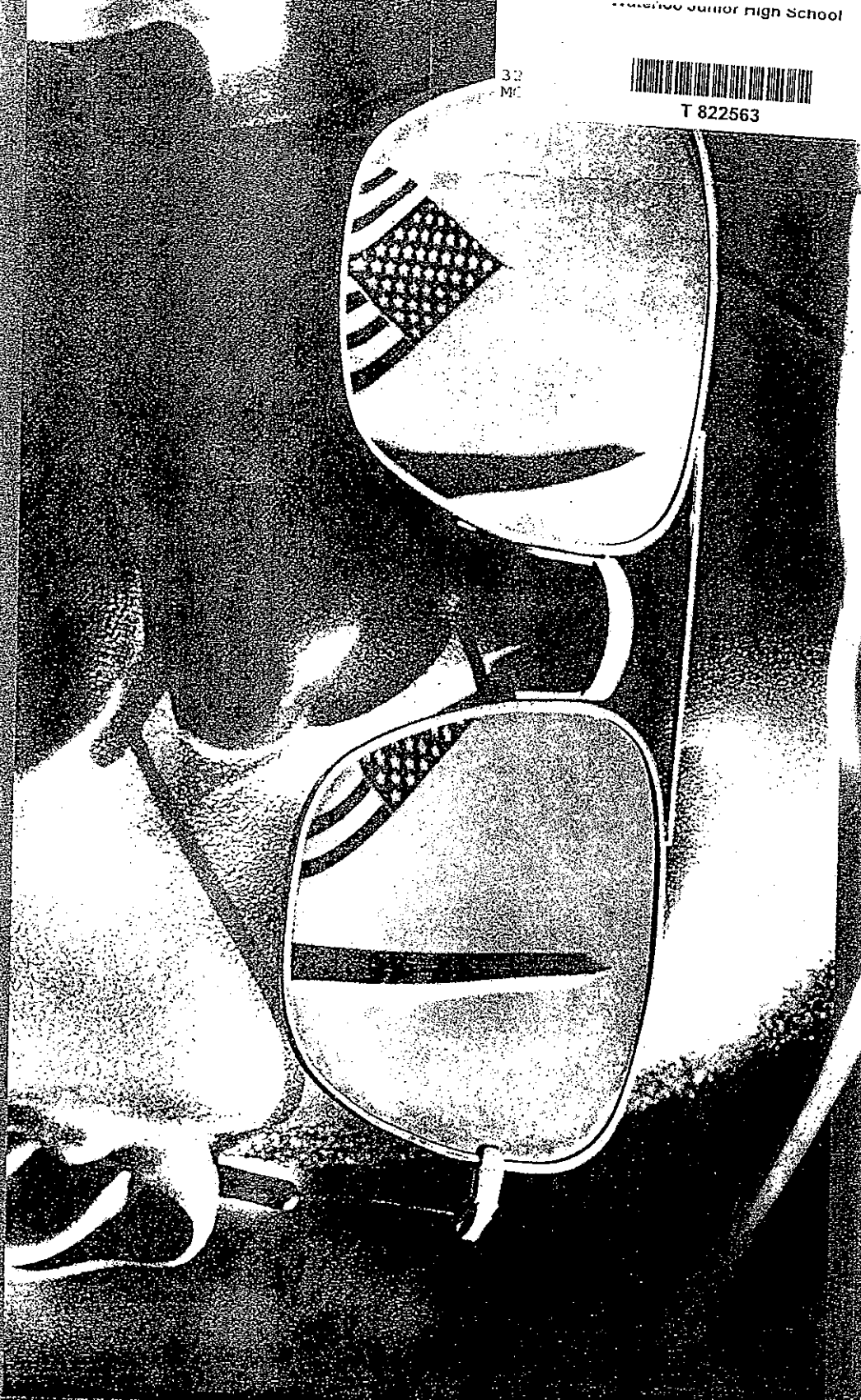


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THE CIVIL RIGHTS MOVEMENT FROM 1954 TO 1968

