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"I Hope They Fire Me:" Black Teachers In The Fight For Equal Education, 1910-1970

Candace Cunningham
University of South Carolina

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“I HOPE THEY FIRE ME.” BLACK TEACHERS IN THE FIGHT FOR EQUAL
EDUCATION, 1910-1970

by

Candace Cunningham

Bachelor of Arts
Tennessee State University, 2004

Master of Arts
University of South Carolina, 2016

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University of South Carolina

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Accepted by:

Bobby Donaldson, Major Professor

Wanda Hendricks, Committee Member

Patricia Sullivan, Committee Member

Derrick P. Alridge, Committee Member

Cheryl L. Addy, Vice Provost and Dean of the Graduate School

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DEDICATION

This dissertation is dedicated to all the teachers who have played a special role in my life, especially my family members: grandparents Alice and Leroy Cunningham, great aunt Rebecca Berry, uncles Henry Cunningham and Charlie Parks, aunts Sara Parks and Betty Ragsdale, and parents Barbara Bozeman and Louis Cunningham. Thank you for so unselfishly loving our community's children.

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I envisioned the basic outline of this dissertation on a sunny Saturday afternoon while perusing the NAACP papers. So I must first thank the NAACP for its commitment to recording and preserving its history. I must also thank the institutions that made viewing the NAACP papers a pleasure: the Library of Congress, and the Thomas Cooper Library at the University of South Carolina. Thank you to the archivists at the: Avery Research Center, Charleston Archive, Claflin College, Emory University Archives, National Archives at Atlanta, South Carolina Department of Archives and History, South Carolina Historical Society, South Carolina Political Collections, South Caroliniana, and Tennessee State Library and Archives. Thank you for the funding and other resources provided by the University of South Carolina Department of History and the Grace Jordan McFadden Professors Program.

A circle of colleagues aided me throughout my graduate school experience, providing invaluable feedback and reading early drafts of my work. I would especially like to thank Tiffany Florvil, Robert Greene, Jennifer Gunter, Kathryn Silva, and Jen Taylor. A special thanks goes to my dissertation director, Bobby Donaldson, for consistently sharing invaluable knowledge and feedback, and consistently insisting that this topic is important. Thanks also to Wanda Hendricks, and Pat Sullivan who served on my committee have played a special role throughout my graduate school experience. And thank you Derrick P. Alridge, for agreeing to serve on my committee. Most

importantly, I would to thank the women and men who fought so tirelessly for a better tomorrow. May we all remember and live up to your legacy.

ABSTRACT

Despite a growing body of research on African American schoolteachers and their role in the civil rights movement, as well as increased interest in South Carolina's civil rights movement, few historians have uncovered the contributions black schoolteachers made to the South Carolina movement. Additionally, while many histories have highlighted how integral the NAACP was to the civil rights movement, few have revealed the deliberate relationship they built with black teachers associations. This dissertation uses the NAACP papers, political manuscript collections, oral histories, newspaper and magazine articles, and court documents to address this gap in the historiography. Chapter 1 discusses the Charleston black teacher hiring campaign of 1917-1920 in which the newly created NAACP chapter fought to get black teachers placed in the city's black schools. Chapter 2 examines the 1940s teacher salary equalization campaign in which the NAACP filed lawsuits on behalf of local teachers to acquire salary equalization between white and black teachers. Chapter 3 focuses on the Clarendon County movement, which started in the 1940s as a fight to acquire bus transportation for black students, grew into a fight for equal school facilities, and became the first of five the desegregation cases that culminated into the historic *Brown* decision. Chapter 4 examines a 1956 case in which twenty-one teachers in Elloree, South Carolina lost their jobs for their alleged connection to the NAACP. Chapter 5 looks at the case of Orangeburg schoolteacher Gloria Rackley who was dismissed from her job because of her civil rights activism. Collectively, these chapters not only prove that black teachers played an integral role in South Carolina's

civil rights movement, but that they were vital in pushing the movement from one of racial uplift and equalization to a mass protest and desegregation.

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INTRODUCTION

On May 9, 1908, the Colored Ministerial Union presented a petition to the Charleston City Board of Public School Commissioners in which they conveyed a “great and crying need” for more and better school facilities for black children. Without these facilities, the ministered argued, black children were “roaming the streets and growing . . . in ignorance, idleness and crime.”¹ The African American ministers stressed that more schools for African American children would cure these social ills. Convinced that industrial training was the “greatest and most immediate needs,” they also believed that black teachers should instruct black children. The ministers asked the board to allow African American teachers to complete the teachers’ examination. After all, there were “many [black teachers] in the city—of acknowledged ability—and competence.”² These competent black teachers should be “put in full charge” of the “colored schools.”³

During the Reconstruction era and in the decades thereafter, black Charlestonians struggled believed emphatically that a quality education was central to advancing social and political rights. With the conscious push by African Americans to hire black teachers, these educators often joined and played critical leadership roles in the burgeoning civil rights movement. This dissertation focuses on that role.

¹Minutes, Records of the City Board of Public School Commissioners, Charleston County Public Library, Box 8.

² Ibid.

³ Ibid.

This research relies heavily on sources created by the organization at the center of the South Carolina civil rights movement—the NAACP. The NAACP papers contain newspaper clippings, correspondence between members of local chapters and the New York office, as well as between the NAACP and other organizations such as the Palmetto State Teachers Association (PSTA) and the American Friends Service Committee. Correspondence between the NAACP and the PSTA is especially important because it provides evidence that the PSTA often worked in conjunction with the NAACP.

A very critical part of my research examines the massive white resistance to the civil rights movement of the 1950s and 1960s. In order to probe the resistance of white residents and the adverse impacts this resistance had on African American educators, I explored the papers of the South Carolina White Citizens Councils (WCC), which document ordinary citizens' efforts to prevent desegregation. I mined the papers of the Gressette Committee, appointed by Governor Jim Byrnes, to demonstrate state-mandated efforts to avoid desegregation and to show that South Carolina's politicians differentiated themselves from other southern politicians by anticipating rather than reacting to *Brown*. All of these materials enabled me to employ segregationists' own words to show the motives behind their opposing movement.

I will also incorporate oral histories with teachers and others directly connected to my research. Oral histories will permit me to give a fuller understanding of what teacher-activists were risking, connect their activism to the communities they worked in, and add emotion to these histories.

This dissertation builds on previous histories of the black teacher's role in their community. These histories can be vastly different in chronological and geographical

scope, but tend to address four central issues. One major area of focus is African Americans' efforts to gain and retain education autonomy. One of Heather Williams' most persuasive arguments in *Self Taught: African American Education in Slavery and Freedom* is that the newly emancipated freed people initiated their education. They both funded their schools and worked as the teachers. Likewise, Christopher Span argues in *From Cotton Field to Schoolhouse: African American Education in Mississippi* that African Americans were black education's most ardent supporters during and after the Civil War. They envisioned that these schools, built by and for them, would help ensure full citizenship.

Secondly, this historiography has largely positioned teaching as women's work. Sonya Ramsey does this with her focus on women teachers in Nashville. Her goal is to explain how these women defined their middle-class status and navigated the path between the various social movements that helped define their lifetimes—racial uplift, the women's movement, and the black civil rights movement. Likewise in *Freedom's Teacher: The Life of Septima Clark*, Katherine Charron's analysis of the career of a woman teacher in Charleston and Columbia uncovers how education was understood to be women's work. And it would be this mostly female teaching force that turned these segregated spaces into places where citizenship could be taught alongside an emerging civil rights movement. Moreover, women's roles as teachers lead to their participation in black teachers associations, providing them with an opportunity to be politically active.⁴

⁴ Sonya Ramsey, *Reading, Writing, and Segregation: A Century of Black Women Teachers in Nashville*, (Urbana and Chicago: University of Illinois Press, 2008); Katherine Mellen Charron, *Freedom's Teacher: The Life of Septima Clark*, (Chapel Hill: The University of North Carolina Press, 2009).

