion that the school's curriculum can promote racial harmony in the broader society, focus more narrowly on improving the achievement scores of black students through remedial programs. For these people, black history courses are generally irrelevant, and interracial contact among students is left to happen — or not happen. Still others have maintained a focus on the body count, some as a form of passive resistance to further desegregation. Taking as their guide a landmark study popularly known as the Coleman Report,<sup>1</sup> this group believes that black students performed better academically when placed in classes with whites, leading to a preoccupation with how many of who goes where. New subject

matter, small group activity or special classes are not important. Just the right mix and learning will take place.

Given this diversity of goals and facts of educational life, it is not surprising that no single thread unites various curricular changes since Brown. It is also not surprising that an ambivalent picture emerges as one analyzes the changes since 1954. What seem to be minor changes have occurred against great odds. What seem to be major changes have made very little difference. There is a simultaneous progression and regression.

How well, on a school teacher's scale of A to F, have these changes improved the quality of education for all children?

**Interpersonal relations.** Perhaps the most noticeable curricular change has been the improvement of race relations in the classroom. Vignettes such as the one in which a primary grade teacher had white students use finger-paint first so they didn't have to put their hands in paint touched by blacks are rare these days in the South. Blacks and whites work together on class projects. They form friendships. According to a national survey conducted by the U.S. Commission on Civil Rights, "students ... consistently adjust to school desegregation in a positive manner."<sup>2</sup>

The adjustment is not universal, however. For some students, the increase in contact between races has only reinforced their prejudices. Some fights break out between students who



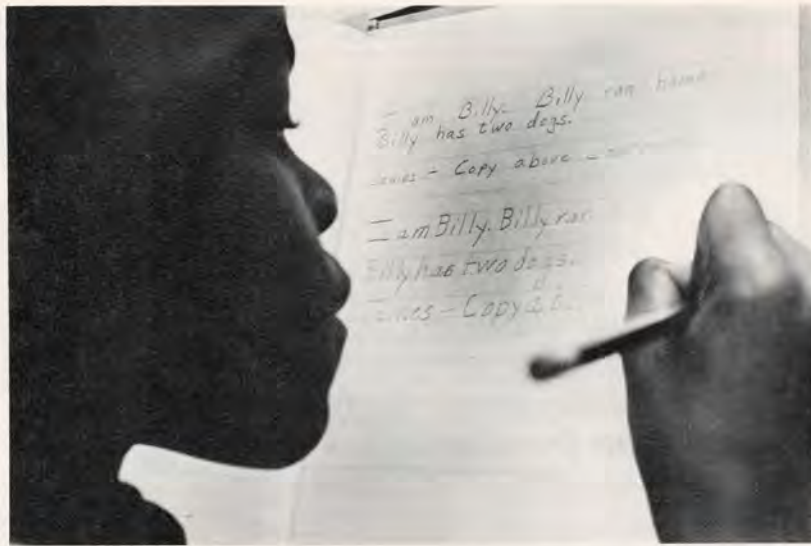


photo by Billy E. Barnes

happen to be of different races; others break out *because* the students are of different races. And in many classrooms, lunchrooms and gyms, there is a rigid voluntary segregation in seating patterns.

More significantly, problems still exist in relations between students and teachers. White students occasionally complain of a black teacher who tries to make them feel personally responsible for all the injustices inflicted on blacks since time began. Research suggests that racial differences affect the amount of praise or criticism a teacher gives students, the kinds of questions asked students and the amount of time spent waiting for an answer.<sup>3</sup> For example, teachers tend to ask white students more questions that require the student to create a thoughtful answer, while they tend to ask black students more questions in which the student merely chooses from a set of answers. While this kind of verbal behavior is not in the same category as a racial slur, students notice. Little wonder both black and white students identify whites as the best students and the ones most often called on in class, and identify black students as the ones who do not get to say much in class.<sup>4</sup>

If a report card were being issued, the subject of interpersonal relations would likely receive two grades — a B for the progress and a D for the problems created. The two grades should not be averaged into a C, for that would obscure both the meaningful growth that has occurred and important weaknesses that require attention.

**Remedial education.** Probably the most common program change instituted in Southern schools since desegregation is the use of remedial classes in reading and math to help black students “catch up” to white students. Through Title I of the Elementary and Secondary Education Act (ESEA) and through the Emergency School Aid Act (ESAA), the federal government provides substantial amounts of money for remedial classes. Their colorful decorations, low student-teacher ratios, carefully maintained student records and abundance of learning materials contrast markedly with the more meager conventional classrooms. Typically, participating students visit a reading or math lab several times a week, where they receive special lessons (usually “canned” materials purchased from educational publishers) designed to meet their previously diagnosed needs on an individualized basis.

There are, of course, variations on the theme. Federal funds are not restricted to reading and math; sometimes special teachers visit the regular classroom rather than withdrawing the students; and individualized programs are not always used. But the general theme persists. This entire approach violates the teacher-directed, whole-group-centered, textbook-oriented tradition of instruction, which may be why it frequently works. Remedial classes do not always produce astronomical gains, but many school districts have significantly improved the reading and math achievement of participating students. And the very

existence of the classes is a symbol to many parents that the school is committed to helping students.

But there is another side to this coin. Kids learn quickly that special classes are for the “dummies.” It is embarrassing to have to walk out of a classroom in front of other students to go down the hall to a “special” class. Further, some instructional materials reinforce the notion that the students are simple-minded. A fourteen-year-old gets “turned off” right away when confronted with a reading assignment about a second-grader who visits a farmyard. Other materials force students into a dull routine of completing a work sheet, having the teacher check it, then moving on to another work sheet.

An additional complication results from the improper assignment of students to the special classes. Generally, assignment is based on the student's grades, standardized test scores and teacher recommendation. Test scores and grades frequently have a built-in cultural bias; their use often results in predominantly or entirely black classes, creating resegregation within the school. In schools where the teacher's recommendation carries the most weight, some teachers use the remedial classes as a dumping ground for students who may be bright, but who cause “behavior problems” in class.

Another criticism of special classes maintains that they are based on a racially biased idea of “cultural deprivation.” This idea, used extensively to convince legislators to fund remedi-



***“Confronting the racial and class biases in traditional instruction methods may prove as difficult as moving students from one school to another.”***

al programs, assumes that children from low-income and many minority families do not receive the adult stimulation at home which helps develop thinking and language skills.<sup>5</sup> Critics now argue that this assumption devalues the interactions that occur in black families by identifying cultural differences with deprivation.

Even where the remedial classes are not based on a notion of cultural deprivation, they may be a way of avoiding the real issues of desegregation. By providing special classes for low-achieving black students, educators can claim they are meeting students' needs and can go on teaching as they always have. Rather than change their “white instruction” methods — in which the teacher does all the decision-making, students are passive absorbers of knowledge and feelings are ignored<sup>6</sup> — educators can send off to special classes those who do not fit the mold.

Grade the remedial classes with a B minus for progress and an F for creating new problems.

**Individualized instruction.** This change, less common than the use of remedial classes, is confined almost exclusively to the elementary grades. Whether teachers use formal programs — such as Individually Guided Education or the open classroom model — or their own informal programs, individualized approaches all share the philosophy that instruction should start where the student is, rather than the student starting where the textbook begins. Basically, these ap-

proaches apply the ideas used in the remedial reading and math labs to the regular classroom. Students have a variety of materials available, and they work individually or in small groups at their current stages of development. During language arts class, one student might be reading a story, another listening to a cassette tape, and a third working on punctuation exercises.

Although individualized instruction was not developed specifically for desegregation, it does offer several advantages. It prevents black and lower-class children who are diagnosed as low achievers from being resegregated in special classes. The stigma of being a low achiever is reduced, since everybody receives special instruction. Opportunities for interracial contact are increased because no one has to leave the classroom.

Major obstacles to these individualized approaches are the enormous amounts of time, energy and resources required. In addition, in some schools individualized instruction is touted as a method for meeting the needs accompanying desegregation when, in fact, it is still geared in some ways to a white, middle-class style of learning. While acknowledging that individualized instruction is not widespread, it ought to receive an A minus for its positive contributions and a B for its few negative contributions.

**Multicultural education.** Most students, black or white, have never heard of Garrett Morgan, black cowboys, Ida B. Wells, or the Harlem Renais-

sance. Neither have most teachers. The conventional curriculum has ignored the concerns, achievements and characteristics of minority groups, fostering a distorted sense of history and current society. To correct this distortion, a fourth curricular response has emerged in many Southern schools: multicultural education. Black studies courses, additions to the regular social studies and literature courses and an increased availability of learning materials about racial and ethnic minorities are all manifestations of multicultural education. Visible evidence of this change can be found in nearly every school in the South. Sometimes the change is minor, when a two-week unit on black history is incorporated into a standard American history course. Sometimes it is a major change, when an entire literature course is revised to include significant attention to minority authors.

Also under the rubric of multicultural education are the hands-on relations activities found in some schools. Teachers are providing planned activities in which students become more aware of the concerns and feelings of each other. For example, students discuss the things that are important in their lives, they discuss the common values held by all races. This can lead further to an examination of the myths and stereotypes the

Another area of multicultural education is rarely implemented. It offers great promise as a positive response to desegregation. It recognizes that different students





photo by Billy E. Barnes

different "learning styles." One student may learn best by reading alone in a quiet place; another may learn best by discussing the information with a group of peers. Such factors as time of day, method of taking in the information (reading, hearing, talking) and even room temperature affect an individual's ability to learn. Recent experience and research suggest that cultural background is a major determinant of learning style. The conventional "white instruction" approach supports only one learning style, but it has been unquestioned for so long that students with other styles have been labeled slow learners or problem students.

A quick illustration: the speaker-listener relationship. White students are accustomed to a style in which the teacher talks and the students listen, then the teacher asks questions.<sup>7</sup> In black culture, based on such factors as music and church experiences, youngsters generally develop a style of interacting with the speaker. A black youngster attending the local church might be scolded for not "talking to" the minister during the sermon. Yet the same interaction in school would draw a reprimand from the teacher. Studies also indicate that while white adults often question children as part of a learning process, in many black families adult questioning occurs primarily when the parent is angry with the child.<sup>8</sup>

Those few teachers who pay attention to learning style are finding that many black students are not disadvantaged, merely different. Multi-

cultural education gets an A for its contributions and an A for not creating additional problems.

**Ability grouping.** The award for the worst curricular innovation should go to ability grouping. For decades, in the face of enormous amounts of contrary data, educators have believed that by grouping students according to their ability it would be easier to teach them.<sup>9</sup> Sometimes the students are grouped within a classroom — Bluebirds, Robins, etc. — and sometimes an entire grade is grouped — as when class 7A is the "smart kids" and 7G is the "dumb kids." Students are assigned to these groups, as in Title I and ESAA classes, by standardized test scores, grades and teacher recommendation. The bias in these methods shows up in countless schools where the groups are racially segregated, with blacks mostly in the lower groups. A few districts purposely use ability grouping to keep black and white students from having much contact, even though the practice violates federal guidelines. Some districts even refuse to apply for federal funds, so that HEW won't have any reasons to visit them. The help ability grouping offers is a myth; it merely contributes to resegregation. No ambivalence here. Give it two Fs.

The dualism inherent in these curricular changes — the simultaneous progression and regression — reflects the difficulty in developing educational programs for a desegregating society. Confronting the racial and class biases in traditional instruction methods may

prove as difficult as moving students from one school to another. But if all we do is count bodies and call that desegregation, it won't get us much further than it did in Vietnam. The quest for quality integrated education demands considerably more. □

*Frank Kunstel, currently an educational consultant in Ohio, was a public school teacher for seven years and program specialist on a federally funded school desegregation project at the University of South Carolina.*

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2. U.S. Commission on Civil Rights, *Fulfilling the Letter and Spirit of the Law: Desegregation of the Nation's Public Schools* (Washington, DC: U.S. Government Printing Office, 1976). p. 136.
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6. Larry Cuban, "Ethnic Content and White Instruction," in James A. Banks (Ed.), *Teaching Ethnic Studies: Concepts and Strategies* (Washington, DC: National Council for the Social Studies, 1973).
7. Christine Bennett, "Teaching Students as They Would Be Taught: The Importance of Cultural Perspective," *Educational Leadership*, XXXVI (January, 1979), p. 266.
8. *Ibid.*
9. Barry J. Wilson and Donald W. Schmits, "What's New in Ability Grouping?" *Phi Delta Kappan*, LIX (April, 1978), pp. 535-36.



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## MAKING THE EXTRA EFFORT... AGAIN

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By Charles Hardy

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Rebecca Henry was an eighth grader in 1965, anxious to share the more sophisticated facilities, plentiful supplies and better education rumored available behind the doors of all-white schools. Now a Clarksdale, Mississippi, social worker, Ms. Henry was a plaintiff in a school suit that eventually opened doors of all-white Cohoma County schools to blacks. But it wasn't until she finished high school that black and white students shared those facilities, supplies and opportunities.

"I was really looking forward to it," said Ms. Henry, 27. "Now, I don't know if I would like it because the black kids going to school don't have anything. They really don't seem interested in what's going on in school anymore. Just because the courts say the black and white kids will go to school together doesn't mean their mamas and daddys are going to accept it or help make it work."

Although desegregation finally brought black and white youngsters together in schools, it has not been the cure for racial inequality in America, as many blacks had hoped. Problems which cannot be solved by crosstown busing or bending attendance lines still cripple the effort to provide an integrated education.

"To just dismantle the dual school system is not sufficient to integrate schools," said Dudley Flood, a North Carolina Department of Instruction assistant superintendent. "It allows people access but it doesn't

assure it. Those vestiges that deprive people of equal education still exist today... We still have people in schools this morning who believe they're not worthy of sitting next to a white person and white people who believe the same of them," said Flood, who has served as a desegregation consultant to more than 500 school systems outside North Carolina.

Equal status relationships must be taught to both races before integrated education can begin, says Flood. As it is, the status of black and white students in desegregated schools most often reflects the many years of racial inequality in America. For example, the bulk of the black students are in courses for slow students. Remedial programs, often poorly organized and financed, are dominated by blacks. And for the most part, an obvious racial division separates students in classes, cafeterias, on school buses and at school activities.

Black students are suspended at a disproportionate rate to their white peers in desegregated schools. Black students make up a disproportionately high percentage of dropouts and severe truants. Few black students are found in programs for gifted and talented students compared to the many found in classes for low achievers, mentally and emotionally disturbed or retarded students.

There are some obvious reasons why desegregation has not improved the quality of education for blacks greatly. Key among them is the decline

in black teachers and administrators. In January, 1979, the North Carolina Human Relations Council gave the state board of education statistics showing a severe decline in the number of black teachers and administrators over the last decade of school desegregation. Of the 145 systems, 89 have no black administrators, 38 have no black principals, 12 have no black elementary teachers, 14 have no black junior or senior high teachers, and 11 have no black guidance counselors. No district has a black superintendent even though nearly 30 percent of the state's 1.2 million public school children are black. In 10 years, the number of black high school principals dropped from 42 to eight (according to responses by 61 of the state's 145 school districts). Black assistant principals, meanwhile, increased from 11 to 79. Black teachers in junior and senior high schools fell from 1,200 to 843, and black elementary school principals dropped from 112 to 79. Despite this report, the state board voted to raise the required score on the National Teachers Examination test which many feel is biased against black educators' skills.

In desegregated systems dominated by white educators who have not adapted to different lifestyles of blacks, black students are being excluded from the educational process by factors including irrelevant curriculum, hostile teacher attitudes, labeling and administrative and teacher irresponsibility.





photo by Bruce Roberts

quality. Educationally, such practices result in test scores that show black students, from Arkansas to Virginia, score on an average of two to three years lower than their white counterparts by junior high school. And the North Carolina minimal competency test, based on math and reading skills, shows that a sixth or seventh grader should have mastered, shows black students who have spent most of their lives in desegregated schools are failing at far higher rates than whites.

For Baker Smith, a black Charlotte, North Carolina, high school senior, desegregation is a pressing personal issue. Baker, 17, is an honor student at South Mecklenburg High, which has more than 2,000 students, 561 or 28 percent black. The school is located in affluent southeastern Mecklenburg County. His mother, Carleen, attended the old, all-black Highland High School in Gastonia, about 20 miles southwest of Charlotte. His father, Nathaniel, attended West Charlotte, the county's only previously all-black high school still intact.

According to Baker, blacks are a minority in the school and too often accept a separate existence, different treatment or an attitude of "just getting by." "All the things that are available to whites are available to blacks," Baker said. "The main problem is once someone tells us we can't do something, we accept that. Once we fail to do something that one time, we accept it too easily." For example,

Baker said only one year of math is required for high school students but those planning on attending college need more. Rather than taking the additional math, Baker said, many black students rejoice at completing the required year. "Desegregation has got blacks doing just enough to get by with a D," Baker said. He tried to organize a youth group last summer to help motivate students doing poorly in school after he was spurred by Rev. Jesse Jackson's speech to high school students in Charlotte. "And the ones doing enough to get by see big dollars in the future. They are going to look for one of those highly skilled jobs, making seven dollars an hour. They don't know these jobs won't be there for them."

Apparently, much of the problem in desegregated schools evolves from how white teachers and administrators relate to black students. It's a struggle, easier to ignore than face, for the uncommitted or unprepared white. Too often white teachers and administrators can only see success coming from a generally fruitless effort to force black students to meet a white, middle-class mold.

Baker, in desegregated schools all his life, says he's seen it throughout. "Whites naturally achieve more because we have more white teachers," he says bluntly. "They had the same bringing up and the same culture as white students. Therefore, the white teachers can teach white students better. . . . But black parents don't

seem to give a damn. I would say that 95 percent of the black parents don't know their children are cutting class or smoking dope, or they'd die. But these parents will curse teachers out when they call over some trouble."

Baker says desegregation and equality are supposed to be one and the same. And his plans for the future are based on personal ambitions to see that equality be ensured for all. "Believe it or not, I hope to be a judge one day. To me, a judge does have the power of justice. I've seen or read about so many cases when they've abused their power and others who don't use it to its full extent. When I was younger, I said I wanted to be president; then I said I wanted to be a senator. But I realized senators don't really have power because they always have to make those compromises. When you are a judge, you have a decision to make and you have the power. It might be appealed later, but you can make the decision. I'd like to cut down on some of this injustice and prove that our court system can be what it is supposed to be."

Baker's plans for the future are no more ambitious than his present undertakings. He studies an average of 12 to 15 hours weekly, drives a school bus and works part-time at a department store. The money helps his mother, who is sick and divorced, balance the family's budget.

Baker says he views every day under the present system as a step backward for black students. "We



***“A big part of the problem is that our children don’t know who they are in desegregated schools.”***

need to get rid of the competency test at the high school level. It’s an incentive to drop out. But the main problem is black apathy, and I don’t know what to do about that.”

Ora Stevens, of Marianna, Arkansas, views desegregation from the perspective of a black educator and mother of two school-age children. She carefully monitors her children’s schools and picks the “real teachers” from those controlled by their prejudices or inadequacies. Even her advocacy role doesn’t provide the answer to all the problems a black student faces in desegregated schools.

“A big part of the problem is that our children don’t know who they are in desegregated schools,” Mrs. Stevens said. “Black youngsters have a poor self-concept. I can’t instill it in my own child if I have a poor self-concept. Our children are running around, in some cases, wanting to be white because their self-concept is more positive. This school system is 76 percent black and about half the teachers are white. And they are not tuned into the minds of black people. Before coming here, they’ve never worked with black students.

“It’s very seldom I talk to a student who says I want to do this because my seventh grade teacher did. We don’t have good, positive models anymore and I don’t know why. It’s detrimental too for black teachers to be anti-white. It teaches the child to grow up with certain kinds of negative attitudes about other people

when that isn’t what we’re all about. We need to teach them to respect all people, but to be a model for our kids so that we don’t have to be afraid of what we don’t know about.”

She said school curricula aren’t geared to black children and a battle must be waged for change. “The curriculum is not relevant,” said Mrs. Stevens, a desegregation specialist in the Marianna school district. “Kids have to have something to identify with. We’re saying those things all the time but nobody’s listening. We’ve got to keep fighting for change.”

Too many blacks, she thinks, have accepted token integration or become preoccupied with their personal ambitions and comforts. “I can’t see any progress; numbers don’t necessarily represent progress. The system has put black people in a position where we can’t feel proud because we’re not doing anything. Our kids don’t respect us because we sit back and take it and say we have families to feed. What can we do? After all, we’re a very small minority. Before, even though we weren’t in a position to have everything, we had pride and hope. . . . You see, we’ve lost that.”

The role of pride and the parents’ influence on their children’s desire for quality education comes through strongly in the story of the Monix family.

Clarence Monix grew up in Duncans, Mississippi. There was nothing particularly distinguishing about

his early life. He attended an all-black school with barely enough reading books to go around. After eight years he quit. His wife Lenora grew up in Grace, Mississippi. As a young girl like her husband, her growth and development suffered from the law of the land mandating blacks a less than humiliating role in society. After five years she left school.

Today, there are 10 children in the Monix family. Monix, a respected member of the Clarksdale, Mississippi community, owns a fencing and painting company. They have two children in college; one who works with his father in the family business; six home-schooled students in grades three through eight; the youngest is three years old.

Beginning with Clarence and Lenora Monix, the family represents a generation of school segregationists at least two generations of school desegregation. How much the change has affected their rise in economic, educational and social status cannot easily be determined. But their views on the subject are enlightening.

Monix, 48, sees advantages to having children in school desegregated. “Whereas when I was coming along, I was always fed with black people and I was taught with black people, my children and kids are reared around white people, taught by white people. They have nothing to back up from. They can move so fast and learn so fast that you see where they got it from. They’re straight A’s.

“I guess they could do as well as





photo by Billy E. Barnes

all-black schools because we've got some real good black teachers," he said. "Back in my day, the white people held the best back."

"The advantage to school desegregation," Mrs. Monix said, "is there is more to offer in desegregated schools than there were in all-black schools. I didn't learn what these children have learned in the ninth, tenth and eleventh grade. We didn't have the books. There were no libraries when I was going to school. I went to a one-room church in the country. We had two teachers for the first through eighth grades. We had to walk to school and in the winter we'd freeze to death. There was one heater in the middle of the church. Now they have buses running right at the door, taking the children to school."

Mrs. Monix said school desegregation has been good for her children except for her oldest son, Donnell. "He didn't finish. That was the year they began desegregating schools. They marched and he went to jail. After that year, he didn't go to school anymore. But the others didn't have to go through all that stuff."

Clarence and Lenora Monix say they haven't spent a lot of time helping their children because they had an inferior education, but they have, by overcoming their own poor beginnings, served as demanding and motivating models. "We're kind of old-fashioned," Mrs. Monix said. "I believe in my children coming home from school and doing their school work and not

being out in the street. All of our children play in the band and Saturdays they practice and get their lessons. Sunday, after church, they practice and get their lessons. The older children help the younger ones. They tell them what they need to do to prepare themselves for college."

The Monix children, in addition to Donnell, are Clifton, 23, a graduate student studying electronics at Memphis State University while working part-time as a local disc jockey. Shirley, a 21-year-old speech major at Jackson State University, is editor of the school newspaper. Dalphine, 17, is a senior at Clarksdale High School. Anthony, 16, is a junior at the high school. Tamara, 14, is a ninth grader at Clarksdale Junior High School. Lisa, 12, is a seventh grader at Riverton Elementary School. Clarence, Jr., 10, is a fifth grader at Oakhurst Junior High School. Diana, eight, is a third grader at Booker T. Washington Elementary, and Jimi, three, is the youngest.

"I don't think anybody should go to school with only one race," Dalphine said. "It seems like they're missing something. A lot of people say I don't want to be around white people, I'm tired of white people, but you've got to face it sooner or later."

Dalphine talked about a long struggle by black students to get a black homecoming queen. Although the school is majority black, she said the white principal met with whites alone and told them who to vote for.

She said cheerleaders, under school rules, are supposed to be racially balanced, but when a white cheerleader drops off, a black alternate isn't allowed to replace her. But a white alternate can replace a black cheerleader who quits.

"A lot of parents tell black kids they are going to push them until they make it. But daddy's saying to us 'I didn't make it but you're going to get there.' I think more support from their parents would help other black students a lot. My sister is going to Jackson State, which is predominantly black; my brother is going to predominantly white Memphis State, and I'm going to the University of Mississippi at Hattiesburg, which is predominantly white. I think I am going to have a hard time — matter of fact, I know I'm going to have a hard time. But I want to show them I'm a person. I might not be able to do it as well as they do it, but I'll do it, and I'll be there trying my best." □

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*Charles Hardy wrote for the Washington Afro-American and Washington Star before beginning his present job with the Charlotte Observer in 1975.*



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## DOUBLE DEALING IN PLAINS, GEORGIA

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By Mark Pinsky

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Plains High School, the president's alma mater, is — to use a favorite expression of candidate Jimmy Carter — a “national disgrace.”

The 50-year-old red brick schoolhouse is literally falling apart. Paint on the white columns flanking the entrance is peeling and dropping onto the landing below in large patches. The stone front steps are worn down and even the plastic doormat is in tatters. Inside, the unfinished wooden floorboards are cracked, broken and creaking. Paint and plaster are crumbling in the classrooms, clocks are broken, insulated electrical wires hang from holes in the ceiling. Many windows are missing panes, frames, shades or louvered shutters. Row upon row of auditorium chairs are in various states of decay and some are even uprooted from the floor. Bulletin boards are chopped up, classroom walls written on, and it is hard to find a single piece of furniture or equipment that isn't chipped, nicked, broken, paint-splattered or in some way damaged. One instructor's desk, in the typing room, has a separate padlock on every drawer. There is dirt and dust everywhere. The student restrooms, which are in a separate building, are a mess, with rickety wooden stalls and exposed pipes. All the windows to the school's ground-level crawl space are broken out or boarded up. There is a long crack in one of the exterior walls, and air and heating vents dangle from portals in the ceilings or walls or lie on the ground where they have fallen.

Yet this September more than 200

Sumter County children filed into the building, just as Jimmy Carter, the yearbook editor and valedictorian of the Class of '41, did many years ago. An equal number of students trooped into Sumter County's other public high school, Union, over in the nearby town of Leslie. Union High School is, if anything, in worse shape than Plains High. There pigeons roost on exposed rafters, subjecting the students below to the unpleasant and unhealthy fall-out. For a time, an entire building was boarded up.

Understandably, none of the four tours which circulate in and around the town of Plains gives visitors more than a distant, passing look at the high school building. There is a fence surrounding the grounds and a sign on the driveway gate which forbids entry to any but those with school business, even on weekends and during vacations.

“The whole thing is race,” says Diane Barfield, Plains High School Class of 1963, and now a member of the Sumter County School Board. The population of the county is just under 50 percent black, but the comparatively high black birth rate, combined with white flight from the public schools in the wake of integration, has pushed the proportion of black children in the school system to more than 75 percent.

“It took me a long while to figure out what was going on,” says the farmer's daughter who once belonged to a church circle with Rosalyn Carter. “I suppose I was naive, listening to all

that talk about the expense of consolidation. I didn't realize that the race thing was the overriding issue.”

In February, 1976, at the request of local school officials, the Georgia Department of Education sent a comprehensive study team to look into the condition of public schools in Sumter County. Their findings echoed those of a similar study undertaken in May 1971:

The committee feels that immediate attention must be given to the physical facilities and instructional program at Union High School and Plains High School. . . . The age, physical condition and size of the two high schools make these plants unacceptable when measured by any standards generally applied to determine the acceptability of Georgia High School plants.

The committee recommended that the two high schools be abandoned and that a new, consolidated high school be built in its place. One member of the team went so far as to observe that the two buildings were among the five worst still standing in the state of Georgia. “The study committee strongly recommends,” said the report, “that the Sumter County Board of Education and school officials make every effort to remedy the situation as soon as possible.”

However, without taking issue directly with these findings, a majority of the board decided they preferred renovation, including the construction of modular facilities, saying they “didn't want to take the school out of the community.” Diane Barfield pushed for





Plains High School photos by Ron Foust

consolidation. "Any fool can see they can't renovate that building. And it's not a community school anymore, anyway." While admitting that even when she was a student there Plains High was a bit frayed around the edges, Mrs. Barfield maintains that Plains was "kept up much better than it is now," and that Plains and Union "are in the worst shape they've ever been in."

Whatever his other shortcomings, the president was Jimmy-on-the-spot in the matter of school consolidation in Sumter County. In *Why Not the Best?* he recalled how in the 1950s he joined the school board — as had his father before him — and drew up a "major consolidation program" almost identical to the one recommended by the state board of education report in 1976. Carter, as chairman of the board, campaigned hard for the bond issue throughout the county in what he called "my first real venture into election politics." Nevertheless, the measure was defeated by 88 votes county-wide, and overwhelmingly in Plains, "a stinging disappointment" for the future president.