DIANE MCWHORTER

PRIZE-WINNING AUTHOR OF *CARRY ME HOME* • FOREWORD BY REVEREND FRED SHUTTLESWORTH

To my daughters, Lily and Rachel - AM

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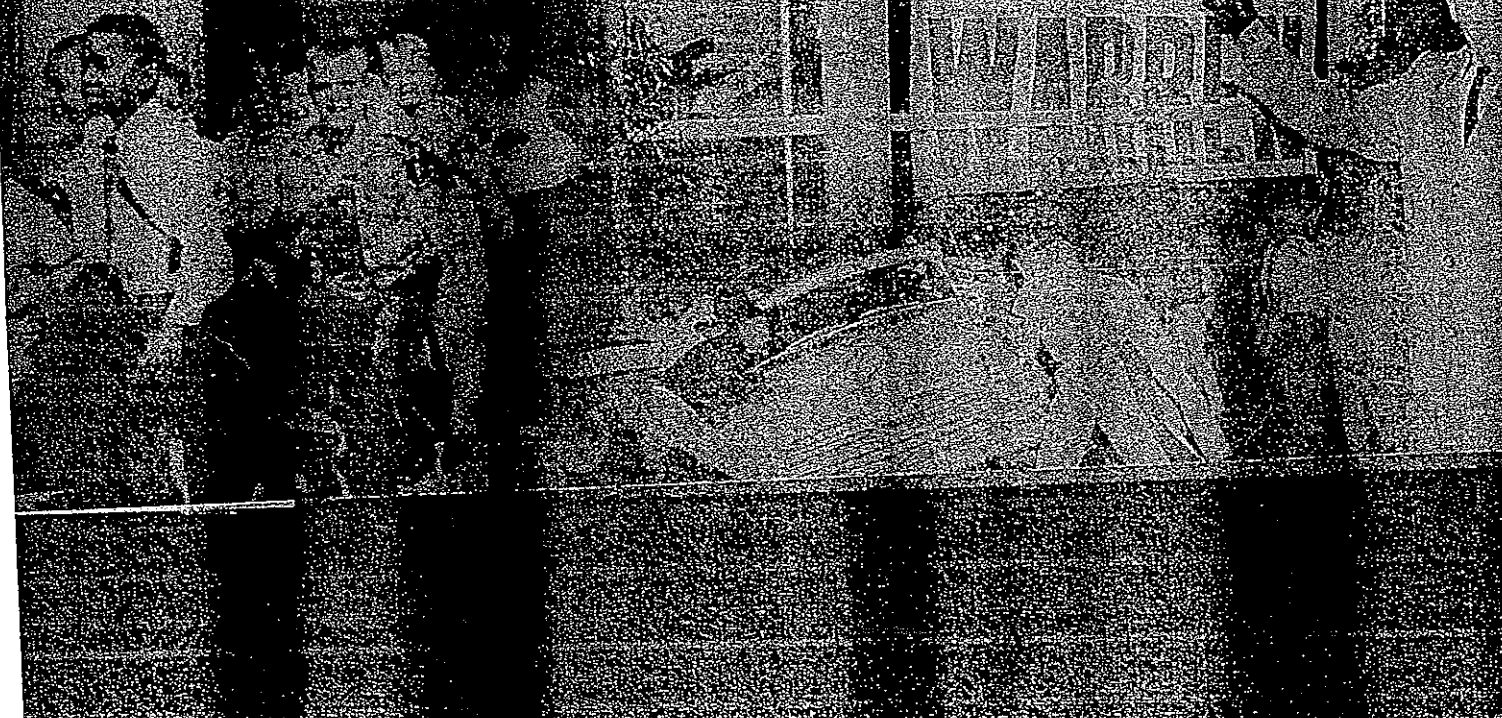
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GO BACK
TO AFRICA
M-NEGROES

1954



BROWN V. THE BOARD OF EDUCATION

“... I and my children are craving light—the entire colored race is craving light, and the only way to reach the light is to start our children together in their infancy and they come up together.”