A third central theme in the historiography has been that teaching black children was inherently political work. This theme is at the forefront of Adam Fairclough's m book, *A Class of Their Own: Black Teachers in the Segregated South*, in which he argues that black teachers were at the center of the long struggle for education equality in the South, and that education and educators remained heavily politicized elements of southern culture. Fairclough further argues that black segregated schools were one part of the larger system of Jim Crow—that segregated schools were as instrumental to maintaining white supremacy as sharecropping, disfranchisement, etc. Ronald Butchart devoted his book, *Schooling the Freed People*, to contesting the notion that the freed people's teachers were predominantly northern, white, middle-class, and unmarried women. Instead he proves that: these teachers were predominantly black; the overwhelming majority (white or black) were southern; they were just as likely to be male as female; and that a substantial number had poor/working-class backgrounds. More importantly for the purposes of this study is Butchart's argument that even when the teachers themselves did not embrace abolitionist politics, or the Radical Republicans' goals to expand black political rights, education itself is "always, everywhere, and inevitably, political."⁵

A fourth central issue in this history has been that teachers served a constituency that consisted of both their students and the broader black community. Such an emphasis is present in *African American Women Educators: A Critical Examination of Their Pedagogies, Educational Ideas, and Activities from the Nineteenth to the Mid-Twentieth*

⁵ Ronald Butchart, *Schooling the Freed People: Teaching, Learning, and the Struggle for Black Freedom, 1861-1876*. (Chapel Hill: The University of North Carolina Press, 2010), xix.

Century. The women featured in this collection often demonstrate a deep commitment to the communities they served, and their work easily overflowed from the schoolhouse to the neighborhood. In fact, the editors and contributors seem to argue that community involvement was a pedagogical practice that enabled these women to be more effective teachers. Vanessa Siddle Walker's scholarship also positions teachers in their communities. In "African American Teaching in the South: 1940-1960" Walker argues that although African American teachers dealt with difficult circumstances beyond their control, it is more important to understand that those obstacles did not constrain them. Instead, these men and women developed professional practices around their understanding of what their communities needed most.

My dissertation builds on all of these themes. Even before the NAACP's arrival during World War I, black Carolinians demonstrated that they wanted to have a greater say in their children's education, and that they believed the black teachers were central to this goal. This assertion takes center stage in my first chapter. My research also positions teaching as women's work, proving that women teachers played a critical role in the South Carolina civil rights movement. In my research they serve as some of the most important organizers and litigants. Education's politicization is apparent throughout the whole study as African American teachers found themselves at the center of intra-racial and interracial political discussion. Additionally teachers, especially in rural communities, knew their work extended outside the classroom. These men and women took the lead demanding and advancing education equality.

My first chapter examines the Charleston teacher hiring campaign of 1917 to 1920. The NAACP had just arrived in South Carolina, forming its first chapters in

Charleston and Columbia in 1917. Their movement into South Carolina was part of larger goal to increase its southern black membership and form a mass movement. At the same time, WWI created a higher expectation for socioeconomic advancement. This campaign was part of a larger labor struggle. Charleston had a policy of not hiring black teachers in the city schools. Black teachers could work in the county, but not in the city limits. However, there were black public schools, which meant that white teachers taught black children in segregated schools.

Black Charlestonians were adamantly opposed to this policy because they believed it would reinforce ideas of racial inferiority. They believed that black teachers' presence would give them more control of their children's education and better prepare them for the future. So, although the black teacher hiring campaign benefitted black teachers, the main impetus was providing better education opportunities for black children.

The teacher hiring campaign was successful and proved to be a clear catalyst for greater civil rights participation. In 1920, the city agreed to hire only black teachers in its black schools. NAACP membership increased. At the same time, more black Charlestonians joined the city's growing NAACP chapter. As a highly visible and well organized mobilization effort, the campaign to African American teachers in the city's black schools proved to the newly arrived NAACP that education could be the centerpiece of a mass protest movement.

The second chapter examines the teacher salary equalization campaign of 1940-1947. States throughout the South routinely paid black teachers substantially lower salaries than white teachers, and these equalization suits became a central part of the

NAACP's judicial method in the 1940s. South Carolina's first three equalization cases—Malissa Theresa Smith, Eugene C. Hunt, and Viola Louis Duvall—originated in Charleston, but Duvall's case was the only one to make it to federal district court. The NAACP won Duvall's case in 1944 before Judge Waites Waring. When Albert N. Thompson, a teacher at Columbia's Booker T. Washington Heights Elementary School, submitted his salary equalization petition to the Richland County School Board on June 7, 1944, the NAACP took up his case as well.

On May 26, 1945, Judge Waring ruled in Thompson's favor, concluding that Columbia's black teachers were entitled to an equal salary plan. The board had to begin a new classification system, effective spring 1946. Ben D. Wood, the National Teacher Examination (NTE) creator, predicted that black teachers would score lower than white teachers. The South Carolina State Board of Education did a two-year study that supported Wood's prediction, and beginning in 1945 all the state's teachers were required to take the exam.

South Carolina's use of the NTE not only facilitated unequal salaries between black and white teachers but also emphasized the black community's preexisting economic disparities. The gap between the highest and lowest paid black teachers widened. Those who did well on the exam and earned higher wages were better financially situated to pursue advanced degrees and further increase their earning potential. These additional economic and educational achievements helped legitimize the state's use of standardized testing since white officials could now present this as proof of the exam's alleged objectivity.

Nonetheless, the teacher salary equalization campaign also revealed the shifting tides of civil rights activism. These suits helped to increase the NAACP's southern membership. They were sometimes the first experience African Americans had in formal protests and provided the foundation for a broader protest movement. Indeed, those who participated in the campaign found it transformative and defining.

Chapter 3 examines the historic *Briggs v. Elliott* case that challenged educational inequity in Clarendon County, South Carolina. While the *Briggs* case attracted attention from many historians and legal scholars, this study will specifically underline the critical roles teachers played in crafting and supporting this pivotal legal effort. Although I have endeavored to discuss the leadership and activism of several teachers, Rev. J. A. De Laine takes center stage because he was the major driving force behind the case. De Laine's role as a preacher has been closely examined in the past, (Lochbaum) but one of the ways this study will differentiate itself from previous histories is by examining De Laine's career as an educator. Additionally, I focus on the juxtaposition of teaching and preaching, and how the combination of these careers uniquely positioned Rev. De Laine to lead the equalization turned desegregation suit.

This chapter begins with the *Pearson* suit, initiated by an African American farmer and property owner named Levi Pearson, that would provide school bus transportation to black children. It then moves on to the *Briggs* school equalization suit, that later evolved into the *Briggs* school desegregation suit. The *Briggs* case is historically important because it was the first of the five cases that formed the historic *Brown* decision. But this chapter also underscores that civil rights activism was met with a white massive resistance efforts that often included severe economic reprisals. The

Briggs case demonstrates that those economic reprisals could be just as effective as racial violence. Simultaneously, the *Briggs* case reveals that reprisals could spark activism and bolster membership in and support of the NAACP. Local level activism in Clarendon County further reveals that the 1950s was a conduit to the youth-led 1960s movement. This is best demonstrated by the events at Scott's Branch High School where high school seniors led the ouster of S. Isaiah Benson, the school's principal who they regarded as unqualified and corrupt.

Chapter 4 is a case study on twenty-one teachers in the small town of Elloree in Orangeburg County who were all effectively dismissed from their jobs on the same day for refusing to satisfactorily answer questions regarding membership in the NAACP. As African American activism in South Carolina expanded in the aftermath of the *Brown* decision, black Carolinians began submitting desegregation petitions in 1955, including in Elloree. The White Citizens Councils (WCC), originally founded in Mississippi, emerged in South Carolina at the same time. Its first two chapters were founded in Elloree and Orangeburg. S. Emory Rogers, the state's lead attorney in the *Briggs* case, was the principal founder and organizer and organizer in the state. The Council levied economic reprisals against the desegregation petitioners and the NAACP launched a counter attack. They boycotted all WCC owned businesses.