And, unlike some of his more recent positions, Carter's support for the consolidation concept has been clear and unwavering for more than 20 years. He and Rosalyn both sent taped messages of support for broadcast in March, 1977, when a similar bond issue was defeated, this time by 186 votes. Almost the entire Carter clan was mobilized in the 1977 bond fight, including Miz Lillian (who

maintains that the 1950s bond defeat was the turning point in her son's choice of politics as a vocation) and Brother Billy — both of whom contributed their money as well as their votes in the effort — and Cousin Hugh, the state senator.

The fight over school consolidation even predates the infamous dispute surrounding the Plains Baptist Church, and many in the town insist that the school dispute is more intractable and more deep-seated, although the underlying issue is identical.

When real, rather than token, integration came to Sumter County Schools in the late 1960s and early 1970s, Mrs. Barfield took her young children out of the public schools, like a lot of concerned white parents. But as she saw the change working, she returned them, and is now the only member of the seven-person school board with any children in the public schools.

This summer, sitting on the front porch of "the first Carter house" in Plains, a tourist attraction where she now works, Mrs. Barfield explained why she removed her children from the all-white private system. "We saw right away that that wasn't the answer, so we decided to come back and fight," she says, fanning away a swarm of gnats.

Billy Carter, who graduated 25th out a class of 26 in Plains High School's class of 1955 (the year his older brother joined the school board), came to the same conclusions about the schools in much the same fashion as

Diane Barfield. He took his children out of public school when integration came, but several years later put them back in, dissatisfied with the kind of education they were getting at the newly established, all-white Southland Academy. His daughter, he told a Georgia reporter at the time, "learned absolutely nothing at Southland. She made straight A's there and almost failed the next year at Plains." There was also a social cost to the move, said the pugnacious younger brother, since "in certain areas you are just a damn nigger-lover if your kids go to the public schools."

The reactions of Diane Barfield and Billy Carter were not atypical, as Jimmy Carter recalled the phenomenon in *Why Not the Best?*:

The early expressed commitments to close all our public schools . . . rather than integrate began to wane when the consequences of uneducated children began to be seriously assessed. A common and independent decision was made by hundreds of white school board members to yield to federal court orders. Private schools absorbed the children of unyielding parents. Perhaps these private schools were not without value in a difficult time, serving in a way as community safety valves. . . . As was the case in many states, a hodgepodge of education laws had evolved over the years, and this situation had been aggravated by the futile attempts to contrive laws which would circumvent the federal court rulings on racial integration.

The reaction of the Sumter County School Board was equally classic: the county's one black high school, Central,



***“In an attempt to fool the courts, a black janitress was listed as a teacher, since she was called on to substitute when other teachers were ill.”***

was turned into a junior high school, and black coaches, principals and teachers were fired or demoted. Several public school buildings were declared “surplus” and sold at outrageously low prices to newly established, all-white private schools, thus maintaining their previous racial character. (In a particularly egregious example — widely practiced in the South during this period — a “surplus” school was sold to a private system, which used it only long enough to construct a new building, whereupon it was leased back to Sumter County for public use for two years at an exorbitant rent, and finally sold back to the county at a profit. The entire transaction was engineered by the attorney who represented both the public and private systems.) Public school buses were painted over with the private school names, while supplies and equipment vanished from the public schools, only to pop up in private ones. Members of the Sumter County School Board incorporated a new private system, with the help of the board attorney, and, with administrators and teachers in the public schools, began moving their own children into it. Black and younger white teachers and administrators who tried to make integration work were fired or forced out. In attempt to fool the courts and HEW, for example, a black janitress was listed as a teacher, since she was called on to substitute when other teachers were ill.

These blatant shenanigans resulted in at least one cutoff of federal funding and provoked the smoldering

outrage of Sumter County residents, especially those named Carter. Jimmy, who had served on a special education task force while in the legislature and was by then governor, proposed a law that would have prohibited anyone who was an incorporator, employee or patron of a private school system from serving on a public school board or teaching in the public schools. He also had the state join in suits aimed specifically at the Sumter board and its members.

Both Billy and Miz Lillian involved themselves in an unsuccessful petition drive to recall certain members of the board and a successful lawsuit designed to change the means of choosing board members from appointment by the grand jury to election. They subsequently supported a steady stream of insurgent school board candidates which climaxed in the election of Diane Barfield. At a highly charged gathering in 1972 at the Sumter County courthouse, Billy Carter told a packed meeting that he would crawl on his hands and knees with his children on his back to wherever a new, consolidated high school would be built.

With full-fledged, court-ordered desegregation — and the increasing percentage of black enrollment which followed it — came a more subtle strategy on the part of the board: they gradually turned off the tap of public funds to the school system. Over a 10-year period, the property tax rate dropped from almost 20 mills to 7.5 mills, so that by 1976 the Georgia Department of Education

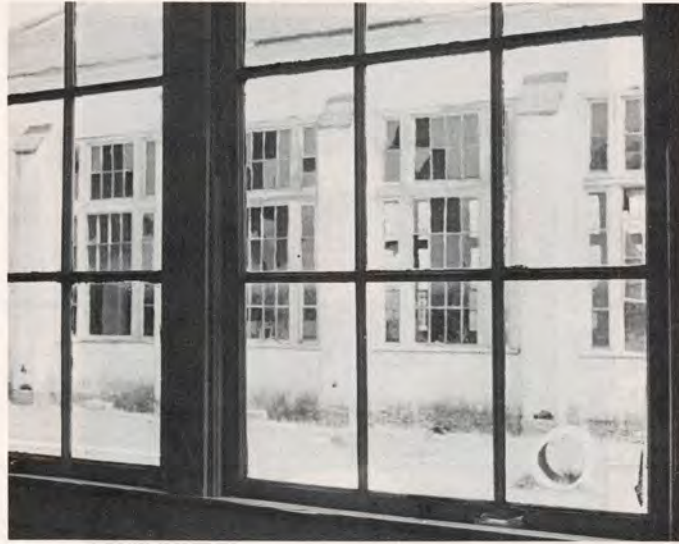
committee report noted that “Sumter County has one of the lowest millage rates for maintenance and operation in the state.”

In addition, by rejecting requests for such much-needed “frills” as a new heating system, new showers, new textbooks, an air conditioner for the library at Plains and the repair of broken windows — not to mention salary increases for teachers — the county erased its total bonded indebtedness and accumulated a surplus in excess of \$200,000. It was only after an inquiry from the state department of education asked pointedly whether the board was in the banking business or the education business that the surplus ceased growing.

This kind of fiscal foot-dragging and bureaucratic sabotage is called “underfunding,” and the practice is by no means confined to Sumter County or the state of Georgia. “There’s no question but that a serious problem exists,” says Robert Doctor, Southern Field Office Director of the Legal Advisory Commission on Civil Rights from his office in Atlanta. “We have traveled from state to state,” he says, noting “the profound effect on the public system” that underfunding has had. The major problem his office has in pinpointing and documenting cases of underfunding is that they don’t have the resources to do the kind of work.”

One group that has found the resources is the Lawyers Committee for Civil Rights Under Law, of Washington, D.C. The group’s School Finance Project, in cooperation with





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the American Friends Service Committee office in Columbia, SC, produced a case study of underfunding in the state of South Carolina. The 101-page document, which took nearly a year to compile, makes use of sophisticated computer analysis and is illustrated with numerous graphs and tables. The conclusions are simple, stark and unambiguous. The report showed:

a strong relationship between the racial composition of a school district and district support of the public schools. It further supports the proposition that desegregation of the public schools had a significant influence on the financial decisions of local fiscal authorities. Its apparent effect was to reduce the level of local support in districts where the racial composition of the student body was majority-black.

Specifically, the report listed four of its more important findings":

1. In the most recent school year, tax rates in predominantly black school districts were, on average, substantially lower than tax rates in predominantly white school districts.
2. Over the past decade, tax rates in predominantly black school districts have fallen increasingly behind those in predominantly white districts.
3. Lower tax rates, combined with lower average levels of property wealth, have produced lower levels of local revenues in predominantly black districts than in all other districts in the state.
4. The system of state aid presently in existence, which distributes approximately equal dollars per pupil, does nothing to overcome revenue disparities which are locally based.

According to research director Joel

D. Sherman, South Carolina was selected for study because it appeared to be the best example of underfunding, and "was not specifically prepared in connection with litigation." Similar studies are now in the works for Louisiana and Alabama.

For many Sumter County residents, the school bond referendum was the last straw. In addition to the critical report of the state board of education, parents faced the problems of students who tested at least two years below grade level and had a dropout rate of 45 percent, twice what it was when Jimmy Carter was a student. Although some activists maintained that a combination of available state and federal grants — added to the newly enhanced value of the land on which Plains High School is located — made a bond issue to finance the new consolidated high school unnecessary, the board went ahead with the \$4 million referendum anyway. Two nights before the vote, school board member James Gaston, a farmer and former private school teacher, went on the radio and with another member urged people to vote against it.

"I did oppose it," he recalled. "It was impractical. There are a number of citizens in the area who feel small schools can provide top quality education... It's the only system in Georgia to graduate a president of the United States, so it must be pretty good."

"I feel certain that if we had a united board this thing would have passed," says Mrs. Barfield.

And so, when the referendum was

defeated by 186 votes, Gaston and other conservatives on the board cited this as yet another repudiation of the consolidation concept, dating back to the 1950s. However, acknowledging the need to do something in light of the state board of education report, the Sumter board let bids for an architect to design modular additions to Plains and Union High Schools. This prompted a coalition of black and liberal white parents, with the support of a black state legislator from a nearby district, to file suit to block the construction. They chose as their attorney Millard Fuller, a tall, gangly, Americus, Georgia, lawyer who made a fortune in the mail order business in his youth and later gave it all away to join the local Christian community of Koinonia. "They don't want a good public school system," he says of the school board majority. "They want a lousy system."

At one of the superior court hearings which ensued, Fuller again made the point that none of the majority sent their children to the public schools and that the system superintendent had his own children in a private school. This caused presiding Judge W.E. Blank to offer his "particular idea" of that situation:

I'm interested in what the School Board thinks about the public school system... Just to be candid about it, I think if a person is not interested in the growth and development of the public school system he ought not to be sitting on the Board. Now, I wouldn't say that I would necessarily support the public school system... But, if I was not in





sympathy with the growth and development of the public school system, as a matter of conscience, I wouldn't sit on it. I think I would stand aside and let somebody who was vitally interested in it.

Board member James Gaston did subsequently step aside, and in the Democratic primary on August 8, 1978, two insurgent candidates supported by the Sumter County Organization for Public Education (SCOPE), which had supported the 1977 bond issue, ran for a pair of open seats. Both Ron Foust, a white member of Koinonia, and Eugene Cooper, a black minister and insurance man, had run earlier and had been defeated by other incumbents on the heretofore all-white board. They campaigned as a team, criticizing their opponents for dragging their heels on the new high school and sending their children to private schools. Supporters of Foust's opponent, Dan Parker, responded with a last-minute newspaper advertisement which stated simply that his "opponent in this race is Ron Foust, who lives and works at KOINONIA FARMS," capitalizing on long-running area hostility to the Christian community where racial and economic equality have been fundamental tenets since its inception.

Despite the large percentage of blacks in Sumter County, and the spirited campaign, Foust and Cooper lost by more than 300 votes, a narrower margin than their last outings, but almost twice the margin that defeated the bond issue a year before. "Some people still believe that black people's

ballots are taken from the box and stuffed in a garbage can," said Eugene Cooper.

Race and money are central to the school dispute in Sumter County and elsewhere in the South, but in this year of Proposition 13, teacher strikes and declining student enrollments across the country, it is important to note that these two factors alone do not tell the whole story. An equalization act on the books in Georgia (as in other states) provides some state subsidy for systems like Sumter County. But in the Americus city district, which is independent of the county and where the racial ratio is almost identical to that of the county, the annual per pupil expenditure is actually less — \$166 in the city, compared to \$371 in the county. Yet in Americus the attitude of the board and the administrative personnel and the general atmosphere is so far superior that parents of more than 300 county children (including two of Diane Barfield's) pay to attend the city public schools. While the public school system is even worse in adjoining Terrell County, consolidated and regional high schools are functioning infinitely better in neighboring Lee County, which has a lengthy reputation for hostile relations between the races, ranging from lynchings to physical opposition to the civil rights movement in the 1960s.

Ever since the election of Jimmy Carter, the microscope of the national and international media has been focused on Sumter County, examining almost every aspect of life in the area,

from the superficial "decline and loss of innocence in Plains" variety to more serious studies of poverty, housing and urban decay appearing in the *New Republic* and *Wall Street Journal*. Since the president he made his home and upbringing such a central part of all of his political campaigns, this seems fair comment. But it nonetheless adds to the burden of those who remain behind. People like Diane Barfield, who joined Lillian and Cousin Hugh and others in fighting the good fight (that Jimmy was also once a part of) over Plains Baptist Church, culminating in the establishment of the Maranatha congregation, which admits members of all races to worship. Now she carries the standard for school consolidation on the school board. "Sometimes she says with a weary smile and a sigh, "I wish I could just close my eyes again, and not see what I have seen and not know what I now know. It seemed so much simpler before." □

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# SHORT-CHANGING EQUAL EDUCATION

By Linda Williams

School children, teachers and administrators in the Maxton, North Carolina, school district are demoralized by low achievement test scores. The district cannot afford to supplement the state salaries of its teachers, and the superintendent is desperately seeking funds to keep the school buildings from falling apart.

A South Carolina superintendent tries to repair the school buildings with his own hands. There is no money for buildings maintenance in the district's coffers.

A Florida parent complains about the \$8 she has to provide each year for her daughter's school supplies. Out of their own salaries, teachers come up with supplies for children who cannot pay the fee.

In Noxubee County, Mississippi, teachers wait all year for requisitioned equipment that never arrives.

These people — and dozens like them in other Southern school districts — live daily with the inadequacies of school finance systems in the South. Evidence abounds that the education of blacks and other minorities is suffering from what is, in many cases, a deliberate scheme of under-funding in school districts where whites are in the minority. The inequities of these finance systems are receiving increasingly wide attention, stemming in part from the publicity generated by two lawsuits: *Serrano* in California and *Rodriguez* in Texas. Both suits challenged the idea that the quality of a child's education should depend on the wealth of his community.

In the *Rodriguez* case, the U.S.

Supreme Court narrowly (5-4) upheld the constitutionality of the Texas school finance system, but suggested that reforms were in order regardless of the constitutional questions. The poor Mexican-Americans who filed the suit charged that the state denied them equal protection because the school finance system depended too much on the ability of the school districts to raise money from local property taxes. According to the complaint, residents of poor districts were forced to tax themselves at higher rates than residents of rich districts, yet they had little hope of raising as much money for quality programs.

The Supreme Court made its decision in the *Rodriguez* case in 1973; since then, the Texas legislature has chosen to appropriate millions of extra dollars for schools in 1975 and 1977, but without significantly changing the distribution patterns. The net effect of the legislature's largesse has been that the rich are richer and the poor a little less poor. A few state legislatures in the South are beginning to enact measures to correct the inequitable distribution of funds, but those hoping for finance reform in many other Southern states, including Texas, are still waiting.

Under-funding of minority schools is by no means a new phenomenon. It was a central issue in the 1954 *Brown* desegregation suit, and in the South the problem has been especially acute. The concept of free public education did not catch on in the South until after the Civil War, when it appeared likely that Northern philanthropists

would provide free public schools for the emancipated blacks. Even today, there are two Deep South states — Alabama and Mississippi — not under any constitutional mandate to provide free schools. (Both states introduced amendments soon after the *Brown* decision to free the state from any legal obligation to public schools.) In the quality of its public education, the South still lags behind the rest of the country, and minorities still suffer unduly from the reluctance of most states to ensure a just and uniform financial investment in the schools. Southerners still spend a smaller portion of their incomes on schools than other Americans.

As a result of this reluctance, the federal government today funds a greater share of school costs in the South than anywhere else in the nation — in some states two or three times the national average of federal aid, which is about eight percent. Some of this difference is due to the high number of military installations in the South, and also to federal programs based on poverty levels, which also favor the South. The ratio of state to local funding is also greater in the South than anywhere else. The combination of relatively high state and federal funding has kept the gap between the per capita budgets of various school districts in the South narrower than it otherwise would have been if they depended more on locally raised funds. Nevertheless, a serious gap does exist.

The problem of what to do about school districts which either cannot or



***“The state legislatures, officials conclude, have enacted some much-needed reforms, but the state’s real financial commitment to the reforms has yet to be proven.”***

will not come up with enough money to support their schools has been a constant source of concern to some state finance administrators. The first state contributions to school costs, in the early twentieth century, were in the form of flat grants: a certain number of dollars for each child or each teacher in a state system. The disadvantages of this system soon became apparent: certain schools needed more state aid than others, because some communities are obviously poorer than others. Some states, including North Carolina, still use the flat grant system, but most have gradually switched to an equalizing system known as a minimum foundation plan, which was developed in 1922 by George Strayer and Robert Haig.

The Strayer/Haig formula, as adopted by most states, has several basic elements. Each school district is required to tax at a certain rate; each district is entitled to a certain total amount of money for each student; if the local tax revenue cannot provide this amount, the state makes up the difference. The scheme sounds pretty good on paper. The hitch comes in the so-called “local leeway” option. Most minimum foundation plans allow districts to spend extra money, above and beyond the basic required amount, and naturally some districts have this extra money while others do not.

In addition to this built-in inequity in the minimum foundation system, local officials can tax at the required rate while at the same time making low assessments of property values; thus local school revenue remains low

regardless of the community’s real wealth, and more state money can be earned. As a result, a hodgepodge of assessment practices — some outrageously inaccurate — have arisen within different states. Correspondingly, a number of schemes to counteract these shady practices have also been developed, including economic indexes to measure wealth other than property. Not surprisingly, minimum foundation plans in the South have become patchworks of amendments and exceptions — difficult either to understand or administer.

The picture becomes even more complicated when you look at what happened to tax rates and assessment practices in Southern school districts after widespread desegregation began in the early 1970s, with its accompanying patterns of white flight and all-black school districts. Tax rates and school spending levels in many communities were either cut or allowed to stagnate, so that white parents would have money left over from taxes to send their children to private segregated academies. Many a school system which had previously operated on a blatantly “separate and unequal” basis, with poorly funded black public schools and richer white ones, now shifted its strategy of discrimination, and began operating a system of poorly funded, nominally desegregated (mostly black) public schools, while in fact indirectly supporting a parasitic chain of segregation academies.

In South Carolina, for example, a detailed 1977 report released by the

Lawyers’ Committee for Civil Rights Under Law showed conclusively that the tax rates in predominantly black districts were much lower than in mostly white districts. Furthermore, the situation in some historically black districts — which have never had much money for education — was getting worse. In Williamsburg County, where the white public school population has seldom been more than 28 percent, the tax rate was allowed to stagnate completely during the desegregation years, so that in 1974-75 the rate in that county was only 47 mills (or 47 cents per \$100 of taxable property value) — compared with a state average of 82 mills per district.

Two school districts in Mississippi dramatize the situation in that state. The Anguilla district in the predominantly black Delta had a white enrollment of only 24.7 percent prior to desegregation in 1968, according to records of the Mississippi Department of Education. The tax rate was 25 mills. By 1975, the white enrollment dropped to 2.3 percent and the tax rate fell to 14 mills. And while property wealth in the state grew by 63 percent in the period, in Anguilla it grew by only 24 percent, giving rise to suspicions that, in addition to the substantial cut in the tax rate, property assessments were kept low. The result was that local school revenue per pupil grew by only \$26, compared to a state average of \$85 per pupil.

Amite County, in the southwestern part of Mississippi, desegregated its schools in 1970 under a





"voluntary" plan that resegregated schools by sex. The plan was apparently designed to maintain the separation of white females from black males, but whites boycotted the public schools anyway. In 1968, enrollment in the county's schools was 36 percent white and the tax rate was 25 mills. After the initial boycott, whites gradually returned until the percentage grew to 20 percent in 1975. The tax rate, which had been cut, climbed back to 17 mills where it remained in 1977.

In the fall of 1977, black students in Amite County refused to continue attending schools resegregated by sex. Blacks in the Anguilla Line School District also boycotted schools that year. Their protest started over the distances elementary students had to travel to school and soon broadened to a variety of issues, including the availability of school equipment and supplies, and the fact that the white superintendent — like all but a handful of white parents in the district — sent his children to a private, segregated school.

In both protests, the issue of inequitable financing of public education quickly came to the forefront. The controversy took on statewide implications in 1978 when a special study committee of the legislature recommended a complete overhaul of Mississippi's 25-year-old school finance system. The proposals require that local school districts increase funding for public schools, and include a provision for the state to help school districts that can't raise as much

money with the same tax rate as others. The plan would also distribute state-collected school funds under a new formula based on student needs.

But before the plan can be implemented, the legislature must resolve the inequities in the taxation of property across the state. In January, 1979, a state court agreed with a lawsuit filed by a coalition of business, labor and education groups which charged that the lack of statewide assessment standards and the absence of a periodic reappraisal law has led to inequities in taxation among and within the state's 82 counties. The court ordered the State Tax Commission to ensure that state constitutional requirements for equal taxation be carried out.

Tax equalization is considered an important step in any statewide school finance reform. Low property assessments were among the chief reasons local school revenues remain low in the state, the school finance study committee concluded. But concerned public officials predict a rocky road ahead for school finance reform in Mississippi. The influence of private, segregated schools on certain key legislators is powerful, and the Mississippi legislature is not expected to address school finance issues in 1979. As the session opened in January, tax relief, rather than equitable financing and distribution issues, headed its agenda.

A number of other states, including Florida, Tennessee and Virginia, have been more successful in passing school

finance reform bills. The most impressive victory came in South Carolina where a broad-based coalition of citizens overcame the power of private school interests to get a progressive finance bill for public schools approved in 1977. The League of Women Voters, which was among the leaders in the reform movement, counts the South Carolina bill as one of its special victories for public education because of the strong private school lobby. But the coalition's work is not done, says state League president Joy Sovde of Columbia. It must see to it that the legislature provides the funds to implement the plan, which commits the state to spend at least an additional \$100 million for schools over the next five years. However, a controversial two percent ceiling was placed on the amount of increased funding from year to year in any category under the state minimum foundation program — a move apparently designed to contain educational costs.

A "pupil weight" system was also adopted; this is an innovative scheme (also now used in Florida and Tennessee) for distributing state money to the schools on the basis of which kinds of students take the most money to educate. In a pupil weight system, a base category of students is defined — having supposedly average educational needs — and is assigned a weight of "1." Other categories of students are then defined in relation to the base, and are assigned weights greater or lesser than "1" according to their various needs. Students in remedial programs,



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## FINANCES

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for instance, are generally assigned heavy weights because these programs require costly high teacher-pupil ratios. Money is then appropriated according to the assigned weights.

The states which have revised their school finance systems have consequently encountered some major obstacles in trying to implement the changes. For one thing, the pupil weight system — like any other funding scheme — is vulnerable to political manipulation. Florida has had to put a cap on the number of pupils it will fund in each category to discourage school officials from channeling students into heavily weighted programs simply to get more state money.

But the primary obstacle to finance reform has been the pressure from taxpayers on state legislatures to renege on their new, increased financial commitments to the schools. (Almost every reform package calls for the state to increase its share of the total education budget.) In Florida, state education officials say the school finance system is now "equalized but under-financed"; the state, they say, has not made up for the decrease in local funds. Officials in Tennessee, South Carolina and Virginia make the same complaint. The state legislatures, these officials conclude, have enacted some much-needed reforms, but the states' real financial commitment to those reforms has yet to be proven.

Those Southern states which have made any efforts at school finance reform — however incomplete — are still in the minority, despite the fact that this decade has seen unprecedented economic and population growth in the South. Because the 1970s should have been a prime era for school improvement and school finance reform, grave questions have now arisen as to how well the South is controlling — and distributing — its new wealth.

Southern states still depend heavily on the sales taxes — which disproportionately hurt poor people — to fund state budgets. School revenue leans especially hard on the sales taxes. At the same time, many Southern states tax property value, intangible wealth, personal income and business income at a far lower rate than the national

average. The poorest state in the union, Mississippi, depends heaviest on the sales tax, receiving 45 percent of its general revenue funds for the 1979 state budget from the five percent sales tax; that proportion is more than twice the national average.

A study in Mississippi concluded that the recently outlawed 10-year tax exemption for new industry was in part responsible for keeping school revenue in the state so low. The mammoth DuPont Corporation managed to win a partial exemption from school taxes for a chemical plant it is building in the Pass Christian, Mississippi, school district. The exemption was granted in December, 1978, just days before such exemptions were outlawed in the state. South Carolina has now outlawed these exemptions too, but many other states have not.

Ironically, the South may be selling its schools short for no real purpose. Educational consultants Jack Leppert and Dorothy Routh reported on a number of studies of how industries pick the South to build in. The most important factors were access to markets, labor costs, availability and skill of workers, and supplies and resources. Tax concessions were *not* among the major considerations. "This unnecessary catering to industry," noted Routh and Leppert, "may have lost us many valuable tax dollars that could have been utilized in developing human resources which ultimately make the area more attractive." In other words, how many rich Northerners are willing to move to a community when their children will have to attend poorly funded, inadequately staffed, underachieving schools?

Many prominent Southerners are defensive about the low level of school spending in the region. They cite differences in the cost of operating schools, and point also to low per capita income. Besides, they say, there isn't necessarily a vital link between high spending and good education.

Some of these points are well taken. To put the argument in its proper perspective, however, one must take a hard look at what the South has gotten for its money over the years. One stark set of statistics, for example,

is the 1974 results of the National Assessment of Educational Progress: the South's 17-year olds scored below the national average in *every area tested*, which included science, writing, citizenship, reading, literature, music and social studies.

Even the most recalcitrant Southern state legislatures are beginning to realize that something must be done about the inequitable and unwieldy condition of school finance. But few have taken any real action. Property tax revision, in the experience of several states, is a prerequisite for school finance reform, and heavier personal income taxes also appear necessary if poor people are not to continue carrying the greatest burden of school funding through sales taxes. A high level of state funding for education seems to offer the best hope for equalizing spending in each state's districts; however, local funding will always be important, if only to maintain community interest in the schools. Important in any good finance reform package will be a provision to ensure that local participation in school funding is accurately related to the local ability to pay, so that state money will go where it is most needed. The new "pupil weight" schemes appear to be the best method now available for distributing money to the schools, though much more work needs to be done on developing fair weights.

The case for better financing of Southern schools is clear. Yet state legislatures consider proposals for school finance reform, present amounts from the electorate for tax relief. "Proposition 13" is a popular rallying cry. For school systems already in dire need of basic equipment and services, nothing could sound more ominous. □

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*Linda Williams has reported on education topics for the Raleigh News and Observer, the Delta Democrat-Times in Greenville, Mississippi, and the South Mississippi Sun in Biloxi. In 1978, she conducted a study of school finance patterns in the South as a Ford Foundation Fellow in Educational Journalism. She is now a staff writer for the Portland Oregonian.*



# LAFAYETTE'S TWO SCHOOL SYSTEMS

By Randall Williams

LaFayette, Alabama — There are three traffic lights on main street here. The business district is three blocks long, dominated by the elegant old Chambers County Courthouse on the square. There are three restaurants, one of which serves blacks. There is a bank, a weekly newspaper long on announcements and short on news, a local radio station. The hotel and the theater have been closed for years. And there are more lumberyards in town than doctors and dentists.

LaFayette also has two school systems, one for whites and one for blacks. You might expect that it has always been that way, but it hasn't. The schools here were fully integrated in the early 1970s, but the experiment was short-lived. After two years, all but a handful of whites fled the public schools, going instead to private segregated academies. The town sharply divided over the issue.

Seven years later, the situation shows some slight prospects for improvement, but the rift is still evident and the public schools are still about 90 percent black.

Like other Southern towns, LaFayette had always operated two sets of public schools, one for white students and one for blacks. It was the old *Plessy* facade of "separate but equal." But by 1966, federal pressure on the Chambers County Board of Education, which administered the LaFayette schools, had become intense. The board then adopted a "freedom of choice" plan, and 15 black students enrolled at LaFayette High School. By 1969, it was clear that further resistance was

futile, and plans were made for full integration of the high school when the fall term began that year.

There are white people in LaFayette who still don't believe it had to be done. One critic is Jack Hill, a prosperous LaFayette farmer and businessman. The father of five children, he moved home to LaFayette in 1971 from Birmingham and promptly threw his money and support behind Chambers Academy, the private school then being built just south of town.

"I don't feel they had to let the federal government cram things down their throats," Hill said. "It seems that nobody put up any resistance. If our superintendent of education at that time had been more receptive to the people of LaFayette rather than listening to the demands of the federal government, it might have been different. I don't know what they could have done, but it was like a deaf ear turned toward us."