—Silas Hardrick Fleming, a parent suing the Topeka Board of Education, 1951

The four dolls were alike: baby dolls in diapers, bought for 50 cents apiece at a New York City five-and-dime store. The only difference among them was the color of their “skin.” Two dolls were white; two were black. In the spring of 1951, the dolls and their owner, a 37-year-old African-American social psychologist named Kenneth B. Clark, boarded a train in New York, bound for destiny.

Clark and his wife, Mamie Clark, also a psychologist, had previously shown these white and black dolls to black children around the country



as part of their research into the effects of racism on its youngest victims. When asked to pick “the doll you like to play with” and “the nice doll,” a majority of the children chose a white doll. The next question was: “Give me the doll that looks bad.” Most children handed the Clarks a black doll. The most chilling moment came when the psychologists asked the black children

to identify which of the dolls was most like them. Forced to recognize that they were like the dolls they had rejected, some cried or ran from the room. But other children—all from the

[30]



**THURGOOD MARSHALL
WARRIOR LAWYER**

FOR A FEW MONTHS IN THE 1940s, THE NAACP had a legal center in the city of Baltimore. Marshall was the director of the center. He was raised in a middle-class household in Baltimore and the NAACP was a major force in his life. Marshall attended Howard University, the respected black school in Washington. His ambition was to get a job with Marshall Field and become a business executive. He graduated from the University of Maryland law school in 1930. He was the first school desegregation lawyer.

headed by Thurgood Marshall, the country's best-known black lawyer—had sued a number of white state universities and won admission for black students. But even those successful cases had not challenged the legal basis for segregation: the *Plessy v. Ferguson* doctrine of "separate but equal." The NAACP had simply

South—had accepted their inferiority. One little boy pointed to a black doll and said, laughing, "That's a nigger. I'm a nigger."

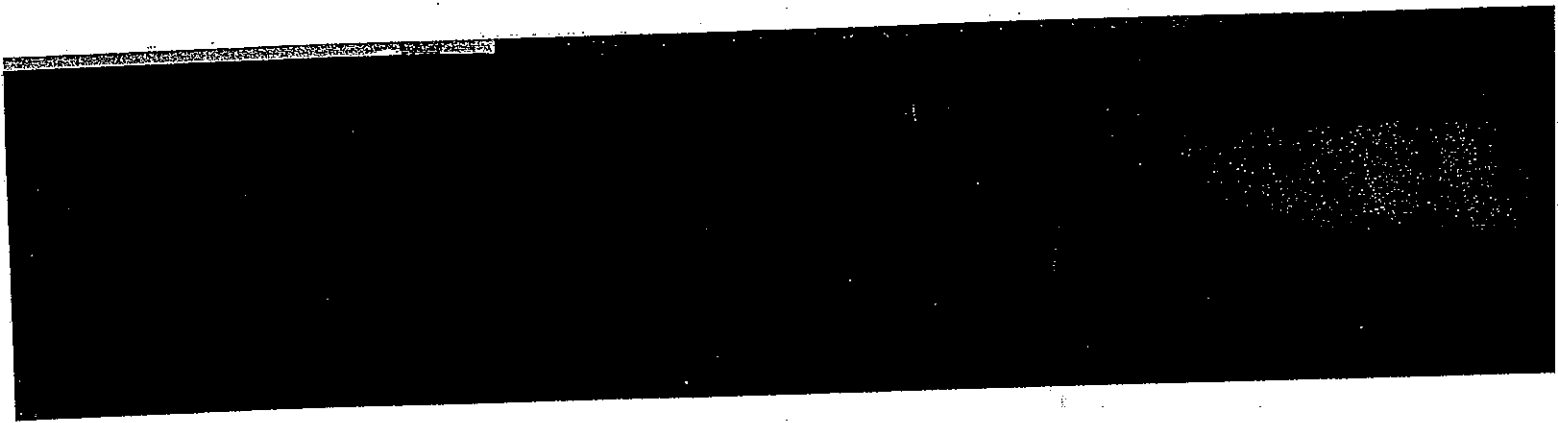
When the National Association for the Advancement of Colored People (NAACP) discovered the Clarks' research, the country's leading civil rights organization thought it had found the magic bullet to slay segregation. For four long decades, the NAACP had pursued its strategy of "legalism and gradualism" to gain African Americans access to the polls and higher education. The NAACP Legal Defense Fund, Inc.—now