In 1956, the state legislature passed a slew of anti-NAACP legislation—a reflection of the WCC's inability to stymie local activism. This study closely examines the anti-NAACP oath—a law that required civic employees to reveal if they were NAACP members. South Carolina's black leaders believed the law was geared towards teachers. As a result teachers all across the state lost their teaching positions. But the

events in Elloree stood out from the rest. When it came time to renew their yearly contracts, the school district superintendent gave out a new lengthy questionnaire that directly questioned if teachers were NAACP members and if they supported desegregation. Not all these teachers were NAACP members, yet they all believed that the questions on their contract were an infringement on their constitutional rights. As a result twenty-one teachers (the majority of the Elloree Training School's faculty) were not re-hired. This created an opportunity for the NAACP to bring a legal suit, *Ola Bryan v. M. G. Austin*, in 1956. In the suit the NAACP argued that the anti-NAACP oath was unconstitutional. When the district court refused to address the oath's unconstitutionality, the NAACP appealed to the United States Supreme Court. The state repealed the law only to replace it with two new anti- NAACP laws: 1) the barratry law which was intended to prevent desegregation petitions, and 2) a law requiring teachers to list all of their organizational affiliations—proving that teachers had been the target all along.

The fifth and final chapter focuses primarily on an Orangeburg teacher named Gloria Rackley, a young wife and mother who became one of the city's most prominent activists. Orangeburg blacks already had a history of civil rights activism. But in the 1960s the city—home to two black colleges—became a hotbed of student activism. Local teachers, including Rackley, openly supported student activism.

The legal case that brought Rackley to the forefront was a desegregation suit against Orangeburg Regional Hospital. On October 12, 1962, She took her daughter, Jamelle, to the hospital after she was hurt at school. Rackley was told to sit in a segregated waiting area that only had crates for patrons. Refusing to abide by the hospital's segregation policy, Rackley sat in the whites-only waiting area and faced

threats of arrest as her daughter was being treated. Before Rackley could be arrested, her daughter reappeared, and they were able to leave the hospital. When they returned for a follow-up visit and Rackley sat in the white waiting area again, she was arrested. The NAACP brought a desegregation suit against the hospital—*Rackley v. Board of Trustees*. When the federal district court did not rule in their favor, civil rights attorney Matthew Perry appealed to the U.S. Circuit Court of Appeals.

Rackley's arrest led to a mid-school year dismissal in 1963. Matthew Perry filed a suit against the school district—*Rackley v. School District* that challenged the grounds on which his client was fired. Rackley and the NAACP won both the hospital desegregation case in 1965 and the case against the school board in 1966. It was clear that the hospital practiced racial segregation, which was a violation of the Constitution. The judge in the school case concluded that the sole reason Rackley was dismissed from her teaching position because of her activism, and that was an insufficient reason to dismiss her. But they were both moot points because by the time the decisions were made, Rackley and her daughters were living in Virginia. Rackley's activism demonstrated the ways in which reprisals could be gendered and wreak havoc on one's personal life. Rackley's activism contributed to her divorce. (Her husband lost his professorship at SC State.) A juvenile court judge threatened to remove her younger daughter, Lurma, from the home because her activism resulted in numerous arrests. And the Rackleys never return to South Carolina to live, even though it was their home.

CHAPTER 1: “I HAD TO FIND A JOB TEACHING:” THE CHARLESTON BLACK TEACHER HIRING CAMPAIGN, 1917-1920

After Mamie Garvin Fields graduated from Claflin University (a small African American Methodist college in Orangeburg, South Carolina) in 1908, she received her first teaching job in Pine Wood, South Carolina—an area she described to as “the poorest part of the state.”¹ She taught there with her sister Hattie in a one-room school building provided by the black community. Fields was initially hired to teach one month but local African American residents raised enough funds for her to teach a full school year. Afterwards Fields needed consistent employment and returned home to Charleston to find a teaching job. With a teaching diploma and special “Licentiate of Instruction” she quickly realized that her credentials were not sufficient to secure a position in the city.² Instead, she was sent to teach in a rural county area. Fields remembered:

In 1909 I landed a school on John’s Island, a coveted venture, because very few of the black graduates were getting jobs. All the schools were taught by white women, mainly the wives of trustees. . . . But since white people taught in the city schools, you had to try to go in the county.³

Fields’ experiences reflected those of other contemporary African American teachers’ in Charleston during a time when a black teacher in a city school “was still the

¹ Mamie Garvin Fields, *Lemon Swamp and Other Places: A Carolina Memoir* (Free Press, 1985), 104–106.

² *Lemon Swamp and Other Places*, 107-110. A “Licentiate of Instruction” was given to those who did special courses in pedagogy.

³ *Ibid.*, 110.

substance of things hoped for.”⁴ Despite the fact that there were public schools for black children in the city, Charleston school officials only hired them in rural county schools. Only white teachers worked in the city schools. As a result, white teachers instructed black students in racially segregated schools. White teachers’ placement in black schools was not peculiar to Charleston. It was practiced in several southern urban areas. For instance, Nashville, Tennessee’s African American residents began petitioning the Nashville City Board of Education for black teachers in 1868; and the board began hiring black teachers in 1887. When New Orleans began hiring black teachers in 1916, Charleston became the only remaining southern city to continue this practice.⁵

This chapter will discuss black Charlestonians’ efforts to ensure black teachers’ placement in black schools through the teacher hiring campaign of 1917 to 1920. The case would ultimately demonstrate to the National Association for the Advancement of Colored People (NAACP) that education could serve as the ideal centerpiece to a mass social movement. This chapter will also emphasize the ways in which gender issues intersected with education and segregation. The teacher hiring campaign provides a chance for scholars to rethink the intersections of race, class, and gender in historical research—to move beyond explaining multiple oppressions or privileges in order to analyze how the two intersect.⁶ This case also presents scholars with an opportunity to

⁴ Edmund L. Drago, *Initiative, Paternalism & Race Relations: Charleston’s Avery Normal Institute* (Athens: University of Georgia Press, 1990), 169. Jeannette Cox’s words, African American schoolteacher and wife to Avery Normal School principal Benjamin F. Cox.

⁵ Sonya Yvette Ramsey, *Reading, Writing, and Segregation: A Century of Black Women Teachers in Nashville* (University of Illinois Press, 2008), 1; Katherine Mellen Charron, *Freedom’s Teacher: The Life of Septima Clark* (Chapel Hill: University of North Carolina Press, 2009), 89.

⁶ See Jennifer C Nash, “Re-thinking Intersectionality,” *Feminist Review* 89, no. 1 (June 2008).

rethink and reimagine African Americans' goals on the local level, and reconsider how much their aims reflected the national NAACP headquarters.