In fact, Morse Haynes, the school superintendent at the time, did go to Washington to argue and plead before the Justice Department, HEW, Congress and anyone else who would listen. He begged for permission to continue the freedom of choice plan, but the answer was very simple: comply or go to jail. He came home, called the white principals in the county together and told them to expect a court order setting out the details of desegregation.

"We knew the order was coming," says Max Johnston, then principal of LHS. "We white principals got together and talked it over and then decided it was time to call in the Negro principals.

Everything was very congenial. We also had to take some black teachers, and we asked the black principals if they would give us the best teachers they had. They did and that helped."

LaFayette High School had 18 black students in 1968, but there were 208 when classes began in the fall of 1969. Chambers Academy opened the same year, holding its first classes in a former motel owned by the grandfather of one of the 10 senior students. The number of white students at LHS fell from 297 to 271 by the end of the year.

In 1970, the second year of full integration at LHS, there were 167 whites and 400 blacks enrolled. The statistics had begun to make even supportive whites anxious, and the following year white flight became a full-scale retreat. In 1971, there were 79 whites and 439 blacks at LHS, and the ratios have stayed about the same since.

"My children were in public school in Birmingham and it was integrated, but not to the point where the white children were so heavily outnumbered," said Jack Hill. "I don't feel that I could honestly put my children over there in that kind of a situation. It looks to me as long as you had a majority of whites working with the blacks, as long as the educational standards were kept up — as long as we would have had a majority and could have kept control — then things would have been different."

Hill is undoubtedly correct. In Lanett, 15 miles east, and Opelika, 30 miles south, and Roanoke, 20 miles north, integration failed to drive the



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## SEGREGATED ACADEMIES

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***"I looked and none of the people on the school board had any children in school. So I thought I could contribute something in a first-hand kind of way."***

whites from the public schools. But those communities and their schools are predominantly white; LaFayette, for reasons of history and circumstance, happens to be predominantly black.

Nevertheless, some white parents, like Dot Allen, have kept sending their children to the integrated schools. She and her husband, Ed, own and operate two flower shops in LaFayette, and they have four children. One graduated at LHS in the freedom of choice period, two after integration, and one is enrolled there now.

"We were approached about the private school in the very beginning. But our initial reaction was just that we weren't interested. I had no objection to the integration. When you have lived in a community all your life, you know the people and I didn't foresee any problems," said Mrs. Allen.

There were some personal problems, however. People Dot Allen had known all her life began to avoid her. Comments were made about possible boycotts of her business. There were a few anonymous, aggravating letters. "I had never been uncomfortable in church in my life, but all of a sudden the church was split just like the school. You were either public or private and that's the way you were. It got so bad and I worried over it so that I believe if I had been younger I might have moved away," she says. "But you know, your roots get so deep in a place that you just can't leave."

So Dot and Ed Allen stayed with

the public schools, and before long she had decided to run for the school board. "I grieved and cussed and prayed, and I believe I prayed myself into politics. I looked and none of the people on the school board had any children in school. So I thought I could contribute something in a first-hand kind of way. I didn't even tell Ed that I was planning to run."

The seat that was up for election at the time was held by Glenn McClendon, the wealthy owner of McClendon Trucking Company, a major LaFayette employer and one of the South's largest motor haulers. McClendon served on the county school board, but he sent his children to private schools.

"I called Glenn up one morning and told him that it was nothing personal, but that I was going to qualify," Mrs. Allen said. "He said he hadn't made up his mind what he was going to do. Then I told Ed. He said, 'Well, what does it cost to qualify? I'll pay the fee for you.' I said, 'Nope. I'm not going to be obligated to you or anybody else, I'll pay my own fee.' So I qualified and then Glenn decided not to run for re-election, so I had no opposition." Dot Allen is the first woman ever to serve on the Chambers County Board of Education.

"We had no idea of what black people expected of white people in a school situation. But I just told my children, 'You can be courteous to anybody.' And so they were and

they got along fine. And now I don't know of any problem in the school except that we don't have enough whites. And you see, that makes the problem even worse because it was the influential white people who pulled out. That left the black community and a very few whites to try to do something about the public schools here. We have done something. I frankly think my child is getting as good an education where he is as he would get at the Academy. And I think it's healthier. They're trying to prolong something over there which doesn't exist anymore."

Academy supporter Jack Hill agrees with Dot Allen on both of these last points. Asked what percentage of Academy parents he believes have their children in the private school specifically because of racial beliefs, he says: "There's a few, we have a handful of racists. But our children, they have no hang-ups. They don't have many hang-ups about the minority race as we parents do."

People outside the Academy aren't so sure of that. One woman member of the First Baptist Church, who requested anonymity, said she was startled by the bitterness and racism frequently expressed by Academy children she sees at church and community function. "It's always 'nigger nigger, nigger,'" she said.

Hill believes that private school education is superior. "Our academics, as far as I'm concerned





Wide World Photo

are much better here than they would be at LaFayette High. We're up on a level with the city school systems in Opelika and Lanette."

LHS teachers laugh at such statements. English teacher Donna Allen says she has bright students both black and white, but she also has two classes of eighth graders who can't read or write.

Bea Walton, another public school teacher, says she thinks her children "would do okay" in public schools today. "I wouldn't be as afraid for them now." But in 1969, Bea Walton pulled her children out of the LaFayette schools and put them in Lee Academy, a private school 30 miles away in Auburn. She went to work at Lee Academy as a teacher, and she stayed until her children were finished; then she came back to LaFayette and began teaching in the public schools again.

Mrs. Walton believes the community is starting to get behind public education again. "I left them and now I'm coming back to help. I have other friends in private education who will be doing the same thing as soon as their kids finish. . . . There are others who saw this the same way I did. We couldn't change an entire school system, and I was bound and determined that my kids were going to the best school available. It's not that we didn't care for blacks; my children enjoy and accept blacks. And it was a hard decision for us. When your children have thought all

their lives that they were going to march in that LaFayette band, play on that LaFayette football team — it was traumatic pulling out."

Bobby Jones, the white president of the PTA of LaFayette High School, believes that the withdrawal of white support from public schools hurt more than the school system. "If you're going to have any industrial growth, you've got to have strong public education. There are some people here now who are returning to that view. This situation could reverse itself as fast as it formed. I think it's totally economic."

Chambers Academy has its own economic questions to resolve. There are about 325 students enrolled in an average year, and the tuition is about \$700 per child, with a reduction for each additional child from the same family. But for an average family with four children, the costs run very high, and people like Dot Allen and Bobby Jones feel that some Academy parents are beginning to question whether private education is worth this sacrifice on their part. Still, Jack Hill estimates that the facilities at the Academy — land, two classroom buildings, a gymnasium, lighted football field, tennis courts — represent an investment worth more than a half million dollars. An investment of that size would be hard to abandon, even if negative feelings about the public schools did begin to recede.

But economic survival is a big

issue in the public schools, too. Superintendent Jerry Milner says the Chambers County Board of Education will end up \$500,000 in the hole this year and has been borrowing heavily. Public school supporters believe that a new facility for LaFayette High might win back some white support lost in recent years. The present building has holes in the walls, defective heating and inadequate wiring. But Milner says Chambers County support for public education is the lowest in the nation — seven mills of ad valorem tax, the bare minimum to qualify for state support. Three times in the past decade, the voters have rejected measures to increase the tax rate to 12 mills, which would still be far below the national average.

Bobby Jones says the split in the community between public and private school supporters has made it difficult to increase taxes. "You have business people, for example, the leaders of the community, who are reluctant to support public education. But the growth of this community, the economic level, the whole community's welfare is tied to education, and we're going to have to try harder to show people that." □

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*Randall Williams, a staff member of the Institute for Southern Studies, writes about his days at LaFayette High on pages 72 and 73 of this book.*



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# THE SCHOOLS THAT FEAR BUILT

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By David Nevin and Robert Bills

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As desegregation of public schools in the South has become a reality in the early and mid-1970s, the number of people turning to private schools to avoid desegregation has grown steadily. The movement to private schools began in the 1960s when the idea of massive resistance to desegregation orders was still current in the South. Today, though desegregation seems generally accepted, the shift to private schools continues.

The early segregationist academies were usually secular schools that sprang up on a county-wide basis in rural areas, standing ready to serve any and all white children who applied. The more recent schools and those appearing in the larger cities are almost entirely "Christian" schools, sponsored by an evangelical Protestant church and heavily influenced by the fundamental theology which the more conservative evangelical churches follow. Indeed, as the movement has progressed, the Christian schools have become more and more numerous until today they probably outnumber the older secular academies.

In a larger sense, the difference between the schools' sponsorship is unimportant, for despite what would seem contrary origins, the schools in practice are so similar as to be indistinguishable. They look the same, are financed in the same ways and from the same motives, and teach essentially the same philosophy. Perhaps the single most important point about these schools is their sameness — the homogeneity of student, of teacher, of attitude, of the experience they offer. Across the South the

schools vary widely in age, size, wealth, building style — but once you go inside you are in a fixed and unchanging world that hardly varies from school to school or state to state or secular to religious background.

The reasons for the success of the new schools go far beyond simple racism. Their success represents a deep conviction on the part of their supporters, which suggests a fundamental and dangerous dissatisfaction in American society.

The success of the new schools is significant to the polarization of American society. The schools contradict the idea that the surface quiet of the 1970s means that the divisions of the 1960s are healing. In this sense, the new schools are a new form of action, significant in both magnitude and commitment.

The men and women who start the schools, the parents who support them and the children who attend them seem to share a similar and pessimistic view of society. Essentially, they complain of change. They mirror the themes of the textbook controversy at Kanawha County, West Virginia. Life is moving ever faster and they don't like its direction. With uniformity that finally becomes startling, they link into one disconcerting, unsavory whole the things they find disturbing — the end of the old-fashioned patriotism, the new view of America's role in the world, the changing attitude toward authority and leaders, shrinking church attendance, rising divorce rates, acceptance of pre-marital sex, dirty movies, public nudity, foul language, the loosening

of constraint and custom, abortion, crime, drugs, erosion of the work ethic, textbooks that question old values and old heroes, and the countless other manifestations of a new view of themselves that many Americans now are entertaining. We have become soft, they say, permissive, afraid of divisive elements in our society. We have lost the concept of discipline as a virtue. The list comes as a litany of dismay: they believe they see a disintegrating society. They seem to feel threatened when the law protects the minority from the majority. They are, after all, the majority — white, affluent, successful, middle-class, middle-American. As the powerless — women, minorities, employees, even students — assert rights under law, this majority seems to see itself as newly powerless, as severed from a society it cannot control but cannot accept.

It is not news that people feel alienated and powerless, and believe that their institutions have abandoned them and even turned on them. But the difference here is that the people who start and support the new schools are taking action in a specific way. They are taxing themselves heavily to open alternative schools, ones that stress their values, their attitudes, their principles of morality and religion. It is no accident that the schools oppose the thrust of the society as a whole. That is their purpose.

As one talks to proprietors and patrons of the new schools, one seems much more than simple pragmatist and more than simple racism in their attitudes. Rather they suggest a serious



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***“It’s a matter of values. . . . You have to decide if you want your child to have a good breakfast or a good Christian education.”***

of mission comparable to other social movements in which people are determined to take control of their lives and of the institutions that affect their lives. They believe schools are full of drugs, sexual license and fighting; that white teachers are intimidated by black students, and black teachers can’t handle students of either race; that classrooms are chaotic, discipline has vanished and learning has stopped. They insist that this describes the experience of their own children in public schools (though we found no one whose child had been visibly damaged).

The view seems exaggerated, but two broad points deserve attention. First, public schools do reflect the turmoil of a changing society. As society questions its values, schools reflect those questions; as style, morality and outlook change in the society, so they change in the schools. A series of court decisions supporting the right of students — and, for that matter, of teachers — to due process has changed the old dictatorial manner that once ruled schools. It is useful to remember that the public schools which the parents and administrators of the new schools recall so fondly from their own youth were operating at a time when neither schools nor society were questioning the future.

Second, integration has brought into the mainstream of Southern schools children from disproportionately disadvantaged socio-economic background — another cruel legacy of American racism. When black youngsters were segregated, the fact that some had learning disadvantages —

which now is seen largely as a function of socio-economic class — was ignored. In one of its more specific advantages, integration forced public schools to begin to deal realistically with those disadvantaged youngsters. It also changed the nature of the clients in individual schools, which until then had been essentially homogenous and run with little regard for the rights of students. In adjusting to different kinds of students and teachers and different social realities, the schools naturally are not the same middle-class segregated enclaves which patrons of the new schools remember from their own youth.

Just as the public schools have been chosen as a place to try to correct an overall injustice in American society, so these people are using their schools to try to correct what they perceive as dangerous and grievously wrong turns the society has taken. In creating enclaves in which their children’s lives can go on seemingly unchanged, they are evidencing an attitude that clearly transcends education as such and may represent a measurable expansion of the alienation of the last decade.

The view these patrons hold of society and their willingness to tax themselves to support alternative schools are affected by the nature of evangelical Protestantism, which lies directly behind Christian schools and indirectly behind secular schools. It is the largest and fastest growing stream in Protestantism and may have forty million members in America. As other churches shrink, various evan-

gelical denominations are booming. This is especially important in the South, where evangelical religion has long held sway. Evangelical Protestantism is not synonymous with the new schools, of course; the new schools seem to spring from its right wing and many moderate Baptists, for example, are disturbed by the schools’ growth and the consequent erosion of support for the public schools.

The attitudes of fundamentalism touch the new schools in various ways, especially in curriculum and choice of teachers. A few general points which bear on the schools as a whole might be noted here. One is that evangelical faiths are based on a strict and literal reading of the Bible which is regarded as a once-and-forever delivered corpus of truth from outside history inserted into history through revelation. Such Christians tend to reject what often is called the modern temper, the new science and thought, when it conflicts with their interpretation of the revealed truth of God, which it often seems to do.

“If the Bible and a textbook differ,” said the principal of one of the more extreme schools, “we know the textbook is wrong, and we teach children that.”

Presumably, this conservative impulse is in part a problem of interpreting an ancient document in modern light, but it certainly has the effect of making many of the thrusts of modern education seem dubious to fundamental Christians. And since they operate not from a flexible, ever-changing perception of the world



### 1955: William Faulkner on Separate Schools

*"We Mississippians already know that our present schools are not good enough. Our young men and women themselves prove that to us every year. . . . Our present reservoir of education is not of high enough quality to assuage the thirst of even our white young men and women. In which case, how can it possibly assuage the thirst and need of the Negro, who obviously is thirstier, needs it worse, else the Federal Government would not have had to pass a law compelling Mississippi (among others, of course) to make the best of our education available to him.*

*"That is, our present schools are not even good enough for white folk. So what do we do? Make them good enough, improve them to the best possible? No. We beat the bushes, rake and scrape to raise additional taxes to establish another system at best only equal to that one which is already not good enough, which therefore won't be good enough for Negroes either; we will have two identical systems neither of which is good enough for anybody.*

*"The question is not how foolish can people get, because apparently there is no limit to that. The question is, how foolish in simple dollars and cents, let alone in wasted men and women, can we afford to be?"*

— William Faulkner, *The New Leader*, June 20, 1955

around them but from an immutable truth revealed trans-historically by God, naturally they pursue their way with great confidence.

Another important point is that the evangelical act itself may be seen as the essential act of the evangelical church, as the act of eucharist is the essential act of certain other branches of the Christian church. The words evangelical and angel flow from the same source, implying "messenger bearing good news," and the evangelical Christian is expected to be a salesman for his point-of-view, "to go to the ends of the earth and preach the gospel to every creature." Thus the evangelical church puts its emphasis not on ritual but on the act of preaching itself, which means that the pre-eminent preacher validates himself in the very deepest sense by his capacity in the pulpit, where his pronouncements on the state of society and its relationship to God's teaching have great force. Since aggressive preaching of the gospel and carrying of God's word is basic, the idea of starting schools which are infused with it follows naturally in a time when believers find that public schools are moving away from it.

Proselytizing, exhorting the young student to come forward and be saved by accepting Christ and washing away his sins, also is basic to the purpose of the evangelical church. Many pastors who also run new schools describe with enthusiasm the number of conversions their schools have produced; that, as one put it in echo of many, "is really what it's all about," and

from the viewpoint of evangelical faith, of course, they are correct.

Perhaps in part because each man is expected to make his own interpretation of the Bible, great schisms run through the evangelical church. There is a feeling among many new schools people, for example, that Billy Graham is dangerously far to the left if not already a captive of worldly, modernist forces. This decrying of liberalism within fundamentalism often becomes entwined with a deep distaste for political liberalism as well. Political and church liberalism both tend to emphasize the value of the individual human and thus to equate goodness with kindness to one's fellow men. But in the fundamentalist faith, one's salvation depends on faith in God, not on one's decency to one's fellows. Emphasis on the latter, it is suggested, detracts from the former.

Modern American society — and modern education — equate what is good and desirable with what benefits other people. From the fundamentalist viewpoint, the effect of the welfare state is to expand a man-to-man relationship and detract from a man-to-God relationship. This same attitude can be tracked through most aspects of modern social institutions; the strictest fundamentalist Christian tends to find most of modern society irrelevant if not actually inconsistent with the strictures of his faith.

Taken all together, then, it is not surprising that fundamentalists find themselves dissatisfied with the modern society and its schools, and are willing to open alternative schools that reflect

their viewpoints more clearly.

Although most of these schools begin as an effort to avoid problems brought on by the changing nature of the public schools, they seldom continue to exist for these same reasons. After formation, the purposes of the schools tend toward providing a "Christian" education and/or providing a quality education usually designed to prepare students for college. Unfortunately, the schools seldom reach the goal of providing a quality education. Other things being equal, the longer a school has been in existence the more quality it may have. However, a large number of these schools fail to survive the initial three- or four-year period required to construct the building, employ teachers, attain financial stability, assure minimal equipment, and develop at least a minimal curriculum. No accurate data are available regarding rate of failure of these schools, but the number appears to be high.

Due to inadequate finances, libraries are poor, lunch programs are highly inadequate and transportation is poorly organized. In all but one school surveyed by our project, the lunch program consisted of hot and cold sandwiches sold either by the school or catering organizations. Each of these schools, with one exception, has numerous Coke and potato chip vending machines. Little attention is given to milk; instead, children often drink Cokes.

Vending machines are sometimes big business in these schools. One



### 1979: Jesse Helms on Segregated Academies

Elizabeth City, North Carolina – U.S. Senator Jesse Helms, R-N.C., lashed out at the public school system here Saturday night, calling it an example of socialism in America. "Government schools, federally controlled schools, are the greatest example of the intrusion of socialism in our society," Helms told approximately 300 people at the private Albemarle Academy. "Achievement test scores have fallen since 1964, the year the Civil Rights Act was passed implementing the Brown vs. Board of Education decision of 1954," Helms said.

Helms said private schools are the only truly public schools in the land because they are supported with the voluntary contributions of parents who have become disillusioned with the public school system. So-called public schools are really "government schools," Helms said.

"Federal controls have demoralized teachers, students and parents," he added.

Albemarle Academy, founded in 1965, has an enrollment of 290 students in grades kindergarten through 12. The school has held a fund-raising dinner every spring for 14 years, said Headmaster Philip Whitacre. Saturday night's affair attracted more than 300 people who paid \$12.50 each to hear Helms.

— reported in the *Virginian Pilot*, April Fool's Day, 1979

school reported that its machines cost \$25,000 annually. The full time of one woman is taken up with replenishing the machines after the pre-school rush to ready them for the mid-morning break and the lunch-time onslaught. This woman reports that many of the children arrive at school without breakfast, since their mothers work and leave home before the children get ready for school in the morning. She said, "It's a matter of values. If you want your child to have a good Christian education such as they get here, both parents have to work. You have to decide if you want your child to have a good breakfast or a good Christian education."

Other limitations of the schools are the lack of health care facilities and personnel, special personnel such as librarians and counselors, and absence of testing programs to assess pupil needs and with which to evaluate the effectiveness of the schools in reaching their goals. Because of the costs, the schools are unable to meet the minimum standards of regional accrediting agencies and substitute instead the highly inadequate standards of their own accrediting agencies.

Though the new schools try to make a virtue of their limited curriculum, in fact it is limited. The schools can manage almost no enrichment, and even standard courses often are offered only in alternate years, with several grade levels squeezed into a single class. Many of the new school teachers are trained well enough, though they tend to be young and inexperienced, but there are enough

former ministers and other non-professional teachers in some academies, particularly the smaller and newer ones, to pull down the average.

The new schools are much more homogenous than public schools, and undoubtedly more tranquil. But they seem narrow and insular at a time when human perceptions are widening. They are homogenous when the pluralism of the American society is newly apparent, and they are separatist when we are already polarized politically, racially and even regionally. Their self-satisfaction is monumental when the rest of society is questioning itself and seeking new directions. They mistake old attitudes for old virtues, looking backwards as we hurtle forward. Indeed, they seem withdrawn, as if by recreating in their tight little enclaves a society in which an earlier generation felt comfortable, they can make today's world go away. In reality, that secure enclave is designed more for parents than for their children.

The new schools damage public schools, though how much it is not clear. The haven they offer fleeing middle-class families certainly exacerbates the problems in public school. As the more stable element departs, the proportion remaining becomes more and more volatile, which provokes further flight. In time, the public schools could become essentially pauper systems, educating only the disadvantaged. Considering the nature of American society, the disadvantaged are likely to be disproportionately black.

As they attempt to perpetuate the past, the new schools perpetuate old attitudes, old fears and old hatreds. The story of the South for the last three decades has been one of awakening, expansion of ideas, amelioration of old hatreds. In any people, this process moves best from generation to generation; children do, in this sense, instruct their parents. But the new schools enshrine parental attitudes and may well have the effect for their students of severing this generational expansion and maintaining attitudes and outlooks that the rest of society is setting aside.

Ultimately, the segregationist academies are destructive to what is a central question before the American people today — whether we are to remain two societies or become one. The academies were founded to perpetuate separatism. They stand as havens from integration and association with other cultures and colors. It is on this point that the schools are most of all antithetical to the course upon which the American society has set itself. □

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*David Nevin and Robert E. Bills wrote the book The Schools That Fear Built from a study conducted by the L.Q.C. Lamar Society which was funded by the Ford Foundation. This excerpt is printed by permission of Acropolis Books, Washington, DC, copyrighted 1976 by Nevin and Bills.*



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# THE COMPETENCY CONTROVERSY

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By Pamela George

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Educational testing in America has become a cradle-to-grave arbiter of social and economic mobility. Tests determine who succeeds and who fails, who receives remedial or enrichment services, who goes to college or graduate school, who has his or her way paid, and who practices medicine, law or the other prestigious occupations.

In perhaps the ultimate expression of their power, tests are now being used to reduce 12 years of public education into a set of specific questions which, if answered correctly, entitle a student to a high school diploma, the traditional ticket to upward mobility in America. Students who fail these competency tests may receive certificates that they attended school but no official statement that they mastered the basic skills of reading and mathematics. Officially, they are labeled "incompetent."

The movement to test students' competency as a minimum basis for awarding high school diplomas is growing steadily across the nation. Forty states have begun or are planning testing programs, partly from the belief that testing of essential skills will raise academic standards and increase educational achievement.<sup>1</sup> Strategies for administering competency tests vary, but in most cases high school students take the test in the fall or spring of their junior year. If they fail on the first try, they can take the test in the fall and/or spring of their senior year. Some states have current or pending legislation which provides for remedial instruction services for the students who fail.<sup>2</sup>

Taken at face value, the idea that

competency testing can assess basic skills and improve educational achievement is immensely appealing. Children should learn basic reading and calculation skills in 12 years of publicly financed education. Indeed, as early as the 1840s one state — Massachusetts — began requiring students to pass a test in order to graduate from high school.<sup>3</sup> In the 1870s, the New York legislature ordered schools to "furnish a suitable standard of graduation."<sup>4</sup> By the turn of the century, educational psychologists like E. L. Thorndike were advocating tests as a means to improve the quality of education: "We may not hope to achieve progress," said Thorndike, "except as . . . measuring sticks are available or may be derived."

In addition to this long-standing dependence on testing, a number of factors have fueled the current drive to install competency exams in American schools:

- **A desire for more scientific management.** Despite more than a decade of unsuccessful attempts to apply controls from the business world to the educational arena, enthusiasm for competency tests stems partly from the belief that scientific management can improve the schools. The desire is to make schools more "accountable" and "businesslike," more subject to "system analysis, planning models, budgeting-systems, and cost-benefit analysis."<sup>5</sup> Most of these proposals, modeled on industrial traditions of problem solving, ignore the complexities of the U.S. educational system.

- **A shift of attention from equality in educational opportunity to excel-**

**lence of academic achievement.** Schools still discriminate on the basis of race, economic status, handicaps and sex, but policymakers have turned from the issues of equality raised in the 1950s and '60s to a greater concern for making educational instruction efficient and effective. Many observers like Arthur Wise, call this conservative goal "a reaction to efforts to equalize the distribution of educational opportunities and resources."

- **A rise in public concern over burgeoning costs.** More than one-third of the annual expenditures of state and local government goes for education. Increasingly, taxpayers are demanding proof of the return on this investment; consequently, policymakers call for more testing to verify the system's performance.

- **An increase in the role of private business in education.** A plethora of test development companies, consulting firms, curriculum suppliers, technical advisors and testing experts have enjoyed a monetary windfall from servicing the growing educational establishment. They encourage the notion that competency tests are needed — and they profit accordingly. For example, a hefty proportion of the one million dollars spent to develop and test North Carolina's first exam went to McGraw-Hill Publishing Company. The test companies profit further by marketing "remediation kits" to failing students, harassed teachers and anxious parents.

- **Parents' fears about their children's employment future.** Figures for the unemployment rate among youth 17 to 20 range as high as 22 percent for



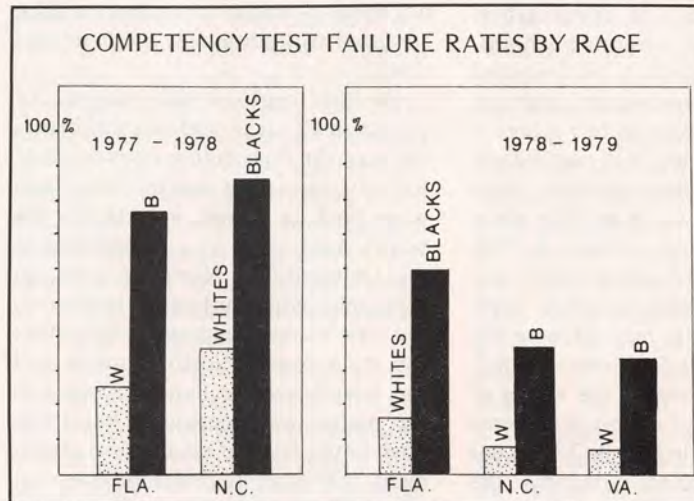


whites and 52 percent for blacks. Parents hear these numbers as well as predictions of more inflation and/or recession, and they turn to competency testing as a means of certifying that their child can read and calculate, and thus compete more successfully on the job market. Of course, the premise behind this logic is that large numbers of *other* children will be certified as "incompetent."

The prospect of officially labeling young people as incompetent raises serious concern among many educators and parents. They fear that the tests will disproportionately affect the poor, cultural and racial minorities, and the disabled. In calling for a moratorium on competency testing, they have identified a number of critical problem areas with the tests:

- **Accountability problems: who's responsible for the failure?** In North Carolina 51 percent of the high school juniors failed the first minimum competency tests given in 1978. In Florida, the failure rate was 36 percent on the 1977 test. Recent tests still produced failure rates (17 and 15 percent respectively) that indicate hundreds of thousands of students nationwide will fail to meet this prerequisite for high school graduation.

These test scores suggest a gross failure of the schools to educate. But rather than view the scores as proof of the need for a greater public commitment to education, current use of the numbers places the full burden of unsatisfactory performance upon the student. Competency tests "blame the



victim" by making students pay for the failure of the entire educational system. Ironically, while the demand for competency testing grows, new federal legislation for handicapped children puts the burden of responsibility for a child's learning on the educational institution, not the child. The concept of "zero reject" contained in the new law for special education for handicapped children — i.e., a teacher cannot opt out of teaching a child to read because the child may have some learning idiosyncrasy — does not apply, according to the philosophy behind competency testing, if the child is "just" poor or black. The system assumes responsibility for some children, but not others.

Some teachers' unions also oppose the shift in accountability which competency tests symbolize. They fear the tests may be used to measure the teacher's performance, blaming the

instructor rather than the school system for the high failure rates. The tests may then become the basis for making employment, promotion and merit pay raise decisions.<sup>7</sup> Unions and individual teachers voice a justifiable concern that they may become scapegoats for the low scores in a given school or school district.