proven that the education offered to blacks by the schools being sued was either unequal or nonexistent.

In 1950, Marshall made a major tactical shift: Why not argue that segregation itself was unconstitutional, that "separate" could never be "equal"? The NAACP was now going for all or nothing. It needed Kenneth Clark's dolls to win.

DOGHOUSE EDUCATION

In May 1951, Clark and his dolls took the train from his home in New York City to South

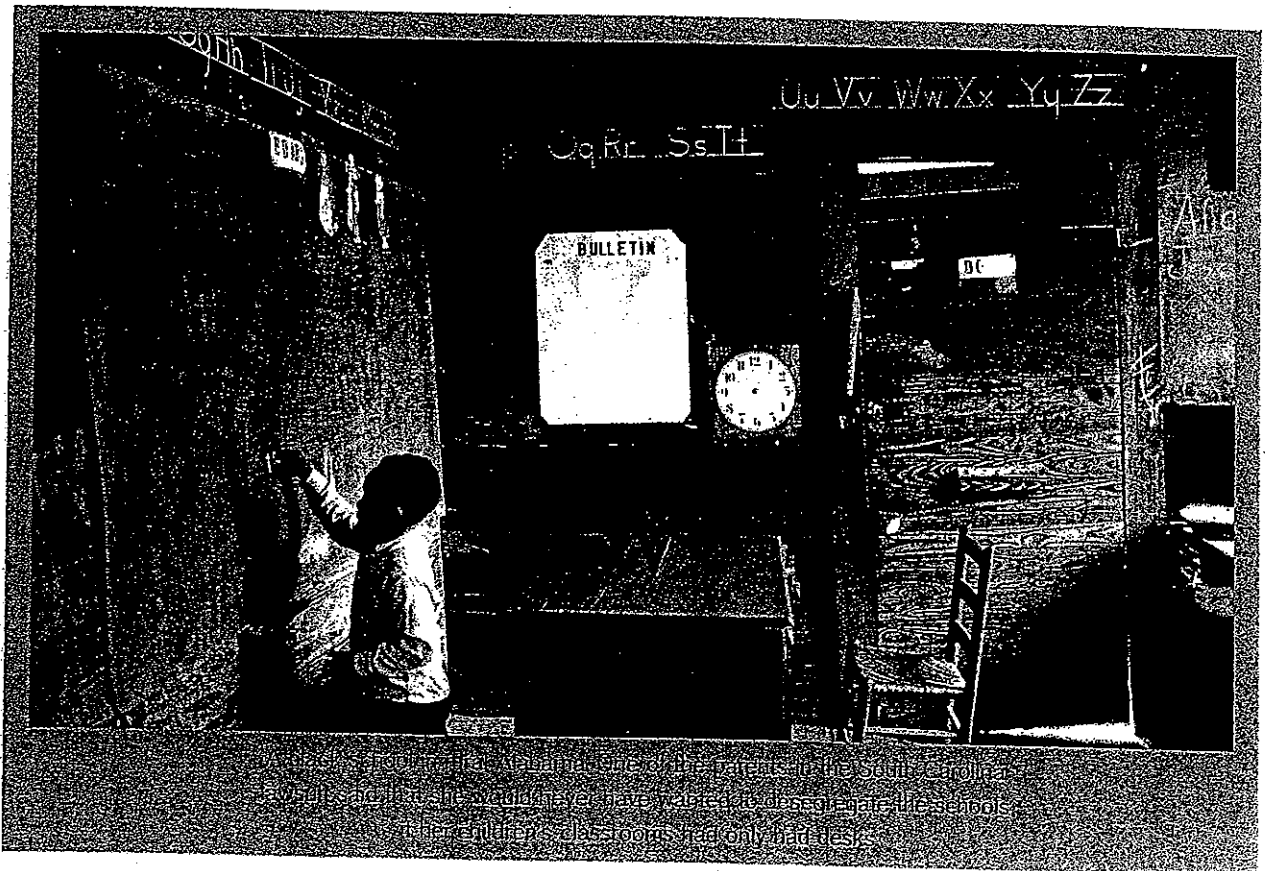


1954 • BROWN V. THE BOARD OF EDUCATION

Carolina, where a group of black families from wretchedly poor Clarendon County was suing the state over schooling so awful that the NAACP called it "doghouse education." Previously, Marshall and his team would have simply pointed out the inequality of the black schools: that Clarendon County spent \$179 per year on each white student and only \$43 on each black stu-

dent. Now the NAACP lawyers set out to prove that the very fact of separating the black children from whites because of their race caused such psychological harm that a "separate but equal" policy was impossible under any circumstances.

Clark gave his test to some of Clarendon County's black schoolchildren. Again, the white baby dolls were seen as "nice" and the black babies



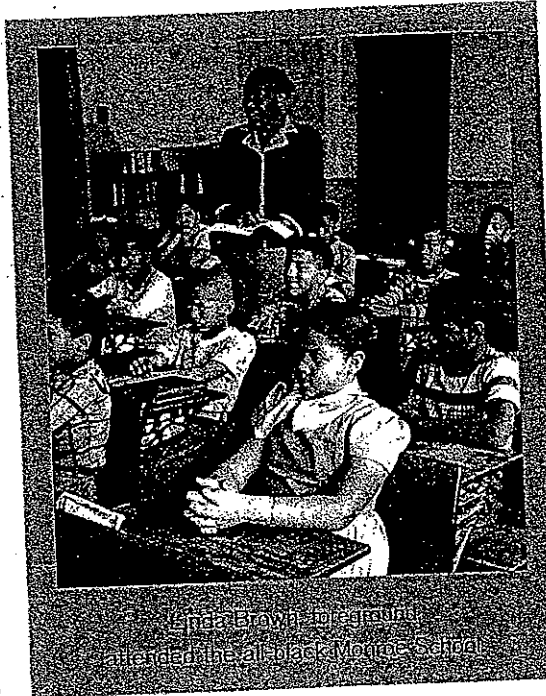
Clarendon County, South Carolina, where the parents in the South fought the case to end segregation in the schools. The children's classrooms had only bad desks.

as "bad." Up to the 1950s, most legal experts thought that bringing "feelings" and social science into the courtroom was off the wall. As one of the Supreme Court justices had written in the *Plessy* decision, if blacks took segregation as a "badge of inferiority," that was their problem.

Of the three federal judges in South Carolina who listened to Clark describe the black children's tragic self-doubt, only one judge concluded from the research that segregation was "an evil that must be eradicated," or wiped out. That brave rebel, named Waties Waring, was outvoted by the other two judges, who simply ordered Clarendon County to make its black schools equal to the white schools. Thurgood Marshall had been expecting their negative ruling. He and the NAACP promptly appealed to the Supreme Court for a final decision.

TAKING ON TOPEKA

Clarendon County, South Carolina, was only one of the nation's 11,173 segregated school districts.



Not surprisingly, the NAACP was pressing several other school cases around the country. The same day of the South Carolina ruling, NAACP lawyers were on a plane to argue their next lawsuit, in Topeka, the capital of Kansas. Topeka was not in the South; that was a good thing in the eyes of the NAACP. The city's segregated schools and limited opportunities for blacks showed that racial discrimination affected African Amer-

icans nationwide.