The policy of hiring white teachers in Charleston began in the years following Reconstruction when the school superintendent complained that there were not enough qualified black teachers. The state superintendent was largely responsible because although there was an effort to expand the number of teachers' summer schools, over eighty percent of those funds were for white teachers' programs. Moreover, teachers complained that the examinations they were given went far beyond what was necessary for an elementary school teacher to know. Nonetheless neither the city or the state proposed a way to improve black teachers alleged lack of qualifications, but instead remedied the issues by first recommending lower standards for black teachers, and then hiring white teachers in black schools.⁷

African Americans were opposed to the use of white teachers in black schools for multitude reasons. On one level, it subjected black children to notions of racial inferiority. The fact that white teachers regarded black children as inferior and favored a limited education for black children overshadowed any possible benefits these children received from going to school. Many African Americans correctly believed that white teachers, who used their time in black schools to gain the necessary experience for a promotion to a white school, cared more about their salaries than about their charges. On another level, African American leaders believed that white teachers did not have the

⁷ George Brown Tindall, *South Carolina Negroes: 1877-1900* (Columbia: University of South Carolina Press, 1952), 219-220.

same social contract with the children that black teachers did.⁸ An editorial in the NAACP journal *The Crisis* observed:

Of all the cities in the South, Charleston is guilty of the meanest act toward colored folks. It keeps in their school white teachers, teachers who do not want to be there; teachers who despise their work and who work mainly for the money which it brings them. These teachers are Southern whites and they are teaching little colored children, doing the work mechanically and with a cruelty of discipline that is shameful. Openly and persistently the white city gives two and only two reasons for this farce: first, that they want to teach black folk their place; and secondly, that they want to supply certain people with employment.⁹

Conversely, black teachers' work was influenced by a "contractarian rationale" that to act in their students' best interest was to act in their own best interest.¹⁰ African Americans feared that white teachers' mediocre expectations, coupled with attending schools in inferior facilities, would teach black children that they were, in fact, second-class citizens and should regard whites as their innate superiors.¹¹ Indeed, that was exactly what white supremacists intended. In 1925 Andrew Butler (A.B.) Rhett, Charleston's school superintendent, recalled:

I have always been of the opinion that the reason why there has been so little race friction in Charleston was that the colored children from a very early age were under the control and influence of white principals and teachers and were taught to look up to and respect white people.¹²

⁸ I. A. Newby, *Black Carolinians: A History of Blacks in South Carolina from 1895 to 1968*, 1st ed., South Carolina Tricentennial Commission no. 6 (Columbia: Published for the South Carolina Tricentennial Commission by the University of South Carolina Press, 1973), 158; *Initiative, Paternalism & Race Relations*, 175.

⁹ Editorial, *The Crisis*, XIII(April, 1917), 270.

¹⁰ See David P. Gauthier, *Morals by Agreement* (Oxford University Press, 1986), 8–9.

¹¹ *Black Carolinians*, 158.

¹² *Initiative, Paternalism & Race Relations*, 175.

Although African American teachers' presence was largely about improved education opportunities, their hiring went hand-in-hand with decreasing segregation's adverse psychological effects. For Charleston's African Americans, increasing control of black schools through the employment of black teachers was the best way to combat segregation's damage. In the privacy of their own community, African American families sought to prepare their children for the hard reality of living in a society shaped by the forces of white supremacy. Through positive reinforcement they would ensure their sons and daughters' self-confidence, grooming them for the possibility of professional jobs and leadership.¹³ In this sense, the black school and teacher served as an integral part of this preparation.

Positive perceptions of black teachers stood in stark contrast to those of the white teacher. This was partly because the teaching profession could attract the best and the brightest African Americans. For example, Mamie Garvin Fields always thought she would make a good teacher because she often had the highest grades.¹⁴ Established in 1869 through Methodist Episcopal missionaries, Claflin was the first college for blacks in South Carolina.¹⁵ Its students "in training to be teachers had to take pedagogy, the art of teaching, as well as all the regular school subjects—English, history, math, music, science, and of course the Bible."¹⁶ Given Claflin's strong curriculum, Fields felt that she received plenty of experience as a student teacher since they "were in great demand all

¹³ Stephanie J Shaw, *What a Woman Ought to Be and to Do: Black Professional Women Workers During the Jim Crow Era, Women in Culture and Society* (Chicago: University of Chicago Press, 1996), 29.

¹⁴ *Lemon Swamp and Other Places*, 83.

¹⁵ *South Carolina Negroes*, 226.

¹⁶ *Lemon Swamp and Other Places*, 90.

around, because almost every [black] schoolteacher had more to do than one person could handle well.”¹⁷ And despite the fact that legislation explicitly intended that black land grant schools, like South Carolina State College, have an agricultural and industrial based curriculum, these higher education institutions quickly became important teacher training schools with a curriculum that was more classical oriented and focused on liberal arts.¹⁸ In fact, a comprehensive study of black land grant schools from 1911-1917 revealed that almost every school was neglecting rural-life training, and had “poorly run farming and mechanical programs.”¹⁹ State legislatures may have preferred agricultural/industrial education, but it was rare for any black land-grant school to receive more than half the monies allotted to them. Therefore, by 1917 most of these schools were essentially running as autonomous institutions. Such autonomy allowed black land grant schools to focus on a classical education strategy and operate as teacher training centers.²⁰

Many of South Carolina’s African American teachers worked hard to reduce the boundaries to success that many students faced. For instance, teachers asked local churches for clothing and shoes for their students since this was sometimes a reason parents did not send children to school. When Fields and Rosalee Brown began teaching on John’s Island, the former teacher, a white woman who was a trustee’s wife, told them that the children did not come to school very often.²¹ That may have been true, but Fields contended that “white folks didn’t care much if our children came to school or didn’t, but

¹⁷ *Lemon Swamp and Other Places*, 98.

¹⁸ John R. Wennersten, “The Travail of Black Land-Grant Schools in the South, 1890-1917,” *Agricultural History* 66, no. 2 (Spring 1991), 57.

¹⁹ Wennersten, “The Travail of Black Land-Grant Schools in the South,” 61.

²⁰ *Ibid.*, 60-61

²¹ *Lemon Swamp and Other Places*, 115, 213.

we tried to get them to come.”²² This unremitting commitment to their students was part of black teachers’ training. Fields, and the other student teachers, were taught “to keep close to the parents, even if that meant going home with a child after school.”²³ Mary McCleod Bethune, the well-known African American educator and civil rights activist, noted that her ability to inspire other teachers came from understanding that their work seeped outside the classroom. She recalled:

She didn’t wait for the parents to send the children. She went out and got them. And if something was holding the children back, she took that as her business too.²⁴

Indeed, African American colleges trained their teachers “toward service.”²⁵ They were encouraged to get to know the communities in which they taught. Fields demonstrated such service to her students and the larger community when she read a news article at a PTA meeting announcing a minimum wage increase, therefore ensuring the parents knew that they had legal recourse to demand higher wages from their employers.²⁶

African American teachers were deeply committed to removing white teachers from black schools. From their perspective, this was sure to provide a better education for black children, as well as increased professional and personal opportunities for themselves.²⁷ These professional opportunities helped them “adopt to—and sometimes overcome—the economic and social obstacles of a racially inequitable system.”²⁸

²² *Lemon Swamp and Other Places*, 115.

²³ *Ibid.*, 99.

²⁴ *Ibid.*, 253.

²⁵ *Ibid.*, 234.

²⁶ *Ibid.*, 100.

²⁷ *Freedom’s Teacher*, 89.

²⁸ *Reading, Writing, and Segregation*, 2.

Through their experiences, as teachers and students, black educators corroborated their community's concerns regarding the negative educational and psychological effects white teachers imparted onto black students. Septima Clark—the well-known teacher, NAACP member, and leader with the Highlander Folk School and Citizenship Schools—went to Shaw Memorial School in Charleston where she had white teachers “who expressed their gratitude for their jobs by reinforcing white ideas of black inferiority.”²⁹ Clark's experiences translated into a negative perception of school until her mother, Victoria Poinsette, withdrew her from public school and sent her to a black-women-operated private school on Logan Street in Charleston. Those experiences with black teachers changed her negative feelings.³⁰

Fields' experiences as a Claflin University student also support this perception. She felt ill-prepared for courses compared to her classmates who had been taught by black teachers.³¹ One of her best friends, who had African American teachers in Barnwell, South Carolina, helped Fields “catch up” on material “those Rebel do-nothing women” had not taught her.³² In fact, Fields' experiences with white teachers were so damaging that even after Charleston agreed to hire black teachers she refused to send her children to the public schools because “those same white teachers were still there” and were yet “pure Rebels.”³³

By the same token, some African American educators had the opportunity to obtain teaching positions formerly held by whites and often felt they inherited a group of students who were not well prepared or properly trained by their white instructors. Fields

²⁹ *Freedom's Teacher*, 41.