The central accountability question remains: who should be held responsible for the failure of large numbers of students to demonstrate basic reading and math skills? The competency test may do more to obscure this valid question than to clarify its answer.

- **Racial and cultural problems: the new segregation?** Though policymakers and educators supporting competency testing emphatically deny any cultural bias in the tests, opponents note that competency testing did not become a concern until schools were desegregated. Some black parents suspect that



***“Educators exhibit a desperate  
insecurity easily exploited in  
public discourse  
and media brouhaha.”***

one goal behind this new movement to “protect standards” is resegregation within supposedly integrated schools. Whether resegregation is an intended or unintended consequence, regrouping of students based on test scores is likely. Such “tracking” will particularly affect black and poor children, since their scores are lower than their white and more affluent classmates. A 1976 Southern Regional Council report predicted that “tracking based on competency test results may become the new segregation” in Southern schools.<sup>8</sup>

In North Carolina in the spring of 1978, 85 percent of the black students taking the tests failed, while 37 percent of the whites failed. Similarly, the Florida scores showed that 77 percent of the blacks failed compared to 24 percent of the whites. In the most recent tests, which were adjusted in difficulty, the ratio of black-to-white failure has actually increased: 36 percent of the black students taking the test in North Carolina failed, over five times the failure rate of whites; 60 percent failed in Florida, almost four times the white failure rate. Results of the first testing in Virginia demonstrate the same discrepancy, with the proportion of blacks failing the test five times higher than that of whites.

The high failure count also affects educational opportunities for those minority students not labeled incompetent. In many state universities, admission quotas are based on the black-white ratio of graduating high school seniors in the state. The new high school graduation rosters, based on those who survive the competency test, will significantly alter the black-

white ratios, and as a result, fewer — not more — minority students will be admitted to traditionally white universities.

Another controversial issue related to the test’s racial and cultural bias is the way the high failure rates coincide with the increasing demand for a low-wage pool to attract industry to the South. Last year, in a symposium at the University of North Carolina, an economist with Burlington Industries, the state’s largest employer, argued that the main reason North Carolina had the lowest average industrial wage in the nation was because it has a low “per capita level of educational attainment.” Though it probably does not take a high school diploma to monitor shuttles on a Burlington loom, the competency test criterion can be used by companies like Burlington to justify continued low wages. Partly as a result of this link between per capita educational levels and industrial wages, parents have seen the competency tests as a mechanism to ensure their children jobs. In fact, what may happen is that the “failures” will be hired at lower wages, pushing out the more “competent” students. The competency testing movement thus is aimed toward two contradictory goals: industrial pressures for lower wage rates and placation of middle-class fears about unemployment.

• **Technical problems: what competencies, what minimum?** For a minimum competency exam to be fair, the school curriculum must be designed to teach the skills being tested. But the test’s proponents argue that a child should be able, for example, to com-

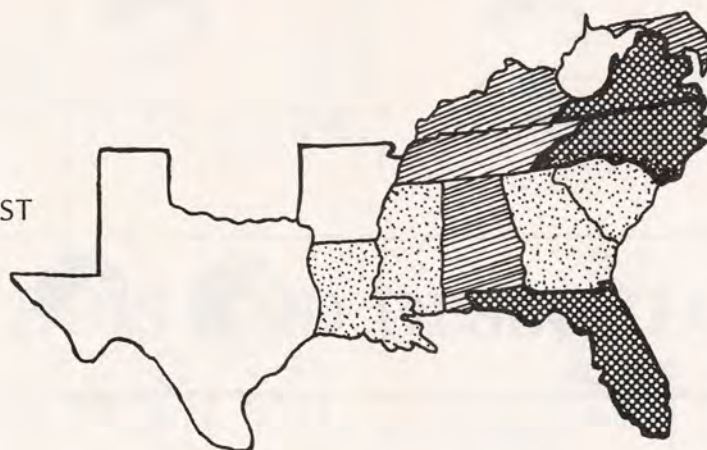
pute the most economical size of a grocery item, to use the yellow pages, or to understand a tax form — all skills which may not be directly taught in school. This is, of course, unfair; it may also be illegal. Merle McClung of the Center for Law and Education says that if a diploma is denied on the basis of subject matter never taught, such a denial is a violation of due process of law.<sup>9</sup>




Opponents of the exams also say students have not received sufficient prior notice that scores on competency tests will determine whether or not they graduate. In North Carolina, Florida and Virginia, eleventh graders were told only last year that they had to pass the exams in order to get a diploma. McClung argues that traditional notions of due process “require adequate notice of any rule which could cause irreparable harm to a person’s educational or occupational prospects.” The introduction of tests as graduation criteria does seem to change the “ground rules” after students have completed 10 or 11 years of school. Already, two class action suits (see box) claim that inadequate prior notice violates the Fourteenth Amendment, which safeguards individual rights and guarantees the due process tradition.

Yet another technical problem with minimum competency testing is the obvious subjective, and perhaps arbitrary, basis for assigning cut-off scores to divide those who pass from those who fail. The average cut-off score for passing the tests is 70 percent. However, by adjusting the difficulty level of the tests’ items, administrators can pass or fail as many students as they



## COMPETENCY TEST PROGRAMS IN THE SOUTH



-  programs in operation
-  programs legislated
-  programs planned

want. So the value judgments underlying the setting of cut-off scores are not clearly recognized, or at least are not made clear to parents. One critic warns that no amount of elaborate statistical data can do away with the subjectivity involved in setting what "minimum competency" should be.<sup>10</sup> The decision is clearly as much political as scientific.

- **Drop-out problems: a flight from the tests?** Wherever the cut-off point is set, failure and the threat of failure will affect the school drop-out rate. In North Carolina in 1978, over 15 percent of the high school sophomores dropped out in the summer before their junior year, shortly before the administration of the first competency test. Educational policymakers chose to give the exam in the first semester, directly after large numbers of discouraged students, who might boost the failure rates, left school. *Time* reported the flight of Florida high school juniors who failed the test to nearby Georgia schools where no competency test criterion is used for graduation.

- **Problems of remediation: compensatory education revisited?** In the haste to implement competency testing programs, the remediation efforts designed to help failing students have been poorly planned. To date only eight states have begun any bona

fide, planned remedial instruction program. Funding for these remedial services is limited. The North Carolina legislature voted only \$4.5 million for remedial efforts following the 1978 spring exam. This allocation translates to less than two extra teachers per district. Florida's Compensatory Based Education Act of 1977 provided \$10 million for remedial programs. In both cases the sums are inadequate in view of the large number of students needing additional instruction.

In addition, remedial programs will have to be significantly more effective than special education or compensatory programs have been in the past, if they are actually to reeducate the large number of students who fail the tests. The *Tampa Tribune* reported that at one Jacksonville high school only nine percent of the students passed the competency exam. Remedial services for so large a mass of students

will very likely be impossible. One North Carolina principal confided, "Nobody's going to check on the remedial programs, so you fake it and say, 'Sure, we're doing remediation.'"

Even if remedial programs were adequately funded and were implemented by trained and skilled teachers, providing adequate remediation would be difficult. Students who after 12 years have not mastered the cumulative basic skills required by the test are unlikely to acquire these skills in one session of summer school or in a weekly, optional reading lab. The critical question remains whether short-term remediation can compensate for the failure of schools to teach basic skills in the previous 11 years.

- **Administrative problems: bureaucrats as educators?** The logic of minimum competency testing includes the assumption that schools operate as a bureaucracy. The testing program, designed by the educational bureaucracy, specifies the goals the schools must attain. Bureaucratic structures plan, monitor and evaluate what goes on in the school, reinforcing the drift toward the centralization of educational decision-making away from the classroom into the higher levels of government.

The expanding bureaucracy, coupled with the actual expenses of testing, also

### JUDICIAL ACTION IN OPPOSITION TO TESTING

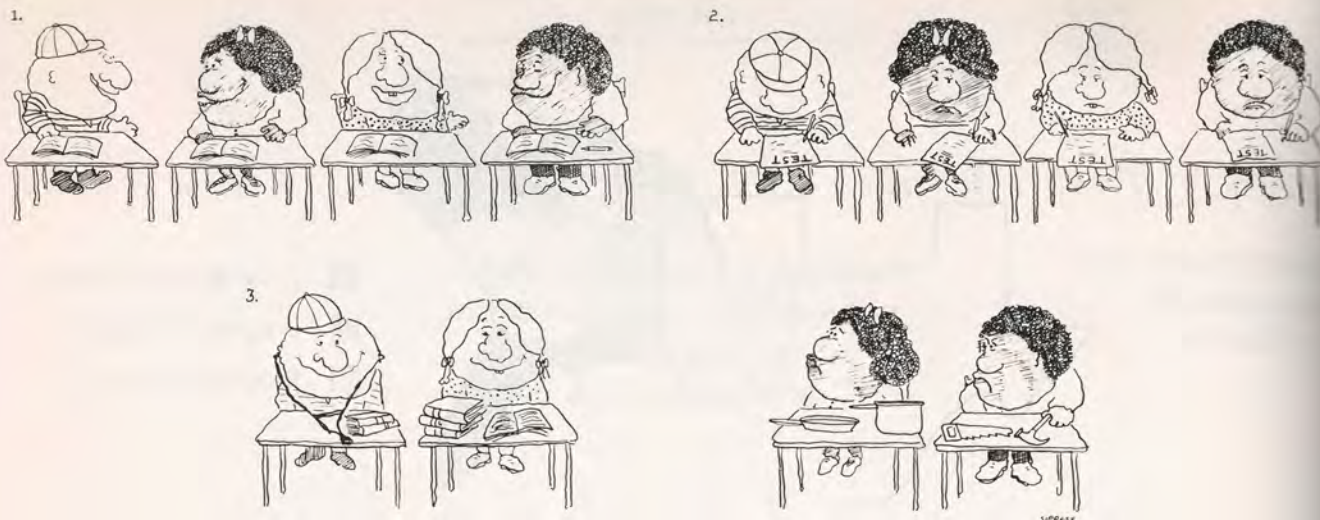
In October, 1978, ten Tampa-area students filed a class-action suit challenging the legality of Florida's competency testing program. The suit alleged that the test violates their rights under the Fourteenth Amendment to equal protection under the law. The students claim that the tests perpetuate practices of racial discrimination which have historically been present in Florida. They charge that they were subjected to segregated schools which continue to persist despite the 1954 *Brown v. Board of Education* decision.

The students further contend that much of their schooling has been inferior and wrought with discriminatory practices. They argue that the testing perpetuates these biases.

U.S. District Court Judge Terrell Hodges has disqualified himself from hearing the lawsuit. No action has been taken on the case since the fall.

Meanwhile, the Florida NAACP and North Carolina NAACP have filed suits alleging racially discriminatory intent in their respective state's testing programs. No action has been taken on these cases to date.





makes the cost of education soar. It has been conservatively estimated that the minimum competency testing programs will cost about \$50 million dollars annually.<sup>11</sup> Hidden costs to school systems not fully accounted for in the figure include possible legal challenges and the high price of remedial instruction. Significantly, these millions will be spent on testing and the testing bureaucracy rather than on implementing more effective teaching methods, such as reduced teacher-child ratios in the classroom.

Alternatives to the present competency testing movement do exist. These vary in desirability and manageability but serve as antidotes to the deleterious effects of competency tests.

- **Reallocation of responsibilities.** Federal and state government should be primarily concerned with promoting equality of educational opportunity. When local schools discriminate on the basis of race, economic status, sex or disability, higher levels of government intervention are needed to redress the imbalance. Local governments, boards of education, consumer groups and school staffs should determine educational goals for their communities and evaluate the attainment of those goals.

- **Retarget the tests.** The present use of competency tests as high school exit exams should be halted. Standardized tests could be used to *audit* the performance of systems, rather than the achievement of individual children. Test results, gathered as statistical evidence, should be reported in such a way that the stigma of poor perfor-

mance is removed from the student, and the burden of improving teaching methods and materials is placed on the educational professional and policymaker.

- **Rethink educational evaluation.** We must begin to act on the long professed belief that educational evaluation is much broader than the concept of measurement. A systematic monitoring of what goes on in the classroom would prove considerably more helpful than the students' answers to a series of questions. Supervisors, researchers and evaluators dedicated to upgrading performance must identify poor learning and poor teaching in the classroom, and inform teachers of ways to improve their effectiveness.

Education has always been vulnerable to the "trial and error" appetite of educational consultants. Educators, as a professional group, seem to exhibit a desperate insecurity easily exploited in public discourse and media

brouhaha. Characteristic of this insecurity is their peculiar responsiveness to movements and fads perpetrated by an education industry which profits from gimmicks and faddism. Hordes of experts hawking technologies and tests make the rounds, promising panaceas from public criticism. The fad of competency tests has now achieved the status of law in a majority of the 50 states and is in "full-steam-ahead" implementation in the South. Those who question their awesome consequences are brushed aside as obstructionists or worse. But on closer examination of the short- and long-range effects on the lives and learning of our children, it seems clear that the "costs" of using competency tests, as they are presently being implemented, far outweigh their "benefits." □

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## DU BOIS AND DESEGREGATION

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By Meyer Weinberg

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"We rejoice and tell the world," wrote W.E.B. Du Bois of the *Brown* decision within days after it was handed down. Nevertheless, he added, "many and long steps along Freedom Road lie ahead."<sup>1</sup>

Nine months later, Du Bois turned to a detailed analysis of the ruling. Under the best of circumstances, he predicted, "It will be a generation before the segregated Negro public school entirely disappears."<sup>2</sup> Implied was an even longer wait. *Brown* confronted black parents with "a cruel dilemma." Their children must be educated, yet, Du Bois declared

With successfully mixed schools, they know that their children must suffer for years from Southern white teachers, from white hoodlums who sit beside them and under school authorities from janitors to superintendents, who hate and despise them. They know, dear God, how they know!

But in justice to future generations of black children, he concluded, parents must accept the ambiguous legacy of *Brown*.

School desegregation would bring basic changes in black schools and communities. The idea of race solidarity, he observed, would have to recede and black culture yield to a concept of world humanity, superseding both race and nation. Superior black teachers would have to leave the schools because, Du Bois stressed, "they will not and cannot teach what many white folks will long want taught." Little teaching of black history would remain in the schools, he predicted, so the home and the church would need to pick up the slack.

As the months slipped by, Du Bois chronicled the lack of progress in desegregation. In January, 1956, he wrote that "segregation in schools still remains in most of the South, and complete nullification of the Supreme Court decision is bitterly advocated."<sup>3</sup> In November, 1957, he reported that "seven states where 6,000,000 Negroes live have taken no steps toward integration of the schools."<sup>4</sup> Beyond these references, apparently, Du Bois did not discuss the subject in print.

Segregation and desegregation of schools, however, were subjects Du Bois had frequently pondered during the years preceding *Brown*. In 1907, he explained in a debate in Atlanta that "our children are trained separately and into enmity, hatred and contempt for each other." Forced attendance in inferior separate facilities of any kind was devastating to the people involved. At the same time, he cautioned against equating the rule of Jim Crow with the separation of the races. The result of Jim Crow, he wrote, "is not separation but an arrangement whereby whites go anywhere they please and Negroes anywhere they can."<sup>5</sup> An important distinction, indeed.

Twenty-eight years later, in 1935, Du Bois asked whether blacks needed separate schools, and answered yes, no, and maybe. Ideally, a non-segregated school "is the broader, more natural basis for the education of all youth," he said. "It gives wider contacts, it inspires greater self-confidence, and suppresses the inferiority complex."<sup>6</sup> If, in such a school black

students were in fact denied equal treatment, then it was preferable that they attend a black school. This, however, was true only if, in the black school, "children are treated like human beings, [and] trained by teachers of their own race, who know what it means to be black." Otherwise, "a segregated school with ignorant placeholders, inadequate equipment, poor salaries, and wretched housing is equally bad."

In 1945, a correspondent in Dayton reported to Du Bois that he was being quoted as favoring all-black schools. He wrote her in reply:<sup>7</sup>

There are cases where the establishment of a separate school would be nothing less than a crime permitted by carelessness. There are other cases when the establishment of a separate school is not only advisable, but a bounden duty if colored children are going to get education. . . . What I want is education for Negro children. I believe that in the long run this can be best accomplished by unsegregated schools but lack of segregation in itself is no guarantee of education and fine education has often been furnished by segregated schools.

Essentially, his views remained unchanged over the period 1935-1945.

Du Bois recognized that separate black schools were almost always materially deprived. Little more than a year before *Brown*, he noted:<sup>8</sup>

Most Negro school children go to separate schools, and the Negro schools are poorer than the white schools, the difference in appropriations sometimes being fantastic and nearly always considerable. This means a vast difference of opportunity



***“Had it not been for the unrelenting pressure of black folk and their organizations, little other than ringing declarations would have remained by 1964.”***

for preparation for better work and in general intelligence. It is one of the greatest hindrances of the Negro.

As he spoke in New York City, several hundred miles away, in Washington, D.C., strategists in the *Brown* litigation had decided not to ask the Supreme Court to eliminate expenditure differences between black and white schools. They feared that, given a choice, the Court would equalize material facilities rather than abolish segregation.

Both before and after *Brown*, Du Bois held paramount the goal of educating black children. Before *Brown*, where this could be had without segregation, it was to be preferred. But if segregated schools were unavoidable, then they must be equally financed. After *Brown*, Du Bois counseled black parents to hold out for the historic promise of equality. When the Court ruled, Du Bois was in his 86th year and being shamefully hounded by the federal government for his radical views on foreign policy. While he wrote little during these years about schools, he weighed solemnly the positive and negative aspects of the new situation.

Does the Du Bois heritage turn us in any specific directions when we view what remains undone, one quarter of a century after *Brown*?

Some of the questions about just schooling have certainly changed. For one thing, simple access to some kind of education is no longer a problem as it was during much of Du Bois'

life. Instead, in one city after another, public schooling as a whole is in critical disrepair. Adequate public education for black children can no longer be pursued apart from the goal of improved education for all.

Du Bois would probably be puzzled at the growing call for “quality education.” The slogan usually covers little more than mastery of reading, writing and arithmetic. Parents who witness their children being deprived even of these fundamentals understandably welcome renewed attention to basic academic abilities. Such a goal, however, represents a completely inadequate conception of good education. Du Bois saw education as the creation of free men and women who had a strong sense of justice and a powerful commitment to strike down oppression. In the ideal school, students would learn how they shared common interests with people in other countries. They would understand the potentials of scientific and economic structures that can destroy or enrich mankind. According to Du Bois, educators who slight goals like these are helping foist off a threadbare rag as a majestic gown.

Neither segregation nor desegregation is a substitute for excellent education, although, as Du Bois pointed out long ago, it can thrive more easily in truly integrated schools. Enforcement of desegregation as a legal imperative must not flag. But new structures are needed to bring about excellent education.

One step that parents can pursue is to insist upon enforcement of their

state’s constitutional requirement of a good education for all children. At present, if a public school system fails sweepingly to educate children, nothing much seems to happen. Perhaps, however, this would change if school systems were treated as public utilities. If a gas pipe leaks, we phone the gas company, and — sooner or later — the repair person comes out to check. This is part of the obligation of the company in exchange for being given the right to a monopoly price.

Parents, however, cannot call a company to “repair” defective school systems. *But why not?* States could, for example, pass laws declaring that public school systems may draw state aid only so long as they educate children. If they fail to do so — and a standard would have to be set up — control of the system would pass to the state. When the system operated at an acceptable level, control could be returned to local authorities. The power of a state to do this exists right now, since school districts are the creation of the state. In the *Rodriguez* school-financing case, the U.S. Supreme Court held that elimination of educational inequalities was a state, not a federal, matter. The principle is a very broad one. Education has historically been a state responsibility; but, instead of taking a positive approach to learning, states are now creating examination standards which institutionalize inadequate schooling, penalizing the victims by withholding their diplomas if they fail competency tests.

Du Bois preached self-organization



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## PERSPECTIVE

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blacks as the indispensable precondition of racial advance. At the same time it was clear to him that, at least on the national scene, little could be accomplished without black-white cooperation. Since his death, the character of the problem has changed. A new political arena for black action has emerged: a coalition of the most oppressed minorities.

Few historians have studied inter-minority cooperation even though many examples have occurred. During the last months of Du Bois' life, in the summer of 1963, Mexican-American spokesmen asked to join a black-white coalition leading a civil rights demonstration in Los Angeles. The request was turned down. By fall, Mexican-Americans had created their own organization. Thereafter, they were considered a legitimate part of the civil rights movement.

In parts of Texas and California, as well as in Chicago, New York City and elsewhere, a coalition of minorities would approach or exceed a simple majority of the people. Yet the movement has not developed. Rather, school and government leaders have sensed its potential and effectively headed off any unifying development. A favorite device is to stress possible conflicts without searching for any possible solution. Bilingual-bicultural education, for example, is said to contradict desegregation. In a number of communities, Latinos and blacks are at arm's length over the issue. But the conflict is a false one. Bilingualism and desegregation can be very readily accommodated in the same school setting.<sup>9</sup>

In higher education, minority student groups have fought repeatedly over their share of inadequate student aid funds. The short-run partisan advantages sought in such conflicts melt away in the face of political benefits to be gained in the larger arena. Open admissions in the City University of New York, for example, would have been unthinkable in the absence of close Puerto Rican-black cooperation.<sup>10</sup> The declining vitality of the program over the past several years implies an inability of the black

and Puerto Rican communities to mount a continuing movement on behalf of open admissions.

As America's economy continues to sag, the country's minorities will feel the brunt most heavily. They will be drawn more closely together on a political level to alleviate the consequences of economic failure. By the same token, this newly consolidated power can be placed in support of new initiatives in education. Thus the 25th anniversary of *Brown* may witness the beginning of a new age in American education. Just as it did a quarter of a century ago, the impetus will come from the organized minorities and the poor, not from the educational establishment.

Celebrations of historic occasions are themselves part of history. For 25 years now we have celebrated *Brown* as a landmark of American progress. In Du Bois' phrase, it was one step down Freedom Road and thus deserves to be hailed. But it was only a single step, and a halting one at that. The Supreme Court virtually abandoned it for a decade after 1954, as one evasion succeeded another. Had it not been for the unrelenting pressure of black folk and their organizations, little other than ringing declarations would have remained by 1964.

Actually, except for the historic moment of May 17, 1954, the high court was a vigilant advocate of desegregation only from 1968 to 1973. Before then it permitted non-enforcement of *Brown* to become the rule. After 1973, it began to waver, and still seems adrift. There is far more to regret than to celebrate in the past six years.

*Brown* itself said nothing about the affirmative obligation of government to eliminate the discriminatory inequalities that are part of a racist social order. Nor did it mention the glaring material differences of schooling between privileged groups and poor and minority children, even within the same city. Nor did it speak to the broad span of devices used in too many desegregated schools that recreate separation in a thousand disguises. Nor did it prevent the real-estate

industry from segregating housing and thus complicating immensely the task of school desegregation.

Let us hope that on the 25th anniversary of *Brown* we will spend less time on 1954 and more on how American society can fill the gaps left by *Brown*. By looking forward we do not forget the past, but honor it. We will honor it all the more by building where earlier pioneers were not able. □

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# THE IMPLEMENTORS' REVENGE

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By Leon Hall

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*In the long run, our aim is not a society composed of people who are alike but one which recognizes the individuality of each man and permits him without penalties to express the difference of his personality and his heritage in his own way. Properly speaking, therefore, not integration but equality is our genuine objective.*

—Oscar Handlin  
*Fire Bell in the Night*

From my standpoint today, I am convinced that blacks and decent white Southerners are victorious in our 25-year struggle to desegregate public elementary and secondary education. We are the holders of a victory that parallels the Union victory in the Civil War. In fact, the reactions of many present Southerners to losing the war of school desegregation are identical to those of their forefathers upon losing the Civil War.

Central to the South's response has been an attitude once expressed to me by a white Georgia farmer: "We will move as slow as possible," he said, "and as fast as necessary." This attitude in general is deplorable, but when it is held by persons in control of public institutions, it is sure to breed tragic consequences.

The legal offensives carried out thus far by advocates of equality of educational opportunity in elementary and secondary education have been designed to end segregated schools. But to this point, all rulings by the Supreme Court have fallen short because they have been interpreted to deal only with mixing bodies inside classrooms. As a result, the greatest obstacles are now, and for a long time have been, the implementors of deseg-

regation policy who operate outside the classroom. The majority of implementors are still resisting the dictates of the law, genuinely embodying the Georgia farmer's philosophy of moving as fast as necessary and as slow as possible! The victim of these implementors' recalcitrance has been the black educator.

A report published in *The Urban Review* noted, "School policies relative to desegregation that various Southern school districts have adopted are deliberate in their intent: the annihilation of black educational leadership in those districts. . . . Between 1954 and 1970, in 17 Southern and border states, the black student population increased from 23 percent of the total to 25 percent; the black teaching force, by contrast, decreased from 21 percent of the total to 19 percent. In 1974, of approximately 17,500 school board members in the 11 Southern states, 325 were black; of the 1,558 school superintendents in these states, 13 were black.

The problem of the displaced black educator has exacted a heavy toll in the ranks of black principals (see charts) who have long been symbols of attainment, authority and respect in Southern black communities. Though these charts are based on statistics from Alabama, this situation in varying degrees applies Southwide.

Black students are also falling victim to the continuing resistance to desegregation. We are witnessing a phenomenon which the Southern Regional Council (SRC) and others have come to call "the student push-out." A student who had been "pushed out" is one who had been expelled or suspended from school under

questionable circumstances or who, because of intolerable hostility directed against him or her, finally quits school. Two of the chief methods of displacing students are suspension and expulsion (see accompanying article on push-outs).

A few examples illustrate the continuing harassment of black students. A black student leader attending a desegregated high school in Wilcox County, Alabama, was suspended without a hearing for his participation in a politically active student action group. A black youth was suspended from his Arkansas high school for four months for fighting in school. His white opponent was suspended for seven days.

In a Mississippi school, a black sophomore was expelled because he fled the campus during a series of racial fights. When he attempted to re-enter school that same day to complete an assignment, he was confronted by the principal, who accused him of trespassing. The student was arrested, spent three days in jail and was not allowed to return to school. His trial has been postponed twice.

Another black student, now in college, says that when her high school was desegregated, white school administrators continually harassed black students, placed black leaders on a "black list," and suspended or expelled many blacks for suspected fighting, supposed insubordination, chewing gum and other evidence of "inappropriate behavior."

Based on my observations of how school officials carry out court-ordered desegregation, I am convinced that they have chosen the most disruptive,



***“The older people is the problem. . . .  
One reason the students are  
dropping out is because of the  
establishment, which is square.”***

discouraging and damaging means to incorporate black children and black educators. They have decided to handle desegregation in a way that makes the price black communities must pay so high that black citizens themselves will stop pushing for desegregation and ask: is it worth it? Many black parents are forced to raise this question when they look into the eyes of their children, eyes that once held gaiety, spontaneity and joy and that now show sadness, frustration and anger. Is it worth sending children to encounter teachers who don't respect their personhood? Is it worth having children tested in a way that labels them slow learners or educable mentally retarded or uneducable?

It is true that some black children and some white children are suffering in public schools, but the simple presence of black and white children and educators within the same environment does not *cause* emotional damage to children or adults. Damage is not caused by desegregation itself, but by the way desegregation is carried out in most school systems. If the implementors perceive black educators and students as intruders, if black teachers, coaches and principals are fired or demoted, if black schools are closed and traditions abolished, if black students are treated with humiliation and hostility — then the potential for black children to be genuine victims of emotional damage is certainly present. And it happens.

I witnessed many of these problems during my five years as director of the Southern Regional Council's School Desegregation Project. I have traveled throughout the South, listen-

ing to students, offering advice and advocating that they be treated with respect; educating school personnel about the student's legitimate grievances (for example, suffering from dual disciplinary standards, being segregated within desegregated schools, not being allowed to participate in extracurricular activities, to observe Dr. Martin Luther King's birthday or wear Afro hair styles); urging school authorities to involve students in meaningful ways within school decision-making processes; attempting to assist students as they seek to pin-point the sources of their problems; urging them to realize that their problems are not problems of race and are not caused by other students. The problems are in many cases endemic of the system and the schools they attend. But in my travels I have also encountered a set of dynamics further convincing me that desegregation is a victory for decency and that desegregation offers great promise for future generations.

These dynamics are the attitudes and actions of a growing number of students in desegregated schools. Here in their words are a few illustrations of what increasingly represents the majority view of students. From a white junior in South Carolina:

It is obvious that most school administrations do not listen to the students. If school officials would begin to listen they would find much helpful information. The administration would know that a majority of the students (64% black and 54% white) are in favor of integration and want more interracial projects and activities that would produce better relations among the students. From the administration's standpoint this would be extremely rewarding. These projects and activities could foster better

communications and relations among students, thus lessening the chances of racial conflict. But unfortunately, most school administrations have remained quiet.