Twelve black families were suing the Topeka school district. The NAACP had been rather surprised that the father who volunteered to put his name on the case was Oliver Brown, a shy railroad worker and minister with no history of activism. Brown wanted his daughter to attend the cheery nearby white school, with wall art showing the sun shining down on happy youngsters, rather than walk across dangerous railroad tracks to catch a bus to an inferior "colored" school. Brown had not even told Linda, his seven-year-old daughter,

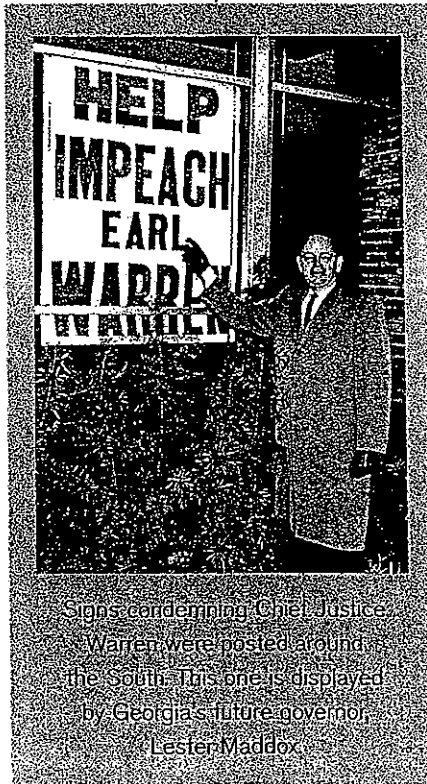
about his decision, which would make her the most influential young student in America.

At the end of the Topeka trial in the summer of 1951, the local federal court ruled against Brown and the other families. The judges basically said they had no choice: Since *Plessy* had been the Supreme Court's decision, it was up to the Supreme Court to overturn "separate but equal."

The high court was ready to hear the Topeka and Clarendon County cases in December 1952. By then, school-desegregation lawsuits from Virginia, Delaware, and the District of Columbia were also on appeal. The Court decided to lump all five together under *Brown v. The Board of Education of Topeka*. Even though the original lawsuit was out of South Carolina, the justices deliberately chose to title this landmark case *Topeka* in order not to appear to be picking on the South.

HEARTS AND MINDS

It took a year and a half for the Supreme Court to



Signs condemning Chief Justice Warren were posted around the South. This one is displayed by Georgia's future governor, Lester Maddox.

make up its mind about whether to end "separate but equal," a legal precedent that was, after all, more than half a century old. On Monday, May 17, 1954, Chief Justice Earl Warren pronounced the Court's fateful verdict: "To separate [black children] from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. . . . We conclude, unanimously, that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."

This was the NAACP's greatest moment of triumph. *Brown* was a glorious correction in the moral life of America—and one that had been clean, bloodless, and executed in a court of law. But the victory would prove to be an unsatisfying one.

A most unexpected reaction to *Brown* was its unpopularity among many African Americans. To