³⁰ *Ibid.*, 41.

³¹ *Lemon Swamp and Other Places*, 45.

³² *Ibid.*, 96.

³³ *Ibid.*, 84.

found that she had to teach her students some of the most elementary basics. For example, the previous white teacher told her that the students “dance[d] the Sam just nice.”³⁴ Fields argued that:

[w]hether or not the children know how to sing and dance wasn't the point. They did. But to me, if they are Americans, they ought to be able to sing ‘America, the Beautiful’ and say the Pledge of Allegiance. My school was in the United States, after all, and not the Confederacy.³⁵

She also recalled an incident when one of her students ran up to her say, “He cuss me black.”³⁶ After Fields explained that and all the students were black, and forbade them from arguing over what was a fact, she developed a curriculum that taught the students that black was beautiful.³⁷ She trained them not to lower their eyes or shuffle when speaking to her, saying that sometimes the “good manners” black children were taught were used to condition them to the ways of the Old South.³⁸ These daily instances pushed black teachers to develop their own pedagogy and curriculum that intentionally went beyond what textbooks and prescribed lesson plans. As Fields’ words and actions demonstrate, not only were African American teachers equipped to teach their students the rudiments of reading, writing, and arithmetic, they were deeply concerned with ensuring that their students understood concepts of citizenship and merged those concepts with notions of racial pride. Likewise, positive experiences with black teachers reinforced the belief that they had a vital role to play in black children’s education. For example, one teacher who went to school on Johns Island recalled learning about

³⁴ Fields, *Lemon Swamp and Other Places*, 127.

³⁵ *Ibid.*, 127.

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*, 221.

important African American figures like Harriet Tubman and Frederick Douglass instilled in her a sense of racial pride.³⁹

Many white southerners strongly opposed the employment of African American teachers in city schools. For instance, the presence of educated blacks presented a challenge to the South's racialized hierarchy. It could flaunt the fact that some African Americans acquired a higher education level than many poor and working-class whites.⁴⁰ Moreover, as Florida gubernatorial candidate—and later governor—Sidney J. Catts proclaimed, there was “no room in the South for the well educated Negro, no one wants a Negro for a lawyer or a doctor or a banker.”⁴¹ According to him, all any African American needed was to be literate enough to read his or her Bible.⁴²

Fields recalled that “whites didn't like to think you had leisure to do anything but pick cotton and work in the field.”⁴³ Even children were not supposed to have access to time and/or money. And those who did have it “ought not show it.”⁴⁴ When Florida passed a law stating that white teachers could not teach black children and black teachers could not teach white children, one white newspaper declared that it was customary, even in the days of slavery, for white women to teach black children. Therefore, “the situation during slavery was . . . in a certain respect, better” and “to cut off the colored people from

³⁹ Charron, *Freedom's Teacher*, 70.

⁴⁰ Sonya Yvette Ramsey, *Reading, Writing, and Segregation: A Century of Black Women Teachers in Nashville* (University of Illinois Press, 2008), 13. Ramsey argues that Nashville whites could not accept that there were African Americans receiving a higher education at Fisk University while there were poor whites who did not have a university in close proximity to them.

⁴¹ “Neglect,” *The Crisis*, February 1916, 179.

⁴² “Neglect,” 180.

⁴³ *Lemon Swamp and Other Places*, 72.

⁴⁴ *Ibid.*, 72.

any instruction from the whites is simply terrible.”⁴⁵ The statements overlooked the fact that teaching slaves how to read was illegal and that these women generally were interested in teaching slaves enough skills to make them useful plantation laborers. Ironically, this type of teaching seems to be exactly what African Americans were striving to combat. They wanted teachers with a pedagogy oriented towards racial uplift.

In 1914 South Carolina passed a similar measure as Florida. Champions of the Fortner Bill wanted to “prohibit white persons from teaching in negro schools and to prohibit negroes from teaching in white schools.”⁴⁶ Some white Carolinians, however, were defensive of their motives and warned that the removal of white teachers would result in bedlam:

We deny that the white man needs any law to prevent the Negro from measuring up to a place of equality with him. If that proposition is once admitted and entered on our statute books it will stand as an ineffaceable libel on our South Carolina manhood.

In addition, the measure to prevent race equality, if enacted into law, will open the doors for the very evils which we most fear, and have reason to fear. If white teachers are removed from our public schools and the youthful Negro mind is turned over to the mercy of vicious Northern Negro teachers to implant therein the seeds of race hatred, we will soon be face to face with incendiary conditions that may burst forth at any moment of the night or day with terrible consequences.⁴⁷

Such language reflected the insecurities and perceived threats educated blacks allegedly posed. Others believed that hiring black teachers was acceptable, but only if they were

⁴⁵ “Opinion,” *The Crisis*, February 1914, 176. Excerpt from the *Boston Advertiser*.

⁴⁶ South Carolina General Assembly House of Representatives, Journal, 1914, 209.

⁴⁷ “The Fortner Bill,” *The Crisis*, April 1914, 280. Excerpt from the Columbia Record.

under whites' constant supervision.⁴⁸ Either way, South Carolina legislators saw a clear link between controlling black education and maintaining white supremacy. In short, educating black Carolinians would pose a direct challenge to southern notions of white manhood.

White Carolinians made no secret of their intentions to maintain the status quo:

In the northern part of this country are a few, a very few, scholarly and earnest men, some of them rich, who believe in the equality of the races and who wish to see it established in politics and in social life. They are mistaken men, they are doing what they can to promote this equality.⁴⁹

The white press expressed serious fears of African American ascendancy.⁵⁰ To them it was clear that African Americans sought "forward movement" through "avidity for education" and "reach[ing] for agricultural independence."⁵¹ Therefore, blacks' and whites' rhetoric placed teachers at the center of African American's attempts for socioeconomic advancement.

The motivations undergirding white opposition to hiring black teachers become clearer when other legislative issues are considered. For example, the Fortner Bill also forbade white nurses from treating black patients and the "intimacy of the races in houses of ill-repute."⁵² The proposed bill obviously played on "the titillating and violence-

⁴⁸ "Neglect," 179. Taken from the *Stateman* (Columbia, SC).

⁴⁹ "Education," *The Crisis*, August 1914, 175. Excerpt taken from the *Columbia State* newspaper.

⁵⁰ "Education," *The Crisis* noted that "[m]ost of the southern papers seem to regard these facts of advance as a very desperate situation."

⁵¹ "Land," *The Crisis*, August 1914, 176. Excerpts from the *Philadelphia Public Ledger*.

⁵² "Opinion," *The Crisis*, March 1914, 233; "Along the Color Line," *The Crisis*, March 1914, 221.

provoking” fears regarding miscegenation and rape by black men on white women that were employed “after emancipation, when it served the purposes of racial segregationists.”⁵³ Members of the white press lambasted the 1914 bill as “shortsighted” and accused its presenter, Rep. Fortner, of holding office through “ignorance and prejudice.”⁵⁴ It would “bring about the collapse of Bleasism ‘and all that it portends.’”⁵⁵ The bill played on post-emancipation fears of miscegenation and the myth of the black beast rapist in order to “serve the purposes of racial segregationists.”⁵⁶ Indeed, part of the difficulty in getting black teachers hired in the city schools was that it bore the appearance of “black men agitating against white women.”⁵⁷ Moreover, as much as African Americans wanted their own teachers, they surely would have been opposed to the language Fortner used to describe the bill. He promised that hiring black teachers would “prevent the possibility of equality between the races.”⁵⁸ Therefore fears of miscegenation were linked, through proposed legislation, to public schooling long before the desegregation/integration struggles of the 1950s and 1960s, which places the massive white resistance movement’s roots in the early twentieth century.