A black high school senior in Charlotte, North Carolina:

I believe integration has to work . . . if the parents and adults would stay out of it and let the kids work it out. It's the only way to advance. How are we going to change? Through education in the white man's way, the power lies in his hands. We have no power but the few jobs they throw blacks. I want the best and the best is not black schools.

A black student in Greenville, South Carolina:

The older people is the problem. I think if they just let the younger people run schools it would be better. If the young people could run the schools there would be no prejudice and no dropouts. One reason the students are dropping out is because of the establishment, which is square.

A white student in South Carolina:

There's a lot to criticize about integration, but it has a lot of good points. The two races should be living together and finding out a lot about each other. In the school I go to, there are a lot of black officials in school government and they have a lot of white support. Integration can . . . work out real good.

I have also observed simultaneously what I describe as a heightened militancy on the part of students. This militancy is shown most clearly by white students in the area of student rights. And on the part of black students, it has been manifested most clearly in a "no nonsense, take no stuff" attitude.





photo by Roxie Munro

Leon Hall testifying on push-outs before the U.S. House of Representatives Committee on Education and Labor Subcommittee on Equal Opportunity.

Reflecting on the civil rights movement of the '50s and '60s, I have realized that this militancy is not new, but is to a great extent a continuation of the movement in which black students were overwhelmingly the "shock troops" — marching in the streets, sitting in, going to jail, picketing, etc. (I was one of them!)

In desegregating the public schools, an increasing amount of the burden of the struggle for equality in education is shifting into the hands of students. It appears to me that society has asked — has forced — public schools to do what society itself is not yet asked to do: desegregate. Black and decent white Americans (primarily through direct action, the courts and the federal government) have pushed our schools further and more consistently on race issues than any other institution in this country. But now the courts and the government are becoming more of an obstacle than an asset. (In fact, a successful suit, *Adams v. Califano*, has been filed against HEW requiring the agency to resume its responsibility for securing compliance with the law.) America has conveniently placed responsibility for implementing school desegregation on educators and on students.

Charles E. Silberman states the situation in this way:

What we are discovering, in short, is that the United States — all of it, North as well as South, West as well as East — is a racist society in a sense and to a degree that we have refused so far to admit, much less face. . . . The tragedy of race relations in the United States is that there is no American dilemma. White Americans are not torn and tortured by the conflict between devotion to the

American creed and their actual behavior. They are upset by the current state of race relations, to be sure. But what troubles them is that their peace is being shattered and their business interrupted.

The (false) issue of busing ("It's not the buses . . . it's the Niggers"), the misuse of testing, tracking, ability grouping, private segregated academies, etc., all represent forms of the continuing resistance to desegregation. America is persistently unwilling to afford all children an equal education as it persistently fails to provide equal opportunity to all citizens. This poses a real possibility of making hollow our long-fought-for victory of equality in education.

And yet with all the setbacks and despair, we are victorious in that black and white students seem to be hewing out of their interactions an appreciation and respect for each other's worth and dignity and are judging each other not by skin color but by the content of their characters. We are victorious when black students continue to hold a burning fire within their souls and a willingness to struggle for freedom.

We have eliminated most of the legal barriers to still another of our rights and we have but one more major barrier to an equal educational opportunity: changing or removing the recalcitrant administrator/implementor and the absentee decision-makers who have nothing to lose if their "liberal" plans do not result in the desired results.

We have traveled farther on the road to equality and equity in pre-college education than perhaps any other area, except perhaps voting rights. But to complete and protect

this victory, parents, students, educators and our allies must demand through the courts, the vote and all forms of mass action, including boycotts, a greater degree of accountability from administrators and decision-makers, and greater representation of minorities in all positions of authority, from teachers to school board members to professional administrators. Every conceivable tactic must be employed, particularly by parents, to change or remove recalcitrant educators and decision-makers who threaten to destroy our children. Some tactics must also be found to recoup the millions of dollars lost to minority communities through minority faculty displacement.

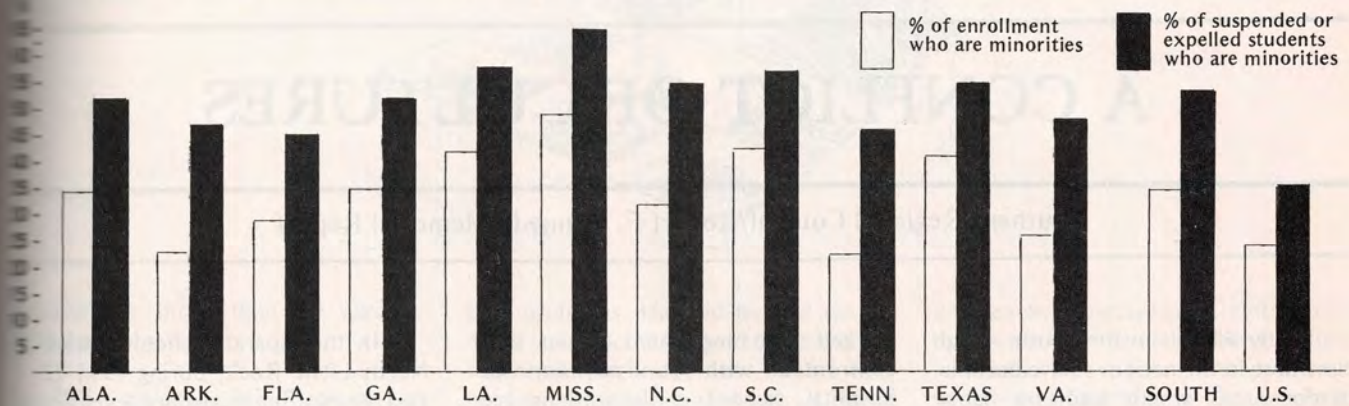
Students must be more diligent in their studies and more assertive in resisting racist and classist mistreatment. And public and private resources must be increased and made more widely available to minorities themselves, in order to support and protect children and educators in these often very hostile and discouraging environments. Desegregation advocates must regroup and work to ensure that we are responding to and assisting victims, not initiating and speaking for them. Once this is done, the tremendous pressure for equality in education that *Brown* unleashed, now waning, will resurgence. □

*Leon Hall is the former director of the Southern Regional Council's School Desegregation Project. This article is based on a speech delivered at "The Child of the South: School Desegregation and Its Significance," a symposium at the University of Virginia.*



## PUSH-OUTS

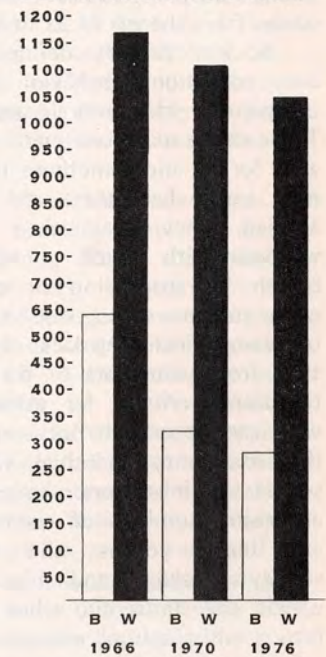
**PUSH-OUT VICTIMS: DISPROPORTIONATE NUMBER OF MINORITIES ARE SUSPENDED OR EXPELLED, 1976<sup>1</sup>**



**EMPLOYMENT AND DOLLAR LOSS FOR BLACK TEACHERS, 1968 and 1976<sup>2</sup>**

State	Total pupils 1976	% minority 1976	Change since 1968 in % of minorities	Total teachers 1976	% minority 1976	Change since 1968 in % of minorities	Number of black teachers displaced by discriminatory hiring and dismissals*	average teacher salary	Cost to black community in lost teachers' pay
ALA.	757,619	34.2	-0.8	33,218	28.8	-4.2	1,793	\$10,600	\$ 19,058,000
ARK.	455,181	23.2	-2.7	19,766	15.5	-4.1	1,522	9,733	14,813,623
FLA.	1,536,838	29.9	+2.5	74,344	20.9	0.0	6,691	10,811	72,336,401
GA.	1,068,813	35.2	+3.5	53,048	29.7	+0.9	2,918	9,911	28,920,298
LA.	834,056	41.9	+2.7	38,275	35.3	-0.4	2,526	10,092	25,492,392
MS.	497,993	49.0	-0.2	23,102	39.3	-4.9	2,241	9,379	21,018,339
N.C.	1,175,272	31.4	+0.8	53,322	22.5	-3.9	4,746	12,034	57,113,364
S.C.	640,291	41.8	+2.2	28,462	29.2	-5.2	3,586	10,391	37,262,126
TN.	874,039	21.8	+1.0	38,217	16.5	-1.1	2,026	11,120	22,529,120
TX.	2,827,101	40.8	+5.2	129,528	20.9	+4.0	25,776	11,542	297,526,592
VA.	1,097,329	25.8	+1.8	53,063	18.8	-1.0	3,714	11,970	44,456,580
South	11,764,532	34.5	+4.1	544,346	23.9	-0.5	57,700	\$11,100	\$640,526,835
U.S.	43,713,809	24.0	+4.0	2,046,688	12.6	+1.8	233,322	13,397	\$3,125,814,834

**BLACK AND WHITE ALABAMA PRINCIPALS IN ELEMENTARY AND SECONDARY SCHOOLS<sup>3</sup>**



**NOTES AND SOURCES:** (1) Includes students suspended once, suspended more than once or expelled. From Table 6 in State and National Summaries of Data Collected By The 1976 Elementary & Secondary Schools Civil Rights Survey, published by the Office for Civil Rights of the Department of Health, Education and Welfare, November, 1978. (2) Derived from material in the same report for 1976 and from the Directory of Public Elementary & Secondary Schools in Selected Districts, Enrollment and Staff by Racial/Ethnic Group, Fall 1968, published by the Office for Civil Rights of HEW. Teacher salaries are estimates from table 12 of Statistics of Public Elementary & Secondary Day Schools, Fall 1976, published by the National Center for Education Statistics, HEW. \* This number is the difference between the actual number of minority teachers and the number that should exist if the ratio of minority-to-white teachers was the same as the ratio of minority-to-white students. (3) From the Urban Review, vol. 6, no. 3, 1973, and . . . The 1976 Elementary & Secondary Schools Civil Rights Survey. Similar discrepancies between the number of white and black principals, and their relative change in the last decade, exists for the other Southern states. PREPARED BY SOUTHERN EXPOSURE, Vol. VII, No. 2, May, 1979



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## A CONFLICT OF CULTURES

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Southern Regional Council/Robert F. Kennedy Memorial Report

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Many schools in the South — and elsewhere in the nation — have become battlegrounds where tradition fights change, race and culture confront race and culture, and the discriminatory use of authority often brings anguish and frustration. Although there have been victories and defeats for both tradition and change, most of the casualties are students, the young people required to attend school from the age of six to 16.

Society broadly defines acceptable educational behavior in terms of majority class morals and values. These values may have merit as standards for all and sometimes they may not, but when they are unfairly applied, they may then become weapons with which to reject and banish by suspension or expulsion many students who — due to a variety of reasons including lack of stimulation from educators — do not fit traditional criteria for achievement, who cannot or will not conform to the sometimes parochial values of school administrators. Among these are rising numbers of restless white and black youths who question society's values, and blacks who offend the status quo when brought into a white school majority or any school setting where the values of white middle-class society dominate. Thus a new category of classroom elite is created — the pushout, the student who through discriminatory treatment is excluded from school, or else is so alienated by the hostility of the school environment that he or she leaves.

Black students have been excluded from extracurricular activities,

tracked into segregated classes and confronted with condescension or hostility. School confrontations are provoked through discrimination in disciplining black students, by use of Confederate symbols, and the displacement of black principals, teachers and coaches, which leaves the black students without role models. The highly sensitive issue of bi-racial dating triggers disciplinary reaction from school officials, often for nothing more than an innocent or casual greeting. Dress codes and school regulations are too easily manipulated in an unfair and arbitrary manner to restrict contemporary student lifestyles, often first introduced by blacks. The curriculum remains oriented around white, middle-class, college-bound students.

Two of the more flagrant documented cases of in-school discrimination are in Arkansas, in Little Rock and North Little Rock. One reason these cases stand out, however, is that educators are concerned enough to gather data as a first step in solving their problems. Only suspensions are shown, since the term "expulsion" is not used, as one administrator said, because of the "stigma and psychological weight of the word."

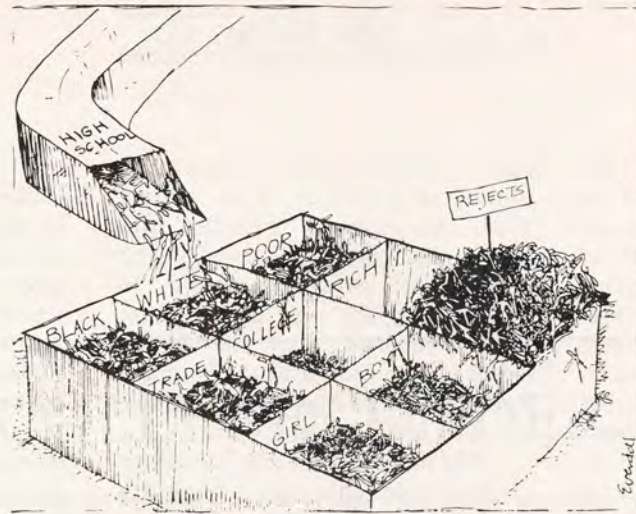
The 1968-69 to 1971-72 figures do show the number of whites suspended fell from 500 to 377, while the number of blacks rose from 829 to 1,504 in these school years. Black percentage of suspensions increased from 62.4 to 79.9, while the black enrollment percentage changed from 31 to 37.7 during the same period.

In the separate school district of North Little Rock, during 1971-72 — two years after secondary level desegregation — junior/senior high enrollment was about 20 percent black, while more blacks (611) were suspended than whites (574). Through the winter holidays of 1972-73, figures showed the same trend, with 174 blacks suspended to 167 whites.

Resistance to desegregation through the discriminatory use of discipline is apparent in statistics from several other districts. In the Charlotte-Mecklenburg County, North Carolina school district (where the Supreme Court decision in *Swann v. Charlotte-Mecklenburg* ruled that busing was a legitimate tool to achieve desegregation), suspensions rose from 1,544 in 1968-69 to 6,652 in 1970-71 (when the *Swann* decision took effect), then dropped slightly to 6,201 in 1971-72. One source estimates that 90 percent of those suspended were black. Expulsions rose from 25 blacks and 11 whites in 1968-69 to 94 blacks and 14 whites in 1971-72.

In St. Petersburg, Florida, suspensions rose from 3,500 in 1968-69 to 8,200 in 1970-71. During the first half of the 1971-72 school year, 4,100 students were suspended and up to 9,500 were predicted for the full year. Only 16 percent of the enrollment is black, but blacks make up about half of suspensions. In Seminole City (a suburb), 1,000 suspensions and 39 expulsions were reported in March, 1972. In Tampa, where suspensions rose from 1,458 in fall, 1970, to 2,697 in fall, 1971, black enrollment is about 19 percent, but blacks





drawing by Coby Everdell

account for more than 50 percent of suspensions.

Phil Kaplan, a Little Rock lawyer active in civil rights cases, said that in analyzing suspensions he found patterns of discrimination throughout the state. Blacks are frequently dismissed from school when they are involved in an offense, he said, whereas whites are not. He said that black students have been expelled for "sexual reasons" (illegitimate pregnancies, marriage), for being disrespectful, and for questioning a teacher's authority. Archaic and restrictive dress codes, he said, are widespread, in spite of court rulings against them, and some blacks have been suspended for wearing Afro-type hair styles. Kaplan also charged that the threat of corporal punishment is used to intimidate black students, but school officials reply that students are given a choice between a paddling or being sent home. They said that the "licks" are chosen, often with the support of parents.

Where blacks are present in the schools in any numbers, Kaplan said, there is a strong impetus behind efforts to get them out of the schools. When the proportion of blacks is below 15 percent, he said, the problem is less severe, and appears to be worse when the percentage is 30 to 40, because blacks represent a "threat" without being numerous enough to wield power.

The superintendent and the influence he brings to bear, Kaplan added, makes the biggest difference in how districts deal with desegrega-

tion problems. He said he had never heard of a school board reversing a superintendent's decision on an expulsion. The superintendent is perceived as the appropriate decision-maker by the board and in the eyes of the community.

While disrespect for teachers and principals has led to more student suspensions than any other single violation, some observers feel that student actions are often misinterpreted by their educators.

"The disrespect white teachers read into the actions of black students may not have been that at all," said Dr. Joseph Kite, superintendent of Vermilion Parish in Southern Louisiana.

"But the students are often suspended for being disrespectful anyway. And the same thing happens to white students with black teachers," says Dr. Kite. He recalled the first year Vermilion Parish schools were integrated, a time when he said teachers spent 30 percent of every school day trying to keep order in the classroom.

Conflict with authority and resultant disciplinary measures may be a sign of many things — racial problems, age and cultural differences, or rapidly changing social values. What is most obvious, however, is the continuing differences of opinion between students and authorities over these issues.

Superintendent Henry C. Cole, chief administrator of Greenwood School District No. 50 in South Carolina, told the Greenwood Rotary Club that discipline is the number one problem in the school system. The

difference in perception is epitomized by a student from South Carolina who said, "Man, I run into problems with disciplinarians. I keep getting sent to the office and home for nothin."

At the heart of the pushout phenomenon lies a serious question about the integrity and force of our national law. The Fourteenth Amendment of our Constitution guarantees "due process" and "equal protection of the laws" to all Americans. Countless federal court decisions have repeatedly reaffirmed the constitutional right of all children in public schools to be free of racial discrimination.

Title VI of the Civil Rights Act of 1964 provides that "no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance (emphasis added). Those public school officials who are responsible for racially discriminatory policies and practices which result in suspensions and expulsions or which induce minority students to withdraw from school, are violating the law and are subject to challenge in the courts.

A recent decision by a federal district court in South Carolina summarized and solidified the constitutional requirements of due process in cases of student discipline. In this case, five students at an Anderson County High School were suspended following racial disturbances. The



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## PUSH-OUTS

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court found that the students had not been accorded due process, and ordered their readmission. The court also ordered the school district to provide books and special tutoring for the students, to make arrangements for them to take examinations, and to provide for their transfer to adult education classes in the event they failed the examinations. Most importantly, the court laid down four basic requirements for procedural due process in school disciplinary cases:

- Students must be given advance notice of the action (long-term suspension or expulsion) to be taken against them, and a hearing to determine whether or not such action is warranted.
- Students must be given the names of witnesses against them and a summary of the adverse testimony to be given, although they need not be given the right of cross-examination.
- Students have the right to be heard in their own defense, and to present evidence in their behalf.
- No serious disciplinary action can be taken against students except on the basis of substantial evidence.

Since the landmark decision by the Supreme Court involving the suspension of students who wore black armbands to protest the Vietnam war, it has been firmly established that a student does not abandon his First Amendment rights at the school-house door. This is not to say that, under this and other Supreme Court decisions, all rights afforded citizens under the First Amendment are afforded to students, but at least a student may not be disciplined simply for his expression of ideas or activities based on his associations where threats to the good order of the school cannot be established objectively.

Response to youth self-interest on the part of parents, teachers and school officials requires that they recognize students not as objects to be

manipulated, but as participants in the process of education. Even without much cooperation, students have shown that they can come up with answers to serious problems. In Florida, a white high school junior told a reporter from the School Desegregation Project of the Southern Regional Council how students handle problems in her school:

"We have an interracial committee of 60 people. This year, I think this has become very effective. When we formed . . . we selected first . . . good advisors whom we could trust, one black and one white. Then we selected all types of people with different ideas who would be very helpful and open about racism, our main problem at school. . . . We get together and discuss problems of students and then come to a possible conclusion about how to solve the problems. And then [we] take these to the administration. We just try to promote harmony among the students. . . . Last year we had riots, this year we have had a few stir-ups and that's about it. I'm not saying we prevented this, but I feel sure we played some part."

The point of this example is that direct lines of communication were established among students and between students and the administration. Students of both races arranged ways to talk with one another about each other's problems, then a course of action was decided upon and carried out. In a few cases where community support came early for such student involvement, racial incidents have been avoided.

Again, Orangeburg, South Carolina, provides an excellent case-study in meaningful student involvement. Students were included in preparations for desegregation, once a decision was made to end hard-core resistance on the issue of student transportation. In particular, the school district brought together student leaders at an August, 1971, workshop that helped greatly in smoothing the transition from racial isolation to a unitary system.

Utilizing funds from the Emergency School Assistance Program Act

of 1970, the district financed the student conference in the informal setting of a motel in Santee, South Carolina. A broadly representative group of young people met with school personnel, community leaders and officials. A variety of possible student problems were discussed and methods worked out for coping with them. Human relations and leadership training was provided with the guidance of the Center for Integrated Education at the University of South Carolina. In working through the agenda together, the students were able to make a contribution in that planning process, to gain some understanding and acceptance of one another and to establish an open dialogue.

No one could say that student participation has not been effective in Orangeburg. With a unitary ratio of 67 percent black and 33 percent white, students have elected council representatives on a roughly 60-40 black to white basis. Discipline problems have remained within reasonable limits, with no major racial conflict. The extensive use of suspensions — such as occurred in Charlotte during the first phases of desegregation when thousands of students were suspended (and 90 percent of them were black) — simply did not happen in Orangeburg.

This official recognition of the paramount importance of student involvement in successful desegregation, a policy that reduces the likelihood of students being denied their right to equal educational opportunity, is crucial if the South and the nation are to attain the quality of education so long desired, and which is so desperately needed. As a young black student from Austin, Texas, put it after a bi-racial skirmish:

"I just wish they'd let us help. . . . We have feelings and some skills, too. . . . We need the responsibility."□

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*This article is an excerpt from a report written and published by the Southern Regional Council and the Robert F. Kennedy Memorial in 1973. It is reprinted here by permission.*



# BLACK COLLEGES UNDER ATTACK

By Frank Adams

Daily across the South, new stratagems are being added to the melancholy list of dodges, evasions, sleight-of-hand tricks and massive resistance used over the years to keep blacks out of college. The defiant politician of the '60s, standing in the university doorway, refusing entrance to one or two carefully chosen students, is gone. His place has been taken by faceless administrators in every Southern state who, in the name of equality and Supreme Court doctrine, set forth policies which quietly, but effectively, prevent hundreds, not handfuls, from going to college.

On the surface, many if not all the policies appear uniform, just and free of bias with regard to race, class or sex. They win quick acceptance from legislators and university governing boards by promising administrative effectiveness while ensuring the continuing flow of federal dollars. The particular victims of these ministrations, however, are the 35 historically black public colleges and universities, enrolling about 118,500 students.

Flowing from the great headquarters citadels for the South's increasingly centralized university and college network — Chapel Hill, Richmond, Knoxville, Columbia, Athens — are policies on enrollment ceilings for out-of-state students, program allocation, admission and graduation criteria, tuition levels, budget formulas, student aid disbursement, and dozens of lesser institutional housekeeping functions seldom heard of but critically important to the maintenance of publicly supported higher education. Many of these policies are

already in place. Others are being considered. And they have taken a toll:

In less than a decade, enrollment at the traditionally black, tax-funded schools has dropped seven percent. Between 1976 and 1977, over 1,500 fewer students signed up at these 35 colleges. Some schools face loss of identity. For instance, West Virginia State College, once the only school open to blacks in that mountain state, now enrolls a predominantly white student body. Oklahoma's Langston University, mired for years in restrictions similar to those placed on most black schools, has been led by four presidents in three years and may be closed by the very legislature which has kept it poor.

Few educators in these black public institutions have been able to protest the new policies. "We are in the position of the colonial administrators left behind by the British to run India when they pulled out," one said after receiving assurances of anonymity. "They have given us broken institutions, a little money, and said, 'You're on your own.' If we say a word against this, we're fired."

Now, however, through the National Association for Equal Opportunity in Higher Education (NAFEO), their voices are being heard on Capitol Hill. They have questioned why not a dime of HUD money recently allocated for new construction in higher education reached a single black campus. NAFEO has also filed briefs as part of a landmark 1973 case, *Adams v. Richardson*,\* which requires the Department of Health, Education and Welfare to

stop dragging its feet in pushing desegregation in higher education. NAFEO presented the theory supporting the continued importance of black colleges:

*We have recommended that the cornerstone of the state [desegregation] plans should be to protect, enhance, and expand the historically Black colleges and universities as the most effective way of expanding the pool of educated Blacks. . . . It would be a mistake to assume that Black Americans have reached equality with white Americans and that the same approaches would be equally beneficial to members of both groups. . . . In short, because of the essence of inequity and because the state has been so heavily implicated in this inequity, special efforts are required by the state to ensure that compensatory measures are taken to move more rapidly toward equality. . . . The primary purpose of strengthening the Black colleges should be to enable them to do a better job of their primary mission of educating more Blacks. . . . A second and most vital function is the preservation and study of Afro-American cul-*

\* Decided February 1973 by U. S. District Court for the District of Columbia (356 F. Supp. 92 DDC 1973) and upheld in June by the U. S. Court of Appeals, with implementation plans continuously argued before and reviewed by DC District Court Judge John H. Pratt.





photo by Joe Zinn

*tural heritage. . . . Still a third function they serve is providing for the Black community social pride, a sense of positive identity and accomplishment of leadership. This is a wholly constructive function in a society which is culturally diverse.*

Specifically, NAFEO urged that five steps be taken to build up black institutions: financial support which allows for remedial education; capital outlays for new buildings; new academic programs; special faculty and staff development programs; and no mandated "numbers or quotas of white administrators, faculty or students in these institutions as long as they are in keeping with the law and protective of the rights of all American citizens who wish to apply to them."

Existing state policies run counter to all five steps suggested by NAFEO. Late in 1977, Dr. Samuel L. Myers, executive director of NAFEO, formed a four-member team to visit 13 public and 12 private historically black campuses in nine states—Arkansas, Florida, Georgia, Louisiana, Maryland, North Carolina, Tennessee, Texas and Virginia. His survey of impediments to desegregation policy, the first of its kind, was issued in 1978.

Based on the Myers report, and my own findings in a six-month tour through the South for the Institute for Southern Studies, it is fair to conclude that even the most open-minded white Southern university administrator seldom, if ever, takes into account the historic deprivations individual black students generally bring to college, or which have marked the life of

institutions deliberately ignored and under-financed over the years. Some black administrators in these colleges feel that lack of information, rather than racism, is the problem. Others, however, feel these bureaucrats begin their policy formulations with the goal of undermining or eliminating black colleges. Myers spoke with many educational leaders who "perceive that the officials, working backward, then devise a series of policies which, if rigidly adhered to, would cause the black college to self-destruct. . . . The statement, 'They are out to do us in,' was articulated too often by too many respondents to be ignored."

Specifically, what are some of these policies, and how do they affect future educational options for Southern blacks?

Admission policy and its implementation is central to the life of any university. Test scores and tuition costs are key elements in those policies. Across the South, new criteria for admissions are being set in place. In the name of assuring minimum proficiency levels, administrators are upping the requirements on scores of standardized tests used in the admissions process. At Elizabeth City State University, one of North Carolina's five traditionally black institutions, officials are being asked by the consolidated university administrators to raise the minimum Scholastic Aptitude Test (SAT) score necessary for entrance by over 20 percent. The school, like others faced with similar "improvements," would be hit by two licks with one policy:

First, many students who might choose Elizabeth City State would

be denied admission. Second, the university, like the majority of black colleges, has designed its teaching-learning program to fit the students' abilities, not predetermined standards of "academic excellence." Remedial education has been a central part of Elizabeth City State's historic and current mission. By denying the students access to the college, or to any institution which accepts students with low test scores, the state simultaneously reduces the potential number of black graduates and cuts into the school's vital and traditional role.

Despite widespread talk among Southern policymakers about prohibiting remedial education at four-year colleges — such as Elizabeth City State — and relegating the function to the community college system, no state has yet taken this step. Meanwhile, there are indirect restrictions. For instance, the Full Time Equivalency (FTE) budgeting formulas used by many Southern states to allocate funds generally do not include money for remedial education. "Indeed," as Myers noted in his report, "if classes are kept small to make possible more effective learning on the part of the students with academic deficiencies, the formula budget, if based on FTE, actually penalizes the colleges. In one state, if classes fall below ten students, the college is permitted to hold the classes; however, no funds whatever are provided." This policy also discourages, if not prohibits, the inception of new programs in which enrollment initially could be small.