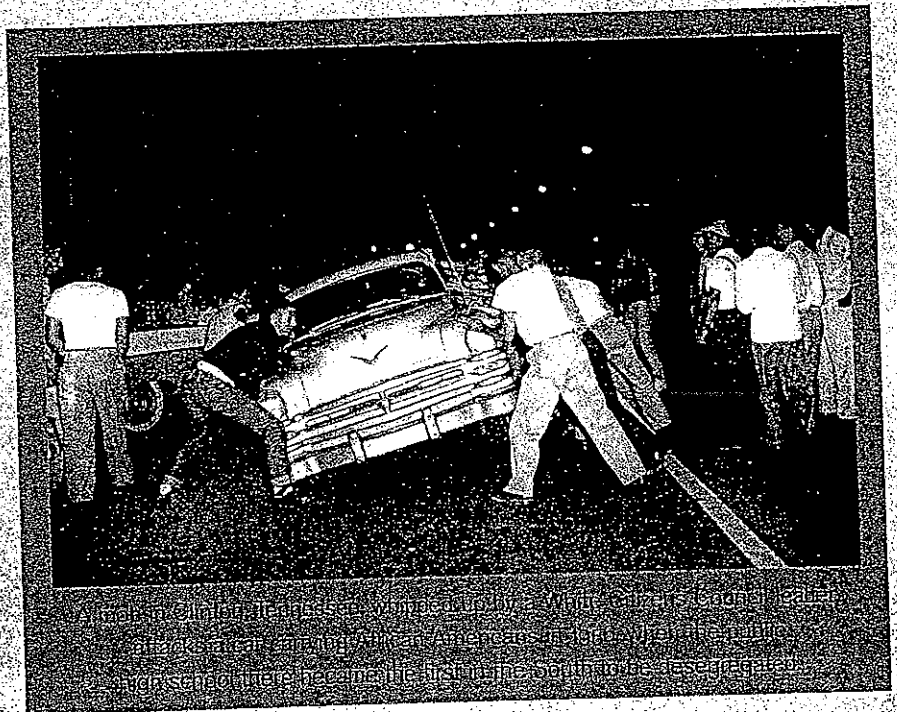
THE WHITE SOUTH REVOLTS

34] **M**ay 17, 1954, the day the Supreme Court outlawed school segregation, was known throughout the white South as "Black Monday." What made *Brown* so much more upsetting to whites than the NAACP's previous school victories was that this one would finally affect young children rather than college students. That raised fears that black and white young people, comfortable with each other from an early age, would grow up to see each other as romantic partners. The imagined results would be that classic white Southern nightmare: mixed-race children, or "mongrelization."

The region's smartest white lawyers began rewriting state laws to rid them of illegal racial language while still having the

effect of keeping the schools segregated. With only a couple of holdouts, Southerners in the U.S. Congress banded together and declared that their states didn't have to obey *Brown*.

Mississippi struck back most viciously with an organization called the White Citizens



When the Supreme Court outlawed school segregation in 1954, the White Citizens' Councils began a campaign to bring white Americans in line. When the public high schools were reopened the first in the South that had been desegregated.

Councils. These councils tried to appeal to the South's "best citizens," prompting some people to call them the Ku Klux Klan dressed up in business suits, or "manicured Kluxism." Instead of physically roughing up those who wanted their freedom, the White Citizens Councils favored what one newspaper called "economic lynch law." They made it impossible for black people associated with the NAACP to find a job, rent a home, or receive a bank loan. As this white resistance spread through the South, critics compared the phenomenon to the rise of the Nazis in Germany 20 years earlier.

Despite the new economic face of lynching, there were still plenty of violent racists around committing old-fashioned murder. A year after the *Brown* decision, they would show the world that, for a black child in the American South, getting an education was sometimes less of a concern than staying alive.

Thurgood Marshall's dismay, southern black communities began planning "islands of jim crow schools" because the "privilege" of attending white schools seemed both an insult and a scary risk. As only a minority of black students would even want to attend white schools, one contemporary black journalist observed, "School desegregation does not involve the Negro masses." This statement spoke to the core criticism of the NAACP's Talented Tenth approach to liberation. *Brown* did nothing for African Americans beyond school age and, as the Supreme Court soon guaranteed, for very few attending school either.

A year after the landmark Supreme Court decision, not a single southern school had been desegregated. In 1955, the justices issued what became known as *Brown II*, their instructions for carrying out the original decision. The Court urged that the schools be integrated "with all deliberate speed." It was a phrase that would live on as *Brown's* regrettable slogan. The South translated that time frame as "never." The Court had turned over the responsibility for school desegregation to the very states that, as Kenneth Clark's dolls had so heartbreakingly shown, caused millions of young black souls to dislike their own skin.