African Americans also faced white Charlestonians’ opposition to passing a compulsory education law. They made their reasons for opposition quite clear. If African Americans were required by the law to go to school, it would grant them “the same provisions as the whites, with the result of exceedingly high education, but an

⁵³ Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (Vintage, 1976), 462.

⁵⁴ “Opinion,” 233. Excerpt from the Lexington Herald.

⁵⁵ “The Fortner Bill,” *The Crisis*, April 1914, 279. Excerpt from the News and Courier.

⁵⁶ *Roll, Jordan, Roll*, 461.

⁵⁷ Newby, *Black Carolinians*, 158.

⁵⁸ “The Fortner Bill,” 278.

aggravation of the labor problem and an end of agricultural pursuits.”⁵⁹ African American children, therefore, should not receive the same education as whites because it would result in two races being “equally educated” and create a “servant problem,” disrupting the “God intended” order of “master and servant.”⁶⁰ Still some warned that the legislature’s maintenance of white supremacy by not passing a compulsory education law would “in the end operate to overthrow it.”⁶¹ Members of South Carolina’s white press made a compelling case connecting compulsory education to the disfranchisement of white men:

With one accord our political leaders insist that no white man shall be prevented from voting in the primary and, so long as the primary is the election that elects, there is nothing to induce the illiterate or propertyless [sic] white man to fit himself to be a legal elector. These same leaders, most of them, refuse to press for a compulsory school attendance law and so they consent to the growing up of thousands of white men in illiteracy.⁶²

As above quote indicated, African Americans’ continued oppression and disfranchisement complicated poor and working-class men’s status. These efforts may have been intended to limit blacks’ socioeconomic advancement, but they concurrently affected some whites. South Carolina did pass a compulsory education law in 1915.⁶³ Unfortunately there were still “a number of loopholes” that made it “only partially applicable to colored children.”⁶⁴

⁵⁹ “Opinion,” 176. Excerpt from the *Charleston News-Courier*

⁶⁰ Ibid., 176.

⁶¹ “The Right to Work,” *The Crisis*, May 1915, 16. From the *Evening News* (Newark, NJ).

⁶² “The Right to Work,” From the *State* newspaper (Columbia, SC).

⁶³ “Education,” *The Crisis*, May 1915, 9.

⁶⁴ “Education,” 9.

The Palmetto State's black population had logical reasons to be wary of engaging in political activism, but none was more significant or terrifying than becoming a lynching victim. Violence, as during slavery and Reconstruction's end, was a very important part of gaining and maintaining white supremacy in the South.⁶⁵ Some South Carolina whites argued that lynching was a necessary evil. It was not the fault of those who participated in the violent acts, but the Republican party's, "which put the South under the yoke of the carpetbagger, the Negro and the scalawag" making it "necessary for the white man to use lawlessness to secure the restoration of law and order."⁶⁶ The statement singularly dismantled notions that lynching was about protecting white womanhood.⁶⁷

In 1916, one year before the NAACP came to South Carolina, Anthony Crawford was lynched on October 21. The Crawford case took place in Abbeville and gained national attention from the black media.⁶⁸ A "self-respecting, wealthy Negro citizen," he was once quoted as saying, "the day a white man hits me is the day I die."⁶⁹ One witness reported that the clerks and merchants from nearby stores closed their shops and emerged

⁶⁵ Steven A. Reich, "Soldiers of Democracy: Black Texans and the Fight for Citizenship, 1917-1921," *The Journal of American History* 82, no. 4 (March 1, 1996): 1501-1502.

⁶⁶ "The Lynching Industry," *The Crisis*, March 1917, 237. From the *News* (Greenville, SC)

⁶⁷ Ibid., As *The Crisis* noted, "It was not 'rough Border justice;' it was not the 'violation of women' that started the lynching industry. It was simply the supposed necessity of disfranchising the Negro and 'keeping him in his place.'"

⁶⁸ "The Year's Lynching," *The Crisis*, February 1917, 195-196; "The Abbeville Lynching," *The Crisis*, January 1917, 120.

⁶⁹ "A Moral Void," *The Crisis*, May 1917, 9; "Lynching," *The Crisis*, January 1917, 135.

with “sticks, ax handles, and pick handles to beat him with.”⁷⁰ There was only one African American around—not nearly enough to stop the violence.⁷¹

African Americans also feared economic reprisals. Whites employed most blacks who knew that participation in civil rights activities could mean job loss. Likewise, the self-employed—i.e. carpenters, seamstresses, stonemasons, and tailors—risked a sudden and sure boycott of their services. Very few were as lucky as Teddy Harleston, a Harvard educated artist whose family owned a successful funeral home business, whose membership in the black elite shielded him from economic reprisals. He was able to take on a leadership role in the NAACP and the early Charleston civil rights movement because he and his family were all businessmen and women with a mostly black clientele.⁷²

Nonetheless, black Carolinians found multiple ways to combat white supremacy. One particularly tempting method was northern migration. Being “in constant danger of mob violence” provided “one of the most effective arguments” to leave the South.⁷³ Lack of agricultural opportunities due to floods and the boll weevil, coupled with increased opportunities in the North because of fewer European immigrants provided powerful economic push and pull factors. As of 1917 approximately 250,000 African Americans

⁷⁰ “Lynching,” *The Crisis*, January 1917, 135.

⁷¹ Ibid., 135. A witness wrote *The Crisis* to correct a previous story that said that there was a crowd around.

⁷² Edward Ball, *The Sweet Hell Inside: A Family History*, First Edition (William Morrow & Company, 2001), 40-42, 82-89, 194-195.

⁷³ *The Sweet Hell Inside*, taken from the *Chronicle* (Augusta, GA) and the *Herald* (Albany, GA).

had gone North; 27,000 of them were from South Carolina.⁷⁴ As one black Carolinian said:

The immediate occasion of the migration is, of course, the opportunity in the North, now at last open to us, for industrial betterment. The real causes are the conditions which we have had to bear because there was no escape.⁷⁵

African Americans were not only looking for economic advancements, but a way to evade the Palmetto State's blatant racism and frequent racial violence.

Another method of combating white supremacy in South Carolina was through the emerging form of collective activism. Racial violence was a major contributing factor to the NAACP's move into the South. Indeed, the violence meant to drive people away from activism, could draw them towards it.⁷⁶ For even as violence and the threat of violence could decrease activism, it made the "need of a militant, aggressive and uncompromising organization" increasingly clear.⁷⁷ To be sure, despite the use of legislation and violence to tamp black progress, there remained a sense of ultimate advancement. Referring to the racist rhetoric and policies of southern governors like South Carolina's Coleman Livingston Blease and Mississippi's James K. Vardaman, the NAACP's *The Crisis* said:

The Bleases and Vardamans may retard the Negro race, they may increase the number of indolent and vicious blacks by denying them knowledge and a fair chance . . . but the Negro race in America is advancing rapidly in spite

⁷⁴ W. E. B DuBois, "The Migration of Negroes," *The Crisis*, June 1917, 63; "The War and Labor," *The Crisis*, June 1917, 77.

⁷⁵ "The Migration of Negroes," 65.

⁷⁶ Sullivan, *Lift Every Voice*, 65; "The Lynching Industry," *The Crisis*, March 1917, 237. *The Crisis* argued that it was "a prime cause of the present Negro unrest in the South."

⁷⁷ "Field Work," *The Crisis*, January 1922, 115.

of all opposition; increasing thousands of them are virtuous, wise and useful Americans.⁷⁸

After all, whites' perceptions that blacks were sending more children to school, acquiring more land, and more of their men were qualifying for the vote perpetuated much of the racial tension.⁷⁹ The teacher hiring campaign would have agitated whites' paranoia regarding the repercussions of black advancement.