Other states proclaim their determination to support remediation programs, but then fail to finance them. Georgia, for example, decided in 1976



***“Fiscal audits are often used to undermine and harass the predominantly black colleges rather than assessing them for compliance.”***

to curb unusually high dropout rates at the state's three historically black schools — Albany State, Fort Valley State and Savannah State. Policymakers decreed that tutorial programs and academic, personal and vocational counseling should be available at each institution. July 1, 1978, was set as a date for implementation. All of these advances were given extensive press coverage. But when the policymakers submitted their budget, no funds were requested to implement the plans. By mid-1979, the three schools which once served all Georgia's black students, enrolled less than one-third of the blacks in Georgia colleges. Black educators I spoke with declared their certainty that Georgia's white administrators were shutting down the schools. They pointed to the fate of all-black, “separate-but-equal” high schools after integration. “They still take integration to mean a one-way street,” one black teacher told me. “We ride on their side of the street, or we walk.”

State policies are being developed that strike at enrollments in another way. Approximately 23 percent of the students at the 35 historically black institutions in the U.S. are classified as nonresidents of the state in which they attend college. The vast majority of these public colleges are in the South, but they draw students from all across the nation. Moreover, because many graduates moved north or west for better paying jobs, the alumni are nationally distributed. But it is becoming increasingly difficult for the children of these alumni to attend their parents' alma mater. Most states already have disproportionately high tuitions for out-of-state students;

others are now adopting strict limits on nonresident enrollment. Alcorn State University in Mississippi, for instance, charges in-state students \$588 tuition. For out-of-state students the fee is \$2,138. As Myers noted, “To cut off, artificially, out-of-state enrollment is to cut off the historically black college from its alumni, supporters, and its heritage. White colleges, on the other hand, are more locally oriented. Therefore, an equal out-of-state enrollment restriction has a greater adverse impact on the black college than on the predominantly white institution.”

Budgets are used in dozens of ways to hinder black schools. Ostensibly, funds for building repair are dispersed equally among all state colleges based on enrollment. But most black institutions operate out of buildings that, once erected, were usually forgotten. Upkeep is so great today, some administrators argue, that expenses should be considered capital improvements rather than operating appropriations. Beyond the question of what to call a budget line item, the funding formulas do not take into account the disproportionate flow of operating funds into the predominantly white institutions from endowed chairs, accumulated foundation resources and endowments. “This, in itself,” one economics professor told me, “perpetuates an inequity in the context of equality.”

Black colleges have been further attacked because their budgets seem to require unusually high per pupil expenditures. The cost differential *is* real at many of these schools. The educational needs they are trying to fill are usually greater than at comparable predominantly white institu-

tions. On the other hand, the higher costs are often misleading. In at least one instance, the state insists that all student aid be included in the college's budget. This figure is then divided by enrollment to get a cost per student. Since 90 percent of this school's student body receives aid, the figure is at first glance high. And it looks worse beside a predominantly white institution with 23 percent of its students on student aid. State officials have publicized the difference to infer that black-run schools are inefficient.

Policies affecting student aid distribution are even more crucial to the future of education for blacks. The National Center for Education Statistics completed in 1978 a follow-up study on the 1972 high school graduating class. Chief among their findings was that financial aid apparently is a strong incentive for students to stay in college. Dropout rates were lower and graduation levels higher for students of all races, income and ability levels if they received aid, either as loans or in the form of campus jobs. Nearly 70 percent of all black college freshmen received aid in some form. And Dr. Johnny R. Hill, executive director of the Office for Advancement of Public Negro Colleges, estimates that 75 percent of all currently enrolled black students receive financial aid. The average parental income of these students is just over \$6,000 annually.

Ironically, while financial aid apparently helps the student make it through school, it may be the undoing of some understaffed colleges. A look at the bureaucracy associated with work-study programs illustrates the





photo by Joe Zinn

impact on a school's administration, especially on accounting and business personnel. Each student's Social Security number must be filed along with a complete statement of parental income. Each of these must be independently verified. Time cards have to be made out and maintained for each student. In other words, with large proportions of their students receiving financial aid, some black institutions face the prospect of being choked to death with the paperwork necessary for their students to continue their studies and graduate. Pleas for computers or additional resources to soften the administrative burden have been ignored. As Myers found,

*The computation of the packages to assure that each student receives his maximum allowance and assure that the aggregate of distribution stays within the allocation to the institution, requires human and physical resources that far exceed the three percent administrative costs usually built into the program.*

Colleges and universities have complained so loudly about the proliferation of paperwork in recent years that a federal interagency committee is exploring ways to curb the problem. But this paperwork places an additional burden on black schools precisely because so much of it deals with financial aid. Myers also reported "a widespread feeling that the fiscal audits are often used to undermine and harass the predominantly black colleges rather than assessing them for compliance. Young, inexperienced accountants or professional 'hatchetmen'

are sent in to uncover as many exceptions as possible. They come more frequently, stay longer, scrutinize more closely, and are generally unsympathetic to the broad social objectives shouldered by the institution. . . . In addition, the exceptions as publicized in the press embarrass the college officials and further damage the institution's image."

Since the *Adams* decisions, Southern states have also shown reluctance to provide significant capital improvement funds for black colleges. Virginia, for instance, is under court order to improve the quality of black campuses. But in 1976 the state approved a long-range budget of \$86.5 million for construction on public campuses, of which less than \$6 million was earmarked for black campuses. The extent to which black college campuses have been allowed to physically deteriorate and therefore require extensive capital outlays was dramatically illustrated by recent appropriations in Florida and Arkansas. In 1976, when the legislature allocated \$19 million for traditionally black Florida A&M, \$17.6 million was for repairs and remodeling. At Pine Bluff in Arkansas, nearly \$400,000 had to be spent to remodel a building for faculty offices and bring an infirmary up to safety specifications.

Similarly, black campuses are being short-changed in the expansion of curricula. Across the South during the 1977-78 academic year, the 35 historically black schools began offering 29 new undergraduate degree programs, and 13 new graduate-level programs. Even a partial listing of the new undergraduate offerings reveals how severely

the curricula of many black schools have been limited by previously unabashedly racist policy: Alabama A&M is now awarding a degree in psychology; Bowie State got the right to offer degrees in journalism and mass communications; Norfolk State can now award degrees in music; South Carolina State will soon award degrees in social welfare and criminal justice. Nevertheless, policy decisions continue to favor the white campuses. For

*Despite the University of North Carolina's repeated claims to the contrary, even a blind man could tell the state's historically black universities were saddled with dated curricula, restrained from offering new programs, under-financed, poorly maintained, afflicted with paternalism and, in general, suffering the outcomes still of the long since illegal Plessy doctrine.*

*David Tatel, director of the Office for Civil Rights in the Department of Health, Education and Welfare, led a fact-finding mission to North Carolina state-run campuses for three days in late February 1979. Tatel, a lawyer, is blind. His eyes for the inspection trip were Dr. Mary Berry, a lawyer herself, but also an historian who was dean at the University of Colorado in Boulder before becoming undersecretary of education at HEW. Dismayed at what he found out on the whirlwind tour, Tatel said, "... the impression you get is that the system*



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## SEGREGATED COLLEGES

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***“A determined effort seems underway to eliminate black, tax-supported universities. The new policies create a pattern of racism as destructive as overt neglect.”***

example, since 1972, the predominantly white and male Board of Governors of the University of North Carolina has authorized the establishment of 85 new degree programs. Only 18 of them, including four on the master's degree level (in adult and continuing education, agricultural economics, electrical engineering and industrial engineering) went to historically black institutions. And, as of this writing, funding for some of them remains in

doubt.

In sum, a slow, determined effort seems underway to eliminate historically black tax-supported colleges and universities. The list of policy impediments could continue: differential salary schedules, default policies on student loans, indirect tuition increases, allocation of federal grants, and other administrative devices used to pinch institutional nerves. Disguised as rational, equitable policies, they

continue covertly a pattern of racism just as destructive as the overt neglect of white leaders 20, 40, even 100 years earlier. □

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*Frank Adams is coordinating editor for this issue of Southern Exposure. He is the author of Unearthing Seeds of Fire (Blair Press, 1975), a profile of Highlander Center, and the co-author of the forthcoming To Know for Real, an oral history of Goddard College.*

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## AND THE BLIND SHALL SEE

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is still very much separate and unequal.”

Through Ms. Berry's eyes Tatel saw:

Eight students in a biology laboratory at the traditionally black Fayetteville State University dissecting the same frog because the school didn't have enough funds to buy lab supplies. And when he got to predominantly white NC State in Raleigh, officials told him most modern biology courses don't even dissect frogs these days. Professors prefer more complicated animals.

Neither Elizabeth City State, Fayetteville State nor Winston-Salem State have been allowed to develop graduate degrees, even in the academic areas in which they have traditionally been strongest, including teacher education.

Just how under-financed black institutions have been over the years was graphically illustrated at Fayetteville State which, between 1947 and 1972, was appropriated a total

of \$7.8 million. During the same period, the university system allocated \$21.1 million for Western Carolina, \$28 million for Appalachian State and \$36.8 million at East Carolina, all predominantly white campuses.

The swimming pool at NC Central University in Durham was found not fit to meet city health standards.

The ceiling was falling down and water seeping through the walls in the home economics building at North Carolina A & T in Greensboro.

And at the trip's last stop, Tatel and his party visited Hugh Cale Hall, a woman's dormitory at Elizabeth City State, where they found two women sharing rooms designed for a single occupant, and three women assigned to rooms previously used by two.

“There are very clear and obvious inequities,” Tatel said before heading back to Washington. “There are shortcomings to be overcome.” His remarks cheered alumni of the historically

black schools. They had been urging HEW to carry out a federal judge's orders to consolidate duplicated programs on nearby black and white campuses, to upgrade the black institutions, and to open up enrollment options for blacks.

But as the federal court's March 14 deadline for action came and went, Tatel was silent about what steps HEW might take to cut off nearly \$90 million in federal funds flowing into all aspects of the university's segregated system. “There will be no announcement of any kind on the North Carolina case today,” he said.

Only after the NAACP filed papers with the federal courts to stop HEW's continuing delay did Tatel's boss, Joseph Califano, announce that procedures were beginning that might eventually cut off federal funds to the UNC system.

— Frank Adams



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# THE CASE FOR THE BLACK COLLEGE

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By James Lyons

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Increasingly, the very existence of black colleges is being challenged. *Why do we need black colleges now that we have integration?*

Everyone will certainly acknowledge that opportunities for black citizens have increased, but the question of whether integration or even desegregation has taken place remains. While an increasing number of black college students (more than 50 percent) are going to white institutions, more than 50 percent of the black students who graduate from college graduate from black institutions. This raises a serious question about the extent to which black students are actually being integrated into the life of the institution. There are obvious examples of the so-called "revolving door" in operation. Black students enter the white institutions in September and are dismissed in December.

In a national survey that I conducted in 1972 to determine how white institutions were adjusting to the black pressure on campus, one large university indicated that more than 200 black students were admitted in September, and all but 10 of them were dismissed at the end of the first semester in December. In other institutions black students are placed in special compensatory programs, kept there for a year, and then dismissed. It is no coincidence that in many black institutions, first-time

freshman enrollment is down, while transfer enrollment is up. Each semester, institutions such as ours admit black students who have transferred from white institutions. A surprisingly large percentage of these students did so for nonacademic reasons. Thus, while we applaud the so-called integration that has taken place, many black students who have gone to white colleges and universities and then transferred to black institutions say that they were not made to feel a part of the campus and that their presence was merely a way of cashing in on the available federal dollars. They are returning to the black institutions where they feel they are really wanted.

Unfortunately, history has dealt many black Americans a severe blow in the area of equal educational opportunity. Many of the students who come to our institution cannot enter white institutions because of the standardized admissions tests. At our institution we believe that every high school graduate who desires to better him/herself should be given the opportunity even though his/her background, by traditional measures, might reveal that the person is not adequately prepared for college work. All of our institutions can cite numerous examples of students who came to college with test scores and high school grades that showed little if any likelihood of success. Yet the students

were encouraged to develop to the fullest and went on to some of the world's finest graduate institutions.

During my research in 1972, I interviewed the vice president for academic affairs of a large black institution in the Deep South. The day that I arrived on campus he had learned that one of his seniors had just been admitted to the Harvard University Medical School. He acknowledged that his institution "took a chance" when it admitted the young lady as a freshman. She had the lowest SAT score ever presented on an application during his tenure. Neither of her parents had gone to high school, and as a result, she had very little in the way of material comfort. The young lady graduated magna cum laude after four years, and after considering several offers, accepted a fellowship to Harvard.

With the increasing number of students coming out of high school with less than desirable skills, black institutions will continue to serve an important role in higher education.

Furthermore, a growing number of black students who have gone through integrated elementary and secondary schools are now seeking an opportunity to study in an environment where they are in the majority. Many of these are very able students who feel that they can grow even more in a black environment.

I once asked the captain of the





photo by Joe Zinn

cheerleaders at a black institution why she chose to attend that institution instead of some others. She indicated that while she had the grades and test scores to go to any institution in the state, she was very frustrated by her high school experience. Whenever there was competition among the girls, the question of meeting the white standard of beauty was apparent. She wanted to matriculate at a college where race would not be an issue.

One important function of black colleges and universities that is often overlooked is that they provide role models for young black students. Many of our students come from areas where they have seen few if any black professionals. Other than the family physician, all of their professional role models have been white. As white schools, by and large, have very few black administrators and faculty, the contact at black institutions becomes extremely important. Here black students have the opportunity to meet and get to know black scholars and academicians, who in many instances have distinguished themselves in a given area of knowledge.

One of the most important reasons for the continued existence of black institutions is to preserve the black tradition. Most of the other black institutions, including the church, have been integrated or merged with white institutions. Black unions, medical and

dental associations, and churches trained blacks to perform the necessary tasks that were vital to us as a people. Now the black college stands as the only institution still performing this function. Somewhere blacks must be able to look back and explore the richness of their culture and heritage. I have often thought about the old Negro Baseball League, and the many outstanding players it produced. Unless there is a deliberate vehicle for preserving and uplifting the outstanding achievements of these athletes, my sons will probably never hear anything about them. Unless there is some vehicle for preserving the contributions that have been made by black Americans like Booker T. Washington, Charles Drew, Mary McLeod Bethune, Duke Ellington, Jackie Robinson, W.C. Handy, Jack Johnson, Paul Robeson, Paul Laurence Dunbar, and Hiram Rhodes Revels, the roots of millions of Americans may be lost. The black college must meet this important need as we look toward the future.

Black people have seen, time and again, that integration has meant assimilation. When public schools in the South were integrated, it was the black school that disappeared; it was the black teacher who lost her job; it was the black principal who was demoted to assistant principal; it was the black child who had to leave his/her neighborhood, seldom the reverse.

The black college campus can be the place where the white student can learn about the black experience by living in a black environment. Similarly, the black college can and should be the place where both black and white scholars can come together to share, study and conduct research related to the black experience. Centers for the Study of the Black Experience on campuses such as ours would serve as an important social, educational and cultural vehicle.

Is there a need for a place where those of any race or creed who have been denied access to the mainstream of America may find acceptance and dignity? A place where inadequacy or incompleteness of one's former training is not equated with inability to learn? A place where the heritage and culture of the student (of all races and creeds) becomes a part of the curriculum? A place which considers academic growth as just one component of the total development of a person?

The answer to these questions is a resounding Yes! Herein lies the need and the justification for the Black College. □

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*James Lyons is vice president of academic affairs at Delaware State College in Dover, Delaware, and formerly held the same position at Barber-Scotia College in Concord, North Carolina.*



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## A CHALLENGE

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By Kenneth Clark

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It is a puzzling fact that in the last quarter of the twentieth century, 25 years after the historic *Brown* decision, reasonable Americans are still talking about American education in terms of racial qualifications. Otherwise intelligent Americans — black and white — still talk, act and vote in terms of “white” schools and “black” colleges, as if these terms and the incredible realities they reflect are God-ordained.

At the turn of the century, the late W. E. B. Du Bois prophesied that the problem of race would be the dominant problem of the twentieth century. His prophecy is now seen to be alarmingly accurate.

Given our heritage of racial segregation and racially segregated schools, America is not now prepared to deal intelligently with the problems of race throughout the world. In spite of the emergence of China as a major world power; in spite of our recent embarrassment in Vietnam; in spite of the imminent racial confrontation in southern Africa, Americans are still casually talking about a role for “black” colleges. Those who control our social, political, economic and educational destiny, and our press and media, continue to discuss American education in terms of the racial traditions and qualifications of the seventeenth and eighteenth centuries.

Desegregation of American public education will come. It must come if America is to survive economically, technologically and morally as a stable and effective democracy in a contemporary world. Recognizing this fact, and recognizing that it is inconceivable that we will retreat in the

struggle for the desegregation of American public education, there remains the question of what must be done in the meantime. White and black children are not expendable on the altar of racism. We must now ask ourselves what must be done to prepare the present generation of students in America to continue and intensify the struggles for the desegregation of American education.

In seeking the answer to this critical and challenging question, we must first understand that as long as race is the important factor which determines what school a student attends, then there will be limits on the quality of education for that child, whether white or black. We must understand that we cannot educate, in a true meaning of the word educate, American children for an effective and constructive role in a contemporary world by accepting the superstition that some children belong in a “black” school and other children belong in a “white” school.

About 18 years ago, I stated to a group of Negro college presidents my belief that almost all Negro colleges should face the fact that they were not able to function on a single standard collegiate level because most, if not all, of their students were the victims of segregated and inferior elementary and secondary education. I suggested that these Negro “colleges” reorganize their facilities, curricula, methods and staff to face head-on this fact. Specifically, I suggested that these schools become academies with the educational objective of seeking to compensate for the previous 12 years of educational inferiority and prepare their students

for a single standard high level of collegiate, graduate and professional education.

These suggestions were rejected then and probably will be rejected now for many reasons — not the least of which is the matter of the maintenance of the pretense of status associated with the designation “college.” The fact that a college degree from most black colleges is a racially determined double-standard, non-competitive degree had to be subordinated to the vested interests inherent in the maintenance of American racism.

A clearer perspective concerning the depth and persistence of American racism as it dominates American education requires a re-examination and a search for additional specific interim roles and responsibilities for predominantly black colleges. First, they must still seek to compensate for the educational deficit resulting from the 12 years of segregated and inferior education which were imposed upon the majority of their black students. This compensatory educational role cannot be accomplished by words, or the rhetoric of such terms as “enrichment,” “compensatory,” “remedial,” or “special educational programs for the disadvantaged.” It can only be done by tough, hard, realistic educational programs which set clear, obtainable standards and which insist on their attainment as indicated by the measured achievement of the students.

The fundamental purpose of these compensatory programs has to be to build in our black students the foundation necessary to make them truly competitive in future academic,



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## SEGREGATED COLLEGES

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***“Black colleges cannot be accessories to racism by merely providing black students with a second-class education which is ‘good enough for blacks.’”***

vocational and professional careers, and to provide them with the substance and the solidity essential for a productive and gratifying life. Such a program, if successful, would remove from many of our young black people the necessity for the posturings, the pretenses and the mouthings of the rhetoric of pride which pathetically lack the substance of genuine pride based upon achievement.

To obtain these goals will require drastic rethinking of the traditional structure, organization, objectives and goals of higher education of American blacks which were inherited as part of the legacy of American racism. We will be required to reorganize our thinking on the very nature of higher educational institutions attended by the majority of black students.

Above all, we must have the courage to free ourselves from the myth, the magic, the assumed sacredness of the four-year limit for the attainment of a college degree. The task we have set for ourselves in this more realistic and difficult approach must define a college degree not in terms of the appearance of academic courses, not in terms of a stated amount of time, but in terms of actual academic achievement. Each student must be provided with the time he or she needs to reach a level of academic performance which would make him or her able to compete with others on a single standard of academic competition.

Black colleges can no longer be accessories to American racism by being content to provide black students with a second-class education which is “good enough for blacks.” Nor can we continue to imitate

blindly the traditional rigidities of white colleges. To do so will merely reinforce the racist hypocrisies, the frauds, the normative dishonesties inherent in the designation and present realities of “black” and “white” colleges, and “black” and “white” education.

There is a second challenge. Black colleges can facilitate and deepen the meaning of education for their students by involving them in programs designed to deal directly with the problems which blacks must face and solve in their communities. This role of black colleges would not only provide them with a valuable community educational laboratory in the model of the agricultural extension programs of the land grant colleges of the past; it would also give meaning and substance — and a demonstration of the inextricability of trained intelligence and social responsibility — to a college education. A successful college-community cooperative program would add an empathic, socially sensitive dimension to education in America which all levels of American education now seriously lack.

In daring to educate their educationally damaged students; in daring to make the process of higher education an integral part of the quest for rational solutions to the problems of the community and the market place, black colleges will give “soul” and “relevance” to all aspects of American education. Soul and relevance do not have to mean the dilution of standards. Soul can mean empathy and social responsibility; relevance can mean a demonstration of concern. These are the missing ingredients of the present

products of the prestigious “white” American colleges and universities.

This dual responsibility, or obligation, which the continuation of American racism now imposes upon black colleges, is indeed a formidable one. I have no illusions that it will be easy to accomplish. Neither do I believe that the majority of black colleges, their executives, their faculties or their administrations will eagerly embrace this difficult task. Problems of status and of posturings at the expense of substance and honesty can be expected to prevail in the majority of institutions organized and controlled by mere mortal human beings.

It is my belief, however, that only through this kind of drastic educational re-examination, reorganization and insistence will we be able to raise the quality of education in our predominantly black schools and colleges to the point where black students will be able upon graduation to compete on a single standard of academic ability with students from more privileged segments of our society. If we do not move toward and obtain this goal, our black colleges, for the most part, will remain a cruel hoax and crumbling monuments to the continued and deepening racism of American society. □

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*Kenneth Clark's pioneering research on segregated education became the scholarly foundation for the NAACP's litigation leading to the Brown decision. He continues to speak and write prolifically, is a trustee of Chicago University, member of the NY State Board of Regents, and partner of the consulting firm, Clark, Phipps, Clark and Harris.*



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# CHECKLIST FOR QUALITY EDUCATION

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By Hayes Mizell

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The theme for the education agenda for the 1980s is very simple: "In the 1980s, the educational interests of all children must be primary." Three aspects of the 1970s have set the stage for this theme.

First, the 1970s have been described as the "me decade" because of our pre-occupation with self-improvement, self-analysis and self-actualization. To the extent that this movement has made people more aware of their self-worth and power, it has been helpful. To the extent that it has provided personal support to the women, minorities or handicapped persons who are demanding that the public schools recognize their educational needs, it has been valuable.

But in many respects the "me decade" has had an impact on our public schools which has not been helpful. Children have been left out. The emphasis on "me" has been an excuse for self-indulgence as competing forces already in control of our schools have battled to protect or expand their interests. I am not suggesting that school boards, teacher unions, school administrators or taxpayers sacrifice their worth or yield to oppression. But few of their struggles in the last decade have been about those things. Rather, the issues of privilege, prerogative, power and economic self-interest have more often been at stake. And those issues have seldom had much to do with the educational

interests of children sitting in classrooms. They have instead reflected a set of values oblivious or opposed to the interests of the child.

It hasn't seemed to matter if schools are closed for long periods of time or if less time is spent on classroom instruction. It hasn't seemed to matter if some teachers and administrators are ineffective in their efforts to help children, or if some of them don't even try. It hasn't seemed to matter if less money is available to meet children's needs, or if the latent talent of *every* child goes unidentified and unchallenged. For too many adults involved in the process of determining the quality of our schools — in spite of the rhetoric to the contrary — the "me decade" has been expressed in actions which have communicated all too clearly that the educational interests of children are not considered to be very important. As a result, children have been harmed.

Another phenomenon of the 1970s supports the need to begin to emphasize the educational interests of children. So much emphasis has been placed on educational programs and systems that what works for individual children seems to have become secondary. The unstated assumption seems to be that if only the right educational program can be found then children will learn regardless of the teacher's commitment, preparation or understanding of the program. Several current examples il-

lustrate this faith in the power of the programs and systems themselves. In this day of minimum competency testing, we are asked to accept assertions that existing remedial programs are adequate to assure that children's basic skill deficiencies can be corrected. The faith in systems has even been carried to its illogical conclusion at the national level where we are told that the reorganization of federal education agencies will itself improve education for children.

Programs and systems, properly used, can be a valuable *means* for delivering services to children, as well as for helping them understand fundamental learning concepts. But too often they have become the *ends*. So much energy, money and debate in public education is focused on whether to create or abandon a particular program, or on how to make it work better, that the interests of children seem to be secondary. As a result, children have been harmed.

These observations point to the primary focus of an agenda for the '80s: our emphasis must be on meeting children's educational needs at the micro level of the educational process, at the point of the interaction between teacher and child. More skills, people, and money must be brought to bear *directly* at the individual classroom level to serve the educational interests of children.

Bringing *skills* directly to bear





photo by Bruce Roberts

means having schools of education which require their faculty to spend at least 20 percent of their time in field work assisting teachers in classrooms; it means having relevant in-service programs for teachers which take place in classrooms and which deal with real problems teachers have identified; and it means providing opportunities for more effective, caring and creative teachers to share their skills with other teachers who need help.

Bringing *people* directly to bear means more adults in classrooms working directly with children; it means more parents involved in knowing what is happening in classrooms and in helping to shape school policy; and it means more teachers, aides and volunteers.

Bringing more *money* to bear means more discretionary funds available at the school building level so school site councils composed of parents, teachers and administrators can work together to determine how funds can be used to advance the education of children; it means incentive grants to individual classroom teachers so they can have the resources to improve the quality of their teaching and so they can more reasonably be held accountable; and it means taxpayers and politicians who are more concerned about the educational interests of children than they are about their own pocket-books. This agenda item will be realized only if we all keep in mind that

teaching is extremely hard work, and that it is the relationship between the child and the teacher which deserves fundamental attention and support. No program can replace the teacher; no system can substitute for parents knowing what is going on in the classroom.

The third phenomenon of the 1970s that helps set the agenda for the 1980s is a contradiction. In the midst of the widespread rhetorical commitment to educational justice and equal educational opportunity, practices which perpetuate *injustice* and *inequality* of educational opportunity continue. Particularly among politicians and educators, there is a studied use of rhetoric that includes phrases about "meeting the needs of every child," "accepting the child where we find him" and "providing an equal opportunity to every child." But children continue to be excluded from school for disciplinary reasons even though such exclusions are usually unnecessary and do not address the root problems responsible for a child's behavior. Minority children continue to be disproportionately referred for psychological evaluation and classified as handicapped, in spite of safeguards provided by federal law.

Children who come to school without having had some of the advantages of other children are defined as problems simply because they cannot meet

the school's expectations, which are based on class and cultural assumptions. Increasingly, children are judged "not ready" for the first grade and are assigned to a separate class that is a kind of educational purgatory — neither kindergarten nor first grade. Other children who have difficulty learning or behaving in a way that is acceptable to the schools are tracked, expected to achieve little, casually taught, ignored and, in many subtle ways, encouraged to drop out.

Some of the parents of these children, or other citizens representing the interests of such children, serve on the Parent Advisory Councils mandated by Title I of the Elementary and Secondary Education Act. Though school officials complain about how difficult it is to involve these parents as the law requires, the fact is that many of those school officials are not providing the training, information and opportunities for involvement which the law requires; they are, in fact, making every effort to frustrate the constructive involvement of Parent Advisory Council members as effective advocates for those children who need their help the most. Because of these practices, children have been harmed.

As part of our agenda for the 1980s, we must insist that the laws passed to protect and expand the educational rights of children must finally be enforced and made to work *for* children. The federal government, and some state



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## GOALS

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***“The only way the educational interests and rights of our children will be protected is for people in local communities to work on behalf of all children.”***

governments, have said they care about the educational opportunities of many children — those who are racial and language minorities, young women, those from low-wealth school districts, those with handicapping conditions, and those who have not had certain educational advantages. Even though some progress has been made, all levels of government seem to be confused. The existence of laws is not a substitute for the enforcement of laws. We must communicate to state legislators and members of Congress that their responsibilities did not end when they passed laws; they must see to it that those laws work for the educational interests of our children and, above all, they must not retreat from their commitments to those children.

Making those laws work is not merely the responsibility of federal government officials. It is the job of all citizens and the duty of community organizations which have historically been concerned with these issues. Because of the successes that were achieved at the national level during the 1960s and early 1970s, some people feel they can rely on the President, the Congress, the Supreme Court or certain federal agencies to guarantee their rights. That is no longer the case! The only way the educational interests and rights of our children will be protected is for people in local communities to work on behalf of all children.

The following checklist provides some areas where local people need to take action — according to their responsibilities as parents, teachers, school board members or legislators — for the educational interests of all children.

### Parents and citizens should:

- Insist that educators spend just as much time and resources identifying and strengthening children's abilities as they do emphasizing children's academic and developmental deficiencies.
- Visit at least once a year each classroom in which they have a child enrolled to conduct a classroom audit. The visit should not only include observing the class in session, but also a discussion with the teacher about what resources he or she needs to do a better job.
- Organize themselves into groups actively seeking to pay *more* taxes to provide the revenue necessary to improve the quality of classroom instruction.
- Work with classroom teachers to identify the types of administrative and instructional support needed to improve teacher effectiveness in the classroom. Work to see that such support systems are provided, and that they are used.
- Monitor the policy development processes at both the local and state levels, and insist that policies be devel-

oped only after receiving substantive input from parents and lay citizens.

- Insist that teacher training institutions revise their curriculum to prepare teachers more realistically for the needs of all children. Deans of schools of education should insist that faculty members spend at least 20 percent of their time in local schools working with classroom teachers. They should also establish an advisory committee composed of parents, local school administrators and local school board members to provide feedback concerning the performance of the teachers trained by the schools of education.
- Be knowledgeable about state and federal education/civil rights laws which are intended to advance and/or protect the educational interests of their children. They should also know how these laws are supposed to be applied at the local level, and know what steps to take when they believe the laws have been violated.

### Teachers should:

- Recognize that outreach to, and effective communication with, parents and community groups are essential means to build an alliance which will ultimately advance teachers' interests.
- Acknowledge they don't possess essential skills to meet all children's instructional needs, and make it clear they want, need and are willing to





photo by Bruce Roberts

accept assistance to strengthen their skills. Resolve not to avoid responsibility for developing such skills by blaming difficulties encountered in the classroom on children, parents, communities, or legislative mandate.

- Insist they have access to in-service and instructional development opportunities which will assist them in better meeting the needs of children. Also be receptive to mandated training which is related to system-wide/school-wide problems, or which is for the purpose of correcting teachers' deficiencies.

- Join with school officials and parents in designing and supporting an efficient evaluation system for classroom teachers and administrators, which will ensure that educators are effectively serving children or are terminated.

- Link their bargaining of salary, benefits, and working conditions with a like number of demands which will directly improve the quality or quantity of needed educational services available to children. Prior to negotiations, work to promote community understanding of, and support for, both the welfare related and education related demands.

- Pledge to devote maximum feasible

time to classroom instruction. Resist all initiatives which have the effect of disrupting or detracting from time spent on classroom instruction, or on students' "time on task."

#### State and local boards of education should:

- Take affirmative steps to attract more persons from various minority groups into the teaching profession, and create leadership development programs to facilitate the entry of minorities and women into administrative positions.

- De-emphasize the importance and value of quantitative standards of educational quality (as manifest in teacher and school certification requirements, and attention to school facilities). Develop new criteria which emphasize qualitative standards.

- No longer assume children are being helped just because they are in remedial education programs. A critical assessment should be made of the effectiveness of such programs, particularly as they affect minority children and those from low-income families. Remedial education that fails to advance the achievement levels of stu-

dents significantly, or that results in other harms, should be terminated.

- Promulgate and implement policies mandating that children who commit attendance or disciplinary offenses which do not clearly threaten the security of the school community, must be kept in school. The root problems responsible for the commission of the offenses must be identified and remedied as part of the school's disciplinary processes.

- Mandate that all future schools have enrollments of no more than 800 students or be organized into administrative units serving no more than 500 students each.

- Require all students to participate periodically in a variety of vocationally oriented mini-courses in grades 6 to 9. Create programs to encourage low-income, minority and women students to enter non-traditional and non-stereotypical vocations of their choice.

- Require and enable school counselors and guidance personnel to be trained to spend at least half their time in direct personal counseling with students and, when appropriate, to help them use resources which can address students' social, emotional, family, educational and physical concerns.

- Closely monitor the impact of



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## GOALS

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***Mandate that all future schools  
have enrollments of no more than  
800 students or be organized  
in units of less than 500.***

minimum competency programs and testing programs on the educational interests of minority and low-income students. The actual practices of local schools' uses of such programs should receive frequent scrutiny.

- Employ at least one fulltime person who works directly for and is accountable solely to the board on the basis of a renewable one-year contract. This person would serve as an independent source of information, research, analysis and training requested by the board.

- Join with classroom teachers in personally lobbying state and local funding authorities for the revenue necessary to provide better salaries and benefits for teachers.

- Examine the effectiveness of current in-service training programs for teachers. Place more emphasis on in-service training at the local school level as a response to problems encountered or caused by teachers.

- Make it clear to local school districts and schools that the concept of "local control" will not provide a sanctuary for the poor quality of education resulting from administrative/instructional abuse, incompetence or lethargy. It should be made clear that state and local boards of education consider it an affirmative duty to intervene in those districts or schools where the poor quality of education is attributable to such causes.

- Demand that state departments of education determine and address the special needs of children in rural school districts where the majority of

the children are black and come from low-income families. The state departments of education should initiate an intervention strategy to help solve the critical problems of such districts.

### State legislators should:

- Prepare legislation which will establish fair procedures for public school employees to bargain collectively on matters related to salary, benefits, and working conditions. The authority to decide what will be taught, and how it will be taught, should be reserved to representative units of government.

- Develop state-financed compensatory education programs which will provide children who have special academic needs with opportunities to receive intensive supplementary instruction in extended school-day programs, on weekends or during the summer.

- Re-examine the process by which public school teachers are certified and change the process to emphasize and reward teaching skills, knowledge of subject matter and ability to relate to students, rather than academic credentials and performance on tests.

- Develop and fund a program to provide small incentive grants directly to classroom teachers for the purpose of improving classroom instruction.

- Establish school-site councils, with meaningful authority, as a new unit of local school governance. The

councils would be composed of parent, teacher and administrator representatives. Within the context of laws and policies established by the federal, state and school district levels, the councils would carry out defined responsibilities for school governance.

- Establish state human rights agencies, or extend the authorities of those which exist, with the power to enforce students', parents' and teachers' constitutional rights in public schools. These agencies should have the power to withhold state education funds from school districts which abridge the constitutional rights of students, parents and teachers, and which fail to take corrective action.

- Ensure that state systems of school financing are equitable and do not penalize school districts in low-wealth areas of the state.

- Remove all financial barriers (school fees, textbook rentals, fees for workbooks) which deny children access to educational opportunities. □

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*Hayes Mizell has worked on public education issues with the American Friends Service Committee since 1966. He is currently associate director of AFSC's Southeastern Public Education Program in Columbia, South Carolina, and is a member of the board of numerous organizations concerned with education, equal rights and child development. From 1971 to 1974 he served as an elected member of the Richland County (Columbia) Board of School Commissioners.*



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## CORNERSTONE FOR DEMOCRACY

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By Kenneth Clark

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One of the fascinating dilemmas of contemporary American society is the fact that the burden for maintaining the strength and the power of American democracy, the struggle to improve the quality of education as the foundation for a strong and dynamic society, is being borne disproportionately by American minorities.

During the past five decades black Americans, through the planning and work of NAACP lawyers, have brought a series of cases before the federal courts demanding equality and democracy in our educational institutions. The work of these lawyers culminated in the historic decision of the United States Supreme Court on May 17, 1954, when in the *Brown v. Board of Education* case that Court stated unequivocally that the myth of separate but equal in American education would no longer prevail. But the *Brown* decision also articulated in bold, though often forgotten, words the role, purpose and function of education in American life:

Today education is perhaps the most important function of state and local governments. . . . It is the very foundation of good citizenship. Today, it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education.

History demonstrates that the American public school system has been the chief instrument for making

the American Dream of upward social, economic and political mobility a reality for the influx of minority group youngsters into our urban public schools. The advocates of mass democratic public education argued persuasively and with justification that public education was the cornerstone of a stable American democracy. Depressed immigrants from Southern and Eastern Europe could use American public schools as the ladder toward the goals of assimilation and success.

The fact that American public schools were effective mobility vehicles for white immigrants makes even more stark and intolerable their present ineffectiveness for minority group children in our central cities. It now appears that the present system of organization and functioning of urban public schools has become the chief obstacle in the mobility of the masses of black and other lower-status minority group children. Public schools, especially those in our Northern urban centers, are no longer instruments of upward mobility for minority and lower-status children. They are for the most part institutions breeding despair, frustration and sowing the seeds of self-destruction and social instability. The inefficiency of the segregated and inferior schools to which these children have been relegated are now clear threats to the viability of our cities, if not the stability of our nation.

Thus, the fight against racially segregated schools for these many years has not been only a fight for black children. We have been fighting not only to provide our children with

the quality and type of education which will prepare them to compete with other children who are more privileged, but also, in a larger way, we have been fighting for the survival and the effectiveness of a democratic nation which places education at the cornerstone of its commitment to equal opportunity and equal justice.

It seems obvious to me that, in the interest of democratic stability, everyone connected with public schools must confront segregationist practices and boldly assert that education must dare to challenge and change society toward social justice. But in the 25 years since *Brown*, a number of educational specialists, school administrators, scientists, social scientists and pseudo-scientists have made an assortment of disturbing and fascinating attempts to deny minority children the right to an education which would increase their chances of becoming constructive members of society. Some of these apologists for the status quo make the irrational and anti-democratic argument that the consequences of segregated and inferior education for these children are irremediable. They either contend that minority children are genetically inferior, or, rejecting the flagrant approach to white supremacy, coldly state that public schools are incapable of remedying the effects of generations of environmental and cultural disadvantage.

The net effect of the cultural deprivation theorists is indistinguishable from the effect of those who claim genetic inferiority for minority children. Both assert these children



***Public schools are institutions  
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and social instability.***

are doomed to educational inferiority. While the schools were instruments for upward mobility of European whites who also came, interestingly enough, from deprived backgrounds and environments, it is now asserted that they are limited in their ability to help culturally deprived dark-skinned minority children. This seemingly liberal environmentalist view also has the consequence of supporting and reinforcing the do-nothing rationalization of educational personnel. Those who are now responsible for the education of our children in our public schools have and communicate such low academic expectations and standards to minority children that they establish a self-fulfilling prophesy.

Another group of formidable, sophisticated adversaries of equal education claim that they are without racial prejudice and that they are in favor of school desegregation — but that they are realists. They justify their realism by pointing out that they are so much in favor of desegregated schools that they insist that the most effective way of obtaining non-segregation is by maintaining segregation. They argue that busing to desegregate schools would increase racism because it would inconvenience whites and arouse their prejudices. They argue that existing segregated schools in our cities should remain segregated because attempts to desegregate them will cause white flight. In observing the present controversy related to the desegregation of Northern urban public schools, one is confronted with a fascinating Orwellian inversion of language and meaning five years before 1984.

The collective effect of this opposi-

tion to the obvious reasonableness of desegregation adds up to a serious erosion of a democratic America — by those who have benefited most from its liberties. We are confronted with the fact that unless this present sophisticated pattern of evading *Brown* and seeking a functional repeal of *Brown* is effectively countered, not only will the damage to minority children persist and increase, not only will the damage associated with the stigma and the inferiority of segregated schools continue and expand, but our cities will also deteriorate, the pathologies associated with institutionalized racism will proliferate, and the foundations of democratic society will be destroyed.

In the face of this gloomy prospect, the white leaders of our public schools and government are incapable of providing the vision, moral guidance, compassion or wisdom required to move the nation forward and assert the democratic foundation of American education. We must now recognize that the resistance to the desegregation of our urban public schools is a reflection of the negative effects of racial segregation on whites. In attending the segregated schools, they internalized irrational fears and hatreds. The consequence of segregated schools which the whites attended made racism so much a part of them that they insist upon inflicting the disease of racism upon their own children. They resist any attempt to allow their children to learn to cope effectively with others who differ from themselves in such superficial characteristics as skin color. They make it impossible for their children to come to grips with the reality that two-thirds

of the peoples of the world are non-white and that these two-thirds are no longer silent, passive and subordinate.

Ironically, it falls upon the minority in America to force the issue of segregation in public education and to insist upon desegregation for the very survival of American democratic society. Any educational agenda for the future must prepare all our children and our society for the latter part of the twentieth century and for the type of genuinely democratic education which will make it possible to complete the unfinished business of the American revolution. What follows are a few aspects of such an agenda.

The first item on the agenda for the future stability of American education for all children, black and white, is that we must now redouble our energy and our efforts and must mobilize all of our resources to continue the struggle for the desegregation of American public schools. It is not possible to have education for democracy in America and prepare our children for effective functioning in a shrunken one world by maintaining the anachronistic, dehumanizing form of racially dominated, segregated education. The function of education is to broaden the human mind, to free human beings from tribalisms and parochialisms, to free human beings of constrictions or superstitions and fears and hatreds. This cannot be done in segregated schools.

The second item on the agenda is that as we continue and intensify the struggle for the desegregation of the schools, we must spend an equal effort on improving the quality of education in all of our public schools.





photo by Raimondo Borea

There must be basic education for all American children of normal intelligence and above. These children must be taught to read, to write, to deal with numbers and to think creatively and critically. These are absolutely essential elements for preparing human beings to cope with the problems and the requirements of a contemporary and future democratic world. The ability of each child to learn if properly taught must be respected as the essential index of the respect for that child's humanity and capacities as a human being. Educational personnel must be held accountable for providing children with the academic equipment to cope, to strengthen democracy and to resist the seductive appeals of demagogues who have always tried, and too often succeeded, to exploit human ignorance.

The third item on the agenda will require that we find ways of assuring that the financing of public education is equitable. In the present approach to the financing of public schools, the fact of economic injustice determines the perpetuation of educational injustice. Rich, more affluent communities can and do provide their children with a higher quality of education than poor communities can now provide. This remains a mocking violation of the equal protection clause of the Fourteenth Amendment of the United States Constitution. Reasonable interpretations of this Amendment would seem to lead to the conclusion that where the state has assumed the responsibility for providing public education for its children, all of the children should be provided equal educational facilities and equal educational opportunities.

This is not now possible when a large percentage of the cost of education must be borne by the tax rolls of local school districts. The state, and eventually the federal courts, must find some way of assuring equal expenditures for educational purposes for *all* of the children of the state.

The fourth item on the educational agenda for the future requires a re-examination of the goals, the methods, the style and the atmosphere of public education. Specifically, the American public must somehow find the formula whereby it can insist that those responsible for the most important function of our society — namely, that of educating our young — understand that education cannot be defined in the restricted terms of mere academic performance and future economic success. Children must be taught from the earliest elementary grades that intelligence and academic ability are a social trust. Those human beings who have been provided with greater academic talent, intelligence and rapidity of learning have a responsibility for helping their fellow human beings to develop up to the maximum of their ability. The goal of education must be made to include as a core component of the educational process social responsibility, sensitivity and empathy.

This goal can be attained by building into the educational process cooperation among the pupils and a sense of individual responsibility for classmates. Bright students must be taught to help in tutoring students who may not be as bright. Students with special talents must be taught to use their talents and creativity to increase the enjoyment of their

classmates and to encourage the expression of special talents in others. Education must be defined in terms of critical concern with problems of justice, with reason, logic and the understanding that morality is an integral part of constructive intelligence.

In the elementary grades, in the middle school and in the secondary school, and in our colleges, universities and professional schools, we must teach history, the social sciences, and the humanities in such a way as to make it an integral part of the understanding of every educated human being that the chief danger facing mankind today, the chief threat to a functioning democracy of equality and decency among human beings is the threat of high intelligence devoid of moral and ethical sensitivity. This threat revealed itself in the Watergate scandal: The cast of characters in the Watergate obscenity were all educated men of privilege and of status, who had the advantage of attending our better schools. Watergate revealed that the past pattern of isolated, segregated, morally deficient education only temporarily obscures the dry-rot of moral insensitivity which erodes democracy's foundations.

The future stability of American democracy will depend upon our developing the vision and the strength to reorganize and revitalize American education. This must be done if American democracy is to be strengthened and if America is to contribute to the stability of human civilization throughout the world. □

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*Another article by Dr. Clark, the social psychologist whose work influenced the Brown decision, is on p. 136.*



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# Book Reviews

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## Frank Johnson

By Robert F. Kennedy, Jr. G. P. Putnam's Sons, 1978. 288 pp. \$10.95.

### Paul Pruitt

Robert F. Kennedy, Jr., in the published version of his Harvard senior thesis, has made every mistake an inexperienced writer can make in handling a complex subject. That is a pity, too, for Kennedy seems to be open-minded and his topic is one of considerable importance. As it stands, though, his work is a stillborn first draft, destined to be held up as a warning to hasty biographers.

*Frank Johnson* is the product of a year spent in Alabama, during which time Kennedy enjoyed the confidence and hospitality of the Johnson family. Few scholars will ever have such an opportunity. Apparently, however, Kennedy seems to have spent his time recording interviews, reading some court records and going fishing; the

result is an oral history pieced together with a one-dimensional account of Frank Johnson's 20 years on the federal bench.

Part of the problem lies in Kennedy's sloppy writing and chaotic approach to the history of the civil rights movement in Alabama. As we wander the decades without the benefit of transitional passages, a number of important concerns — desegregation, voter registration, reapportionment — magically resolve themselves into a series of judicial incidents. Inside sources and anecdotes are all very well, but Kennedy has not done the homework necessary for good history.

When Kennedy does attempt to provide background material, he winds up in even deeper trouble. His text and scanty footnotes owe little to the major works of Southern history, but they are rich in remarkable notions about Alabama. Kennedy maintains, for instance, that North Alabamians are likely to be natural Democrats

because they have lived, until very recently, on the "frontier." He claims, without a trace of humorous intent, that in the 1890s "Creek Indians roamed the forests" near Birmingham, which "was still a small town on a tree-covered mountain."

Such scholarly ineptitude tends to undermine the credibility of the whole work; this is unfortunate because *Frank Johnson* contains several readable and essentially accurate passages dealing with twentieth century politics and personalities. For example, Governor James Folsom emerges clearly as a doomed egalitarian giant, and George Wallace appears as the supreme opportunist.

Notwithstanding these flashes of excellence, most of Kennedy's interpretive writing seems to be an awkward combination of journalism and myth-making. This is particularly true of his portrait of Frank Johnson himself. Kennedy provides us with a valuable account of Johnson's child-

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## Another Alabama Judge During the Second Reconstruction

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Frank Johnson had many judicial allies in his efforts to change the status quo of race relations in Alabama. Judge C. J. Coley, interviewed by Paul Pruitt in December, 1978, was one of these.

From his credentials, C. J. Coley of Alexander City might be expected to be a staunch defender of the old order in Alabama. He was Probate Judge of Tallapoosa County from 1946 to 1960, first occupying the office as an interim appointee of "Bourbon" Governor Chauncey Sparks. He is chairman of the bank his grandfather helped found. He is a leading member and past president of the conservative Alabama Historical Association. Appearances, however, can be deceiving.

Listen to his words:

*"Now of course having been reared in the South, having been the grandson of a slave owner, I tried to reason these things out, and I could see that color, or pigmentation of the skin, did not determine a person's rights. That*

*wasn't hard to see; it was hard to accept the breaking down of convention because I had been reared to believe that blacks were subservient in manner and rights."*

Coley is one of a number of conscientious leaders — scholars, journalists, ministers, politicians — who, following the Second World War, began to question the long-standing injustices of Alabama society. Led by two-term (1946-50, 1954-58) Governor James "Big Jim" Folsom, they adopted a tone of racial moderation and cautiously set about righting the wrongs of the past. True, they didn't move very far without further prodding by black leaders. Yet the Folsom-era moderates, including C. J. Coley, were able to exert a positive force, even as the theatrical racism of George Wallace captured the attention of the nation.

Much of a Probate Judge's time is taken up with routine county business. But when Judge Coley talks about his years on the bench it is clear that,

in addition to the complexities of wills and the politics of re-election, he wrestled with the same constitutional question which preoccupied Frank Johnson during the 1950s and 1960s — namely, what are the duties of government toward minority groups? Both men answered "equal treatment," or as Judge Coley put it: "I didn't let any prejudice determine what I felt like were fair rulings. I ruled as I felt I should, regardless of race, color or creed."

*"In my court, at the outset, I decided to deal with the racial issues head-on. It was hard and tough, and at that time some of the decisions created bitterness. . . . But I never could see anything other than just to follow the Constitution of the United States. And I would have to say each time that this is the only way the courts can rule. I always stood on that proposition or principle."*

In pursuing equal justice, Judge Coley engaged in a brand of judicial



hood and young manhood as the son of a Winston County politician. He quite properly asserts that Johnson's "Unionist" Republicanism and identification with the fiercely independent "Free State of Winston" made him sensitive to the troubles of minority groups and suspicious of planter-class rule in Montgomery. But Kennedy — with understandable admiration for the distinguished jurist — is not interested in portraying Johnson simply as a tough-minded libertarian from North Alabama. Rather, he creates a Man of Destiny, a man of god-like powers.

Certainly, Johnson has time and again entered areas previously reserved for the jurisdiction of the state legislature. It is largely because of his long and successful struggle with George Wallace, a former law school friend and protege, that Alabama moved forward in many areas of human rights. Yet when Kennedy observes, repeatedly, that Johnson "changed Alabama," that he was "the one agent forcing the state to make social changes," we get a false impression of cultural wheels turning upon command. Something besides judicial authority must have been involved,

we feel, something in the consciences of whites and in the determined spirit of blacks. It never occurs to Kennedy that generations of class and racial struggle might have produced mechanisms of accommodation. He cannot understand, therefore, how Federal Judge Richard Rives, a genteel Montgomerian, could have developed the racial and constitutional views which led Johnson to call him "the real hero of the South." Nor can he understand how John Russell, a Lowndes County planter, can treat white and black men on the same basis. Kennedy makes, for that matter, little effort to understand black Southerners at all. Few black men or women appear in *Frank Johnson* as other than stick people, secure in the hands of their lawyers. In reality, a whole corps of social "agents" have been at work in Alabama, initiating suits and responding to decisions. Robert Kennedy has been too preoccupied to notice.

*Frank Johnson* received mixed reviews. In general, newspaper writers in Alabama have maintained an attitude of cautious friendliness toward the book and its author, while national reviewers have been less restrained.

Writing in the *New York Times Book Review*, Winston County native Howell Raines says the work "clouds rather than clarifies Judge Johnson's achievements." Barbara J. Fields, who reviewed *Frank Johnson* for the *Washington Post*, concludes that Kennedy lacks "the biographer's essential tools of detachment, irony and sensitivity to contradiction." Several critics, though, including Ms. Fields, suggest Kennedy might have produced a useful biography had he given more time to research and rewriting. If that be so, then a large portion of the blame for the failure of a young author's first book must rest with his editors. Evidently, Putnam's was more interested in making a fast buck off the Kennedy name — which is all too prominently displayed on the cover of *Frank Johnson* — than with producing a quality product.

Some things never change; New England scholarship may be in decay, but Yankee commercialism is as strong as ever. □

*Paul Pruitt lives in Alabama and is writing a biography of Alabama populist Joseph C. Manning.*

activism less far-reaching than Johnson's, but important nonetheless. The Judge worked for the construction of "roads that would be useful to both black and white people" and for an increase in the expenditure of State Extension Service funds among black farmers. Concerned that Tallapoosa County blacks lacked adequate public facilities, Coley supported the construction of an "agricultural building, where they could feel free to meet and discuss their own affairs." Certainly, none of these examples of judicial activism will stand with the landmark rulings of Frank Johnson or Hugo Black. Critics of Jim Folsom's road-building and school-building policies might even argue that Coley's projects were mere palliatives or, worse, a variety of "separate but equal." Nonetheless, this Central Alabamian exudes an air of wholesome legal humanism which places him on the side of the great Alabama jurists.

In December, 1978, Judge Coley commented on Kennedy's biography of Frank Johnson:

*"Time magazine said recently that Judge Johnson almost single-handedly integrated the state of Alabama. Now I want to say this, that Judge Johnson was forthright, he was unyielding, he was totally unafraid, but there were others who were the same. . . . If you go to look at it, the late great Justice Hugo Black led the entire nation in*

*determinations of this kind. One fellow said about Hugo Black, 'He wrapped the Constitution of the United States around the average citizen.' Of course, Judge Black was disappointed in the fact that he did receive severe criticism from the people of his native state. But he was one of the great lawgivers of our time."*





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## The Roots of Black Poverty: The Southern Plantation Economy After the Civil War

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By Jay R. Mandle. Duke University Press, 1978. 144 pp.

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### Manning Marable

Jay R. Mandle's *The Roots of Black Poverty: The Southern Plantation Economy After the Civil War*, is one of several recently published studies on the postbellum black experience. A Marxist economist, Mandle is especially skilled in interpreting the long-range impact sharecropping and tenant farming had upon the pattern of black economic underdevelopment in the twentieth century. Although his research comes largely from secondary sources, Mandle vividly illustrates the basis for plantation economics in the South after the Civil War. His faulty handling of black culture and black political responses to white economic oppression, however, undermines what could have been a major contribution to Afro-American historiography.

Mandle attempts to answer the old question, "What are the reasons for contemporary black poverty?" by returning to the postbellum period in the South. The plantation system which controlled a servile labor force prior to 1861 remained largely intact after the war. Unlike Northern capitalist enterprises, the plantation economic system suppressed technological advances in part because it rested primarily upon a large, unskilled, illiterate, unorganized labor force. Alternative employment for blacks outside the confines of the plantation was severely limited. Loans were often unavailable from local merchants or bankers except for planting and marketing cotton.

The entire economic and political life of the rural South evolved around increasingly inefficient agricultural production; this stagnation inevitably affected urban development and cultural growth. Not until World War I, with the beginning of the great migration of black people to the North and the temporary closing of cotton exports to Europe, did the plantation

system begin to crack. Throughout the period, several generations of blacks were as thoroughly exploited as their immediate ancestors had been.

Mandle's most insightful work details the gradual demise of the plantation economy. The author observes that "the period from World War I until 1940 was one in which an incremental chipping away at the structure of plantation economy occurred." One basic reason was the attraction of Northern industrial jobs. According to Mandle, "an incredible 45 percent of black males aged 15-34 in 1920 left Georgia by 1930." Another reason mentioned briefly by Mandle was "the organizing initiatives undertaken by black farmers themselves in the period." The Southern Tenant Farmers' Union, for example, "fought for direct governmental subsidy payments to tenants rather than landlords and also struggled against evictions." By the 1940s, the rapid completion of mechanization in agricultural work forced many black sharecroppers off the farm for good. Finally, "the movement of black labor in response to wartime demand doomed the plantation economy." But the bitter legacy of poverty perpetuated by the rural economic order remains today.

The weakest chapters in Mandle's work are on the cultural and ideological responses of blacks to the plantation system. Mandle's thesis here is that a "culture of paternalism" survived the demise of slavery and fundamentally characterized all interracial relations in the plantation region until the 1940s. Those black leaders who did emerge within this oppressive environment, he postulates, "tended to be those who had a subservient view of themselves in the wider society."

Paternalism connotes domination through the means of consent, with the use of force or violence playing a secondary role within the fabric of social relations. The concept was developed by Eugene Genovese in his study of slave culture and life, *Roll, Jordan, Roll*. For Genovese, paternalism meant simply a central element in the total hegemony of the master class over the masses of black slaves, a series of assumptions and manners rooted deeply within the servile mode of production. All master-slave relations

are inevitably paternal to a degree: Hegel pointed out that every master must recognize the consciousness of his slave in order to achieve final dominance. Without slaves who recognized their innate inferiority, there would be no masters. The problem with this is that it is extremely static. It does not account for those slave activities which aggressively subvert the interests of the master class. Nor does it emphasize the role of violence or brute force, which creates any agricultural system based on slavery.

Mandle seizes upon the concept of paternalism — already overemphasized by Genovese — and transfers it into the post-slavery period without giving adequate attention to the many activities of black entrepreneurs, farmers and intellectuals who made important material and ideological gains after 1865. Mandle's typical tenant farmer is portrayed as a victim of exploitation, but seldom if ever as possessing the ability to protest, to create under difficult circumstances, or to subvert the complete hegemony of the ruling class and caste. Mandle skirts by the powerful figure of Booker T. Washington without examining his many activities against peonage and black economic dependence. He quotes *The Souls of Black Folk* but ignores W.E.B. Du Bois' extensive program for black economic cooperatives in the 1910s and his later research proposing a socialist economic strategy for rural Southern blacks during the 1930s.

I would suggest that the dominant force that directed Southern race relations between 1880 and 1930 was violence rather than paternalism. Between 1882 and 1903, 1,449 lynchings occurred in the states of Alabama, Georgia, Arkansas, Louisiana, Mississippi and South Carolina. Some Southern blacks, like Washington, accommodated themselves to the ever present reality of white violence by attempting to subvert the entire racist structure through a gradualist, piecemeal strategy. Others, notably Du Bois, were more overt in their protests for immediate electoral political representation. But it is sad to see Mandle conclude: "That Du Bois advocated struggle and Washington accommodation is evidence of the contrasting world views held by each."