This racial environment facilitated the National Association for the Advancement of Colored People's (NAACP) arrival and enabled it to become the single most important civil rights organization in the state. As a national organization explicitly dedicated to expanding social and political opportunities for African Americans, its arrival was as symbolic as it was helpful.⁸⁰ The NAACP envisioned this movement into the Palmetto State as part of a larger objective to redefine itself as "a real first line defense" in the South.⁸¹ As part of a "dozen, lusty, young branches" it would mark "a new era in the history" of the primarily northern organization.⁸² The NAACP's movement into the South not only made it a truly national organization, but entrenched it in local communities. It would be one of the NAACP's greatest accomplishments during the World War I years. The first two South Carolina chapters appeared in Charleston and Columbia in 1917, a direct reflection of the increasing militancy among black Carolinians during World War I. The Charleston chapter, one of the liveliest among these new

⁷⁸ "A Follower of Jesus Christ," *The Crisis*, January 1922, Excerpt from the *Congregationalist*.

⁷⁹ "Education," *The Crisis*, May 1915, 175. Views expressed in the *State* newspaper.

⁸⁰ Peter F Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865*, Civil Rights and the Struggle for Black Equality in the Twentieth Century (Lexington: University Press of Kentucky, 2006), 157.

⁸¹ "The Heart of the South," *The Crisis*, May 1917, 18.

⁸² *Democracy Rising*, 18.

southern chapters, was founded largely due to Edwin “Teddy” Harleston’s efforts, a former student of one of the NAACP’s founders and directors, W. E. B. Du Bois. In fact, this relationship helped lead to Du Bois’ Charleston visits in 1917 and 1921.⁸³ I.S. Leevy led the Columbia branch’s founding. He and other local black leaders began by forming the Capital City Civic League, whose “sole purpose” was “contesting and contending for our every Constitutional right, privileges and immunity, in a quiet, legal and peaceful manner.”⁸⁴ Indeed, when Leevy and the other Capital City Civic League members drafted their 1917 Address to the People, their main goal was to “cite the Constitutional requirements of the State of South Carolina” for voting and prepare black men to vote “on the various important matters to be decided by the qualified electorate.”⁸⁵ Among those “important matters” was compulsory education which if passed would result in “longer terms, better pay, better teachers.”⁸⁶ Such rhetoric not only makes a direct connection between education and voting rights, but also makes better education and a desire for qualified black teachers founding principles for the state NAACP’s formation. Moreover, along with Columbia attorney Butler W. Nance, who served as the Columbia branch’s president, Leevy and the other members played an indirect yet important role in the Charleston teacher hiring campaign. In the absence of a formal Conference of Branches, they were often the ones who communicated directly with the NAACP’s national office in New York.⁸⁷

⁸³ *Lift Every Voice*, 77-78; *Black Carolinians*, 157; *The Sweet Hell Inside*, 191–192; *Initiative, Paternalism & Race Relations*, 172.

⁸⁴ “An Address to the People of South Carolina Under the Auspices of Capital City Civic League,” Papers of the NAACP, Part 12, Series A.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Letters between Butler Nance and the national NAACP office in 1919, Papers of the NAACP, Part 12, Series A.

World War I presented black Carolinians with high expectations for socioeconomic advancement. Charleston, like many urban areas, was transitioning as rural blacks and whites flooded the city in search of war industry jobs.⁸⁸ Additionally, the existence of black soldiers made possible a “more militant race pride.”⁸⁹ Black servicemen returned home with the confidence to assume the rights that Jim Crow South had been denying them.⁹⁰ Black leaders like Harleston, one of only a few African Americans in the area able to vote, “imagined the possibility” of a black primary.⁹¹ Black Carolinians joined the war effort and “earned the commendation of them which is being freely voiced by white citizens everywhere.”⁹² During these early years the South Carolina NAACP employed effective direct action methods which solidified its role as a mode of “individual and collective empowerment.”⁹³

The teacher hiring campaign was a significant part of a small handful of issues the Charleston chapter chose to address in 1917. At the time there were three black public schools in the city.⁹⁴ As branch president Teddy Harleston explained, black Charlestonians found the public school system’s policy of not hiring black teachers “very irksome.”⁹⁵ He was familiar with the problems these teachers faced because his wife, Elise, had been a teacher and was forced to take a position far away from the comfort of

⁸⁸ *Initiative, Paternalism & Race Relations*, 173.

⁸⁹ “Soldiers of Democracy,” 1483.

⁹⁰ *Ibid.*, 1484.

⁹¹ Peter F. Lau, “Mr. NAACP: Levi G. Byrd and the Remaking of the NAACP in State and Nation, 1917-1960,” in *Toward the Meeting of the Waters: Currents in the Civil Rights Movement of South Carolina During the Twentieth Century* (University of South Carolina Press, 2010), 147; Ball, *The Sweet Hell Inside*, 192.

⁹² “The Turning of the Tide,” *The Crisis*, December 1917, 78. From the *News and Courier* (Charleston, SC).

⁹³ *Democracy Rising*, 19.

⁹⁴ “The Heart of the South,” *The Crisis*, 18. They also fought against a residential segregation ordinance; *Democracy Rising*, 42.

⁹⁵ *Democracy Rising*, 42.

her Charleston home.⁹⁶ He acknowledged that the community had, “tried to have it changed three times; they tried it thirty-five years ago and they tried twenty years ago but failed.”⁹⁷ In fact, just one year earlier, a group of black ministers unsuccessfully implored the city to hire black teachers.⁹⁸ As Fields said:

You may not believe it now, but we had to fight to get black teachers to teach in our segregated schools. When it came to teachers, our black schools were “integrated”! For the longest time, they didn’t want black teachers to teach black children in Charleston public schools.⁹⁹

These comments demonstrate a commitment to equality through autonomy. Even as many African Americans were keen on regaining the right to vote and fighting against segregation’s many humiliations, countless others were equally eager to “separate themselves as fully as possible” from whites.¹⁰⁰ So, when the first state NAACP chapter was founded in Charleston local blacks almost immediately began developing a plan to replace the city’s white teachers. Septima Clark joined the effort in 1918 and recruited other teachers to help. She also recruited some of her sixth grade students, effectively initiating them into political activism. The NAACP began petitioning the Charleston Board of Commissioners calling for the hiring of black teachers in black schools. The Commission used a delay tactic; they promised to hire black teachers when more black schools were constructed. Harleston had expected their petition to be denied.¹⁰¹ He said,

⁹⁶ Ball, *The Sweet Hell Inside*, 195.

⁹⁷ *Democracy Rising*, 42.

⁹⁸ *Initiative, Paternalism & Race Relations*, 175.

⁹⁹ *Lemon Swamp and Other Places*, 44.

¹⁰⁰ Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (Vintage) (Vintage, 2010), 199.

¹⁰¹ *Democracy Rising*, 42; *Freedom’s Teacher*, 81, 91–92; *The Sweet Hell Inside*, 195.

“We had that talk before . . . I told them I could not go back to our people and give them any such promise, that we had to have something definite and tangible.”¹⁰²

Taking segregationists’ demagoguery to its ultimate conclusion, Harleston and the Charleston NAACP enlisted a committee to petition the legislature to make a white person teaching in black public schools illegal. On January 18, 1919, Teddy Harleston led several hundred people in a march through Columbia’s streets and delivered the petition to the state legislature.¹⁰³ The petition—addressed to the governor, state superintendent of education, lieutenant governor, speaker of the house, and member of the state legislature—asked to end the “unnecessary, unusual abnormal conditions that surround the management, instruction and teaching” of Charleston’s black children.¹⁰⁴ The petition’s writers noted that there was no need to have white teachers in black schools since there were “thousands of educated [black] men and women who are prepared and worthy to teach.”¹⁰⁵ As evidence, they pointed to the fact that “Negro teachers do teach Negro children” not only in every other southern state, but in every other South Carolina city.¹⁰⁶ In response, the Charleston school board sent their vice-chairperson and superintendent to the state capitol to oppose the bill. In a desperate argument against the bill, one politician said that it did not represent the general black community’s wishes.¹⁰⁷ White Charlestonians claimed that “it was not their cooks and

¹⁰² *Democracy Rising*, 43.