These criticisms aside, *The Roots of Black Poverty* is an important



contribution to the study of black economic history. Mandl is certainly correct in his unstated assumption that the postbellum period, rather than slavery or the war, was the crucible for the development of modern black and Southern life and labor. More work needs to be done on the ideological, as well as the economic, trends of this rich historic epoch. □

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## Callaloo

Nellie Y. McKay

The name derives from an African-Afro-American-West Indian stew made primarily from garden-fresh vegetables simmered over very low heat for a long time. It well suits a publication "devoted to the creative and critical writings, arts, culture and life of the Black South." As Charles H. Rowell, University of Kentucky English professor and editor-in-chief, points out, it is from the American Southland, that important wing of the African diaspora, that black American culture has grown and developed; I would add that the components have been simmering here, sometimes over not very low heat, for more than 300 years.

*Callaloo* first appeared in December, 1976, with an announcement by its editors that, in spite of predictable financial difficulties, they expected to publish tri-annually and to be supported mainly by those people who believe in the idea of a journal that would be an organ of the Black Southern Community, independent and free of editorial control. Only small speculation is needed to determine why *Callaloo 2* did not appear until February, 1978.

Editors Charles H. Rowell, Tom Dent and Jerry Ward, and all others connected with this journal, are to be commended for their ideals and the quality of the selections included in the first two issues. The history of small journals in America has not been good in terms of their longevity, and the history of small black journals is littered with the bones of many that

have fallen by the wayside. The financial problems faced by editors and promoters have been too enormous to allow most to reach many of the readers at whom they are aimed. The demise of *Black World*, one of the better-known in recent years, was but one in a long line of such casualties.

Yet the need for these small journals has been great, and their absence keenly felt. Black creative writers, artists and other interpreters of the culture are continually emerging, yet they find few outlets for their art

and opinions. In addition, there is a pressing need for wider dissemination of the research and artistic interests of those who work in all areas of Afro-American culture. And while the overall need is great, it is even greater for the Southern black community. *Callaloo* is a journal that could fill this particular void, although the editors point out (and this is a wise editorial decision) that it is not strictly a regional publication and submissions from contributors from other parts of the country are welcome.

*Callaloo 1* and *Callaloo 2* indicate



photo by Reynolds Russell



that this journal deserves more than a fighting chance to remain in publication. Each contains a selection of essays, poetry, book reviews and photo essays of high quality, mostly from authors known only within a small world. It is good to hear these voices. *Callaloo* 2 includes "Ritual Murder," a one-act play by Tom Dent in which he explores the nature of violence by blacks perpetrated against other blacks; an interview with South African writer Keorapetse Kgositsile; and selections from novels by Melvin

Dixon and Ugandan Peter Nazareth. Both issues provide variety, interest and intellectual stimulation, and the program outlined for forthcoming issues — works by Ernest Gaines for 3; black women writers for 4; and African and Caribbean writers for 5 — promises more of the same.

One hopes that in spite of obvious difficulties *Callaloo* will break the pattern of appearance and swift disappearance that has plagued the tradition of small black journals; and that like the stew from which it

takes its name, it will become one of the enduring staples in the recording of Afro-American Arts and Letters. □

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*A subscription to Callaloo (three issues) costs \$6 for one year and \$10 for two years. To order, write: Charles H. Rowell, Department of English, University of Kentucky, Lexington, Ky 40506.*

## Return Visit: Andrew Lytle

### Bob Brinkmeyer

The Old South became the New South. The New South is becoming the Sun Belt. Needless to say, the ongoing process of becoming rich and modern has been the death of many of the South's folkways. While traditional lifestyles may still be occasionally discovered in out-of-the-way rural areas, for the most part they have now been enshrined in old people's memories, in scholarly books, or in works of fiction. One writer who has acutely observed — and criticized — the inroads of modernization in the South is novelist and critic Andrew Nelson Lytle.

While he mourns the disappearance of the old-timey ways of cooking and farming and so forth, Lytle is most concerned with the spiritual loss which has resulted from the cracking of the traditional ideals of family, community and Christian morality. In Lytle's eyes, the loss has been great. Speaking of the late nineteenth and early twentieth centuries, those few last decades before the old ways were completely run over, he writes: "It was the last time a man, without having to think, could say what was right and what was wrong. For almost overnight, with the automobile for symbol of change, the community disappeared."

Born in 1902 in Murfreesboro, Tennessee, Lytle grew up during the final years of the era he mourns. His father was a farmer and a lumberman, and Lytle grew up amidst a traditional family and community. But when he left Murfreesboro to be educated, modern life closed in swiftly around

him. He attended Oxford University briefly, then Vanderbilt, receiving a B.A. in 1925, and finally Yale, where he was a student in the School of Drama. At all three places, the attitudes and problems of the twentieth century were piled up in all their complexity for this Tennessee country boy. As Lytle himself has pointed out, he encountered two conflicting world views, neither of which he could completely ignore. His allegiance, however, would always be to the old ways.

When Lytle returned from Yale in the late 1920s, he became associated with John Crowe Ransom, Allen Tate, Donald Davidson and the other Agrarians. His first significant published writing was an essay included in the Agrarian manifesto, *I'll Take My Stand*, which was followed by a biography of Tennessee's noted Civil War cavalry commander, Bedford Forrest. He then turned to fiction, writing throughout his career four novels and some shorter works. Long associated with the University of the South and its prestigious *Sewanee Review*, Lytle has also maintained a distinguished career of teaching and literary criticism. His most recent work is *A Wake for the Living*, a memoir of his extended family and ancestors.

Lytle's criticism of modern culture centers on its liberalism, what he sees as its belief in secular rather than spiritual ends, and its affirmation of the perfectability of people. "The liberal," Lytle writes, "denies the fallen state of man and nature. He

believes he can act upon others, rarely upon himself, and restore the former condition of wholeness and perfect justice; that is, he can interpret at any moment God's mysterious intentions. This is the sin of pride." Rooted in this liberal philosophy, Lytle believes, modern culture has thus cut itself off from its Christian inheritance. As a result, people can no longer discover "the identity between the natural and the supernatural," or act out the rituals and ceremonies embodying the Christian mysteries. "Children become wayfarers," writes Lytle. "Few are given any vision of the Divine. They perforce become secular men, half men, who inhabit what is left of Christendom."

While Lytle's fiction is steeped in these ideas, it escapes any taint of preachiness. He is a born storyteller and his strength as a writer lies in his narrative abilities. He wrote several historical novels and novellas, most notably *The Long Night* (1936), *At the Moon's Inn* (1941) and *Alchemy* (1942). Both *At the Moon's Inn*, which follows Hernando de Soto's quest in North America, and *Alchemy*, which is about Pizarro's destruction of the Incas, embody Lytle's belief that the westward expansion of the Europeans shattered the stability of Christendom and signaled the rise of materialistic, spiritually bankrupt modern culture. Concerning *At the Moon's Inn*, Lytle writes:

Under the influence of gold, that is the materialistic view of the world, the mind of Christendom, and its spirit, sets out on its dance of death. The small army will have all the forms of its chivalry, but it is not



## Harry Crews: An Interview

Tom Graves

"It takes my dear old mother as long to read a book as it does me to write one. She went through the second grade. She reads everything I write. She's never blinked at any of it. And she talks about it well. She says to me, my dear old mother, 'Son, why don't you write a book that's happy and nice and full of

seeking to deliver the Holy Sepulchre from the hands of the infidels. It is seeking the essence of materialism, its own spiritual destruction.

The downward spiral of spiritual destruction, according to Lytle, has whirled unchecked ever since.

Lytle's other historical novel, *The Long Night*, is the story of a young Southerner who carries out a brutal quest to avenge his father's murder. This is one of Lytle's most effective novels, for the narrative is not only exciting and smoothly handled, but is also a vehicle for Lytle's message about the need for Christian forgiveness. Lytle's strategy is simple: he makes the father's murder by a mob so brutal and deceitful that revenge is the natural reaction. When Pleasant, the murdered man's son, embarks on his journey of violent vengeance, we at first sympathize with him. But as Pleasant proceeds to murder systematically each member of the mob, even those only passively involved, we are left with no alternative but to reject outright Pleasant's acts (as Pleasant himself will finally do). By rejecting Pleasant, the reader is also rejecting that part of himself which earlier had sympathized with him, and, like Pleasant at the conclusion of the novel, must reluctantly admit the necessity of Christian charity and forgiveness.

Lytle's other two novels, *A Name for Evil* (1947) and *The Velvet Horn* (1957), have contemporary settings. *A Name for Evil*, which resembles Henry James' ghost story *A Turn of the Screw*, centers on a man whose fanatical desire to impose his will on the world destroys his wife and unborn child. *The Velvet Horn*, by

smiles?' And I told her, 'When one comes to me, I will.'"

Harry Crews was born June 7, 1935, into a world of back-breaking labor, sun-blistered soil and flaring tempers. He was the second son of a poor tenant farmer in Bacon County, Georgia. His father, barely into his thirties, died of a heart attack when Harry was a small child. His mother

far a better novel and perhaps Lytle's best, is a complex work about a Southern family in the woods of Tennessee. Faulknerian in scope and emphasis, it achieves excellence almost by proxy; the novel explores the family's lusts and their loves, their victories and their defeats, their sins and their acts of grace — and finally their initiation into love and redemption.

It's a shame that Lytle is not read more these days. His works of fiction and literary criticism deserve to be read for the simple reason that they are good; they make us *see*. And his insights into Southern culture are relevant not only to conservatives of his own political bent but to all of us, as our values and traditions give way to unchecked technological progress.

One of Lytle's most endearing and admirable qualities is his sense of the artist's moral responsibility to his world. In an essay on *The Homecoming Game* by Howard Nemerov, Lytle says something about the people in the novel which can also be taken as his own view of modern life: "As human beings all these people need to be rescued, that is, restored to their proper callings by assuming a responsibility for the powers and functions they are invested with, in terms of money, politics, parenthood, instruction, etc., and the agglomerate mass of the community to the constraint of ritual rather than mob violence." Andrew Lytle, in his own way, has always tried to aid in just such a rescue. □

*Bob Brinkmeyer is on leave from North Carolina Central University, writing his doctoral dissertation on Catholic writers in the South.*

later married his father's brother, a man prone to midnight wife-beatings when liquor had lit the fuse inside him. On top of all this, Harry contracted a form of polio, which he slowly and with great agony overcame. He began to understand what it meant to be a freak, the boy all the other children pointed their fingers at, the one all the parents prayed for.

"I have never purposely made my lead characters alienated males," comments Crews. "But I have, of necessity, been alien to the place I have found myself since I was very, very young. I left the farm when I was 17, and I have never been back.

"I wrote recently that I have been in the University of Florida for more or less 20 years, but I've been in it, never of it. I have no friends in the university, not as we would count friends where I came from. Not one.

"I don't suppose you could imagine a more alienated human being than a South Georgia sharecropper who must move every year from one leached-out patch of soil to another. Never owning anything. With his back continually to the wall. Other people get medical care. He gets none. Other people get oranges and grapefruit or lemon to keep from getting trenchmouth or scurvy, but he has none. Other people have children who have shoes. But his have none. I mean, if he's not alienated, who the hell is? Maybe if I write about alienated male characters, maybe this alienation comes just from my own life."

Numerous critics have levelled curare-dipped barbs at some of Crews' books, most notably *A Feast of Snakes*, claiming that the violence he depicted was exploitative of Southerners and, worse, gratuitous.

"I answer the charge by saying that they can't read fiction. There is nothing in my work that is not necessary and inevitable to the action, the place and the circumstances that I'm writing about.

"Somebody once asked William Faulkner — not that I'm comparing myself to Faulkner, God forbid — but this person asked him, 'Mister Faulkner, what do you think of people who read your books and don't understand



them?' And his response was, 'Read them again.'

"So, the dumbasses out there who are watching television until they are rotting in their souls, watching Walter Cronkite and *Happy Days*, those who cannot read my fiction, are the very ones who scream that it's gratuitous. I say they have no eyes, no ears, no heart, no mouth, no sympathy, no charity for the human predicament."

In a number of articles, Crews has made known his love for sweat and blood and muscle. "I've always loved blood and blood sports," he confirms. "Cockfighting, bullfighting, dogfighting and the rest of it. In fact, I have a piece coming out in *Esquire* about dogfighting. But this article is no defense of it. Rather it is an effort to see whether or not we tell the truth rather than being hypocritical, hippy-dippy bullshitting jack-offs about it. Whether or not we tell the truth, so that we might be able to tell the truth about the country we live in, which God knows has gotta be among the more bloody countries that we know in history.

"I point out that when Indian Red Lopez fought David Kotey for the featherweight championship of the world, it took 37 stitches to close up David Kotey's face. And what's football if it's not a blood sport? You know, guys getting broken legs and arms. Leroy Jordan played a whole goddamn season with a broken bone in the bottom half of his leg.

"It's true, however, that when a player gets hurt on the field, the camera pans away from it. And people don't like that. They want to see the fight. Everybody's saying, 'Why didn't you show'm up close? He's a-squirring.'"

In nearly every one of Crews' novels there is a scene of a rampaging mob. This he admits. "Maybe I am fascinated or appalled or dumbfounded with them. We are a crowd society. Whatever crowds do is more likely to get news coverage, whether it be sit-ins, whether it be riots, whether it be pickets at a big company. Men and women, because of a certain anonymity, are less likely to be identified and held responsible for their own actions in a crowd. And what they are, whatever's back there lurking, comes out.

"It gives me no pleasure particularly to say that we are not what we would

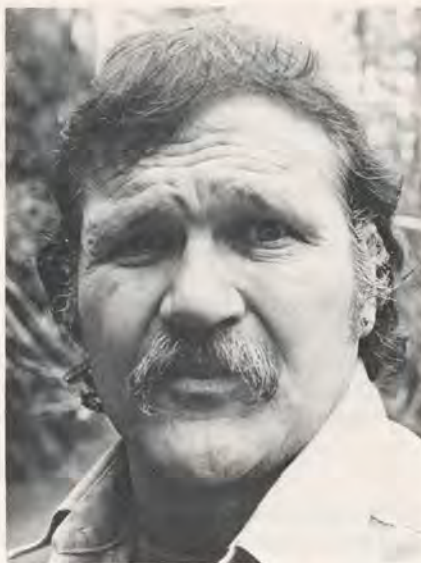


photo by Tom Graves

seem in the world. But in fact we are meat eaters, killers and suckers of blood and riders of one another. But in all that, there is beauty, there is humor, there is joy, there is ecstasy. I think all my books are obviously funny, with the possible exception of the last one, *A Childhood*. It's not that I *meant* to put humor in them, it's just there.

"Graham Greene said that he reserved the right to depict nonbelievers of the Roman Catholic faith with the same kind of power he depicted believers. Of course, that got him into a lot of trouble. By and large, people want to confirm what is weakest in them. That is, their propensity for charity, sympathy, contributions to the afflicted, smiles, happy home life. They want that confirmed, when in point of fact that is what's weakest in them. Because it is the least substantial in them. Who's ever got close to a marriage that didn't find a rotten core, a nest of snakes in the middle of it? Okay, there's joy in it, happiness in it, and there's pleasure in raising kids that go and do something. That's cool. I'm all for that. The fact that it's all a sham, the fact that it's bullshit, need not upset us too much."

Of all the strange tales and characters one encounters when experiencing a Harry Crews novel, *Car*, the story of a man who decides the *right thing* to do is eat a Ford Maverick bit by bit, has to rank among the most bizarre and most profound. The America in *Car* is a nation full of tortured souls, too beaten down by life's hardships to

fight back.

"I think there is a kind of Cadillac dream, a kind of Cadillac concept of America. It does not belong exclusively to Southerners. Stock car racing and all came out of the South because of running moonshine and because a powerful, shiny car was one thing that poor people could get a hold of.

"I don't mean to slur black people or mean this to be pejorative, but a black who lives in a shack because he can't go anywhere else, can't know anything else, he can get himself a great big car. Those of us in the South who were tenant farmers are the same sort of folk. I didn't learn to drive until I was 21 years old. My brother didn't learn to drive a car until he was 25. We knew all about mules, but not about cars.

"Talk about anger. The thing I got a case for is cars. Every man in this country has his car to eat. And we will, by God, eat it. Because Detroit is spewing them out one every so many minutes. They have taken over Detroit. Why would you have at various intersections four gas stations on each of the four corners available? Do we need that many gas stations? The answer is no."

As his recently published autobiography, *A Childhood*, demonstrates, the South and its people are Crews' primary source of material and theme. "Southerners have, in Flannery O'Connor's words, 'manners.' Which doesn't have to do with saying thank you, or wiping your mouth, or not sneezing on your sleeve. Manners means just the way we view the world, the way we view ourselves. The way we proceed in our day-to-day activities with other people. You have to know about the manners of your people before you can write about them. The South is about the last people who have that sort of communal manners." □

*Tom Graves is a free-lance writer and former editor of Pro Bass magazine. He has written for Facing South, the syndicated newspaper column of the Institute for Southern Studies.*



# Books on the South

*This list consists of books published since January, 1979. Book entries include works up to May, 1979. All books published in 1979 unless otherwise indicated. Dissertations appeared in the Dissertation Abstracts Index during November, 1978 — January, 1979.*

*The entries are grouped under several broad categories for your convenience. Mention of a book here does not preclude its being reviewed in a future issue. Unsolicited reviews of publications of general interest to our readers are welcome. Recent works are preferred.*

*Copies of the dissertations are available from Xerox University Microfilms, Dissertation Copies, P.O. Box 1764, Ann Arbor, MI 48106. The cost is \$7.50 for microfilm and \$15 for xerographic.*

## ECONOMICS, HISTORY AND POLITICS

"Advisory Bodies in Tennessee: A Democratic and Organizational Perspective," by Frank W. Essex. Dissertation. Vanderbilt University, 1978.

"An Aggregate and Sectoral Analysis of Economic Growth in Texas, 1914-1972," by Joseph B. Adair. Dissertation. University of Texas at Austin, 1978.

**All Hail the Mighty State**, by June Rayfield Welch (Irving, Tx: GLA Press). \$13.95.

**An Analysis of Mississippi Industrial Location Factors**, by William F. Davidge and Kenneth W. Holman (University, Ms: University of Mississippi, Bureau of Business and Economic Research). \$4.00.

**Antislavery Reconsidered: New Perspectives on the Abolitionists**, ed. by Lewis Perry and Michael Feldman (Baton Rouge, La: Louisiana State University Press, 1978). \$22.50.

"Arkansas, 1940-1945: Public and Press Reaction to War and Wartime Pressures," by Charlie C. Smith. Dissertation. University of Arkansas, 1978.

**Been in the Storm So Long: The Aftermath of Slavery**, by Leon F. Litwack (Westminister, Md: Alfred A. Knopf, Inc.). \$20.00.

**The Black Rural Landowner — Endangered Species: Social, Political and Economic Implications**, ed. by Leo McGee and Robert Boone (Westport, Ct: Greenwood Press). \$17.95.

**The Black Towns**, by Norman L. Crockett (Lawrence, Ks: Regents Press of Kansas). \$14.00.

"Black-White Earnings Differentials in a Rural Southern Labor Market," by Marcia Lillian Halvorsen. Dissertation. Georgia State University — College of Business Administration, 1978.

**The Confederate Nation, 1861-1865**, by Emory M. Thomas (Scranton, Pa: Harper & Row Publishers). \$15.00.

"Costs of Contracting and the Decline

of Tenancy in the South, 1930-1960," by Lee J. Alston. Dissertation. University of Washington, 1978.

**The Cotton Regency: The Northern Merchants and Reconstruction, 1865-1880**, by George R. Woolfolk (New York, NY: Octagon Books). \$15.00.

**The Day of the Carpetbagger: Republican Reconstruction in Mississippi**, by William C. Harris (Baton Rouge, La: Louisiana State University Press). \$34.95.

"Easing the Burden: The Era of Depression and New Deal in Mississippi," by Roger D. Tate, Jr. Dissertation. University of Tennessee, 1978.

"Eastern Kentucky: The Politics of Dependency and Underdevelopment," by Douglass O'Neill Arnett. Dissertation. Duke University, 1978.

"An Econometric Model of Manufacturing in Arkansas," by Charles L. Allen. Dissertation. University of Arkansas, 1978.

"An Economic Analysis of the Rural Land Market in Texas," by William T. Hascall. Dissertation. Texas A&M University, 1978.

"The Effects of Price Increases on Residential Customers of Electricity in Florida," by Jack W. Howe. Dissertation. Florida State University, 1978.

**Florida Statistical Abstract 1978**, by Ralph B. Thompson (Gainesville, Fl: University Press of Florida). \$17.50.

**The Florida Wars**, by Virginia B. Peters (Hamden, Ct: Shoestring Press). \$22.50.

**Georgia History in Outline**, by Kenneth Coleman (Athens, Ga: University of Georgia Press). Price not set.

"The Georgia Whigs in the Revolutionary Crisis, 1763-1779," by Roger H. Sublett. Dissertation. Tulane University, 1978.

**Guide to the Archives of the West Tennessee Historical Society**, ed. by Eleanor McKay (Memphis, Tn: Memphis State University Press). \$3.95.

"Hegemony and Conflict: The Political Economy of a Southern Region, Augusta, Georgia, 1865-1895," by Randolph D. Werner. Dissertation. University of Virginia, 1977.

**The Idea of the American South**, by Michael O'Brien (Baltimore, Md: Johns Hopkins University Press). \$16.00.

"The Impact of the Coal Industry on Output, Income and Employment in Eastern Kentucky: An Input-Output Analysis," by Mohammed N. Sherafat. Dissertation. University of Kentucky, 1978.

"An In-Depth Study of the Black Political Leadership in Houston, Texas," by Alice K. Laine. Dissertation. University of Texas at Austin, 1978.

**Journeys Through the South**, by Fred Powlage (New York, NY: Vanguard Press, Inc.). \$10.00.

**Kentucky in the New Republic: The Process of Constitution Making**, by Joan W. Coward (Lexington, Ky: University Press of Kentucky). \$14.50.

**Mississippi: The View from Tougaloo**, by Clarice T. Campbell and Oscar A. Rogers (Jackson, Ms: University Press of Mississippi). \$25.00.

"The Negro in Tennessee, 1861-1866: A Socio-Military History of the Civil War," by

Bobby Lee Lovett. Dissertation. University of Arkansas, 1978.

"The New Orleans Police, 1805-1899: A Social History," by Dennis C. Rousey. Dissertation. Cornell University, 1978.

"Personality and Legislative Activity: A Psychology of Style in the North Carolina House of Representatives," by Elliott N. Kent. Dissertation. University of North Carolina at Chapel Hill, 1978.

"Primitive Accumulation in the Antebellum Cotton South," by Richard D. Garrett. Dissertation. New School for Social Research, 1978.

"A Proposed Planning Process for the Initiation of Primary Health Care Delivery in Rural Areas," by Barry C. Noeks. Dissertation. University of North Carolina at Chapel Hill, 1978.

"Protest and Dissent in Civil War North Carolina," by Richard M. Reid. Dissertation. University of Toronto, 1976.

"The Role of Cooperatives in Alleviating Long-Term Rural Poverty: A Case Study in Hancock County, Georgia," by Nathaniel B. Brown, Jr. Dissertation. University of Michigan, 1978.

**The Regional Imagination: The South and Recent American History**, by Dewey W. Grantham (Nashville, Tn: Vanderbilt University Press). \$12.95.

**Removal of the Cherokee Indians from Georgia**, by Wilson Lumpkin (Fairfield, NJ: Augustus M. Kelly, Publishers). Reprint of 1907 edition. \$20.00.

**The Slave Drivers: Black Agricultural Labor Supervisors in the Antebellum South**, by William L. Van DeBerg (Westport, Ct: Greenwood Press). \$16.95.

**Slavery Remembered: A Record of Twentieth Century Slave Narratives**, by Paul D. Escott (Chapel Hill, NC: University of North Carolina Press). \$12.50.

"Trends in Afro-American Social Thought: 1954-1970 (An Interpretation of the Black Revolution)," by Vernon E. McClean. Dissertation. Columbia University Teachers College, 1978.

**The Uncommon Market: Essays in the Economic History of the Atlantic Slave Trade**, ed. by H.A. Gemery and J.S. Hogenborn (New York, NY: Academic Press, Inc.). Price not set.

**The Whip, Hoe and Sword**, by George H. Hepworth (Baton Rouge, La: Louisiana State University Press). \$14.95.

"Women and Economics in Virginia: Petersburg, 1784-1820," by Suzanne Dee Lebsack. Dissertation. University of Virginia, 1977.

## BIOGRAPHY AND AUTOBIOGRAPHY

"Andrew Johnson of East Tennessee," by Paul A. Hager. Dissertation. Johns Hopkins University, 1978.

**Barbara Jordan: A Self-Portrait**, by Barbara Jordan and Shelby Hearon (Garden City, NY: Doubleday & Co., Inc.). \$9.95.

**Billy: A Biography of Billy Graham**, by Marshall Frady (Waltham, Ma: Little, Brown & Co.). \$12.95.

"David Reichard Williams: Avant-Garde Architect and Community Planner, 1890-1962," by Michael G. Wade. Dissertation.



University of Southwest Louisiana, 1978.

**Dear Alben: Mr. Barkley of Kentucky**, by James K. Libbey (Lexington, Ky: University Press of Kentucky). \$4.95.

"Henry Clay, Nationalist," by Larry D. Klein. Dissertation. University of Kentucky, 1977.

**The Heroes of Tennessee**, ed. by Bill M. Jones (Memphis, Tn: Memphis State University Press). \$10.00.

**James L. Orr and the Sectional Conflict**, by Roger P. Leemhuis (Washington, D.C.: University Press of America). \$9.00.

"James V. Allred: A Political Biography, 1899-1935," by William E. Atkinson. Dissertation. Texas Christian University, 1978.

**Jimmy: The Story of the Young Jimmy Carter**, by Dorothy M. Callahan (Garden City, NY: Doubleday & Co., Inc.). \$7.95.

**Luke Pryor Blackburn: Physician, Governor, Reformer**, by Nancy D. Baird (Lexington, Ky: University Press of Kentucky). \$4.95.

"Lyndon B. Johnson and the Politics of Civil Rights, 1935-1960: The Art of 'Moderate Leadership,'" by Stanford P. Dyer. Dissertation. Texas A&M University, 1978.

**The Papers of Andrew Jackson, 1791-1803**, ed. by Sam B. Smith and Harriett C. Owsley (Knoxville, Tn: University of Tennessee Press). Price not set.

"Political Leadership in a Time of Transition: Frank G. Clement, Albert Gore, Estes Kefauver and Tennessee Politics, 1948-1956," by James B. Gardner. Dissertation. Vanderbilt University, 1978.

**Profiles of Texas**, by Jack P. McGuire (Austin, Tx: Shoal Creek Publishers). \$12.50.

"Prudent Rebel: Jonathan Daniels and Race Relations," by Charles W. Eagles. Dissertation. University of North Carolina at Chapel Hill, 1978.

**Rise Gonna Rise: Portraits of Southern Textile Workers**, by Mimi Conway (Garden City, NY: Doubleday & Co., Inc.). \$10.95.

**Ron Guidry: Louisiana Lightning**, by Maury Allen (Chippewa Falls, Wi: Harvey House, Publishers). \$4.99.

**Slave and Freeman: The Autobiography of George L. Knox**, ed. by Willard B. Gatewood, Jr. (Lexington, Ky: University Press of Kentucky). \$15.50.

**Sullivan's Hollow**, by Chester Sullivan (Jackson, Ms: University Press of Mississippi). \$5.00.

"The Williams Chancellorship at the University of Mississippi, 1946-1968," by James C. Read. Dissertation. University of Mississippi, 1978.

"The Young Jefferson Davis, 1808-1846," by William A. Shelton. Dissertation. University of Kentucky, 1977.

## EDUCATION

"Alabama Reaction to the Brown Decision, 1954-1956: A Case Study in Early Massive Resistance," by James T. Harris. Dissertation. Middle Tennessee State University, 1978.

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*This bibliography was prepared by Gail Parker, a native of North Carolina working with Harcourt Brace Jovanovich, Inc. in Atlanta, and Marlin Smith, a student at UNC-Chapel Hill and an intern at the Institute for Southern Studies.*

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**Anything to better  
our children's condition  
was worth fighting for.**

**If we couldn't get  
justice in the schools,  
there was no way  
to break out.**

*Harry Briggs, gas station mechanic  
and original plaintiff in the  
South Carolina suit leading to  
the 1954 Brown decision*

**The school board must . . .  
fashion steps which promise  
realistically to convert promptly  
to a system without  
a "white" school and a  
"Negro" school, but  
just schools.**

*U. S. Supreme Court*