¹⁰³ *Initiative, Paternalism & Race Relations*, 170; *Democracy Rising*, 43; *The Sweet Hell Inside*, 195.

¹⁰⁴ Petition, January 18, 1919, Papers of the NAACP, Part 12, Series A.

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

¹⁰⁷ *Initiative, Paternalism & Race Relations*, 175.

laundresses who wanted the change but the ‘mulattoes.’”¹⁰⁸ In order to disprove this accusation, Thomas E. Miller, a former state legislature and one of the petition’s signatories, asked Benjamin F. Cox, the Avery Normal School principal, to encourage his teachers to “canvass the neighborhoods with petitions.”¹⁰⁹ With the help of his friend, a physician named John McFall, Harleston worked for a year collecting signatures on individual cards.¹¹⁰

The petition committee successfully acquired the signatures of five thousand heads of households—about three-fourths of Charleston’s black community. Therefore, the teacher hiring campaign mobilized the majority of the black community behind the NAACP. The argument that the general African American community did not support hiring black teachers was not only proven false, but a new precedent was set for collective action.¹¹¹ They were able to avoid legislative action altogether when, on February 3, 1920, the board of public school commissioners voted that as of September 1 “no white teachers shall be employed in the public schools in the city of Charleston to teach Negro pupils.”¹¹² It was a considerable victory for the new branch and the community they endeavored to represent. By the fall, all of the teachers in the black public schools were black.¹¹³ As NAACP chairman Joel Spingarn noted in a letter to Nance, this was “a wonderful thing not only for the teacher but for the colored children” who up to that point were taught “by women out of sympathy with their best

¹⁰⁸ *Initiative, Paternalism & Race Relations*, 175. Based on this comment, white seemed to believe the educated, well-to-do blacks were light-skinned--a concept that could have bolstered colorism in the black community.

¹⁰⁹ *Ibid.*, 175.

¹¹⁰ *The Sweet Hell Inside*, 195.

¹¹¹ *Black Carolinians*, 159; *Initiative, Paternalism & Race Relations*, 176.

¹¹² *Democracy Rising*, 43–44.

¹¹³ *Ibid.*

development.”¹¹⁴ This brought about large-scale participation in the new branch because in order to obtain enough signatures large public meetings were held, bringing together Charleston’s hierarchical black community—a caste system largely based on colorism and one’s ability to trace their lineage to well-known whites.¹¹⁵ Of growing up in the city during the 1920s, Gussie Harleston—part of the same prominent African American Charleston family as Teddy Harleston—remembered:

The Harlestons were light, and we didn’t associate with people who were much darker than we were. Of course, we didn’t associate with white people either. We were kind of in-between people. But we were Negroes all the same, and everyone in our circle was colored to one degree or another. In fact, I didn’t know any white people, except for my friend Mildred Weiters.¹¹⁶

Thus despite their skin tone, segregation meant light-skinned blacks could not associate with whites. As Gussie acknowledges, they were simultaneously part and apart from the black community. Segregation and slavery’s legacy not only positioned black and whites against each other, but also ripped apart the black community. Hence, the teacher hiring campaign was groundbreaking in its ability to disrupt both the white-black status quo, to challenge colorism. Charleston did not have the clearly defined three-tiered racial caste system prevalent in other southern port cities like New Orleans, but there was certainly a tradition of differential treatment for light and dark skinned blacks dating back to the city’s antebellum era. Charleston’s fair complexioned free blacks had been positioned in a space between their darker brethren and white counterparts. They lacked the full citizenship rights granted to whites, but were also protected from some of the worst forms

¹¹⁴ Chairman to Butler W. Nance, February 10, 1919, Papers of the NAACP, Part 12, Series A.

¹¹⁵ *Democracy Rising*, 44.

¹¹⁶ *The Sweet Hell Inside*, 190. Gussie also recalls that after reaching a certain age her white friend was no longer permitted to play with her.

of racial control/oppression.¹¹⁷ Through collective action, African Americans were given a common goal and more singular purpose.

But, equally important to this case study is the fact that hiring black teachers was only one part of a much larger goal. After all, World War I and its accompanying labor struggle presented African Americans with the opportunity to demand more rights. This becomes increasingly obvious when the teacher hiring campaign is considered alongside other contemporary labor struggles. The first case the Charleston NAACP took on was the Navy Ship Yard Campaign. Prior to the teacher campaign, the Navy shipyard emerged as site of racial repression and violence. In April 1919, African American veterans and their families were prevented from visiting the Mercury, a ship that brought U.S. soldiers back home. In May 1919 a fight between white soldiers and an African American resulted in a riot between white and black soldiers. As a result, Fridie's, a black-owned barbershop catering to whites, was destroyed; two African Americans killed and seventeen injured; and seven sailors and one policeman injured. When the U.S. Navy decided to hire 600 Charleston women to sew Navy uniforms for America's entry into the war, they refused to employ black women. As with the teacher hiring campaign, Harleston took the lead in challenging the decision. In May 1917 he began passing around, to prominent whites, a petition objecting to the refusal to hire black women. The petition reasoned that if jobs were not made available to African Americans, the result would be their mass exodus. When local authorities mostly disregarded the petition Harleston contacted R. Augustine Skinner (New York NAACP branch president) and Archibald Grimke (the Charleston born former slave turned writer, intellectual, activist,

¹¹⁷ Robert L. Harris, Jr. "Charleston's Free Afro-American Elite: The Brown Fellowship Society and the Humane Brotherhood," *The South Carolina Historical Magazine* 82, no. 4 (October 1981), 289-293.

and politician). The appeal to the comparatively progressive Republican legislatures proved effective after five representatives and both senators sent letters of critique to the Navy Department. The secretary of the Navy responded with a statement indicating black seamstresses were incompetent and that hiring practices were the local authorities' prerogative. The legislatures found the secretary's response unacceptable, and continued to push for a more satisfactory answer. They got it when, by the end of the year, the Navy Shipyard had hired 250 black women.¹¹⁸

Combined, the teacher hiring and navy shipyard campaigns focused on ensuring access to employment opportunities. This is underscored by the fact that when the Colored Ministers' Union petitioned the school board in 1916, they also asked that the fifth and sixth grades be added, and for a more advanced program at the industrial school.¹¹⁹ Their reason for this request was that, "an eighth grade education, with a large percent of that industrial, is not sufficient qualification for race leadership nor the profession of teacher."¹²⁰ Therefore the Charleston teacher hiring campaign was not merely a stepping-stone to the *Brown v. Board of Education* decision. Instead it reflected deep-seeded belief among African Americans that their teachers were the key to providing black students in an unfair school system and labor market with much needed assistance.¹²¹ Black teachers' work simultaneously provided better education to black children, jobs for black teachers, and the hope that the next generation would have greater

¹¹⁸ "Soldiers of Democracy," 1486; *The Sweet Hell Inside*, 193; *Freedom's Teacher*, 86-87; *Initiative, Paternalism & Race Relations*, 174; *Lift Every Voice*, 78.

¹¹⁹ *Initiative, Paternalism & Race Relations*, 181.

¹²⁰ *Ibid.*, 181.

¹²¹ Jack Dougherty, "'That's When We Were Marching for Jobs': Black Teachers and the Early Civil Rights Movement in Milwaukee," *History of Education Quarterly* 38, no. 2 (July 1, 1998): 123-125. Dougherty argues that the early Milwaukee civil rights movement focused on issues surrounding black unemployment and that in the context of the public school system, this translated into ensuring the hiring of black teachers.

access to professional jobs. Additionally, considering the fact that the navy jobs were all for women, and that the majority of teachers were women, it becomes apparent that African Americans wanted to make certain black women had access to gainful employment, most likely to protect them from the sexual harassment and exploitation that were often par for the course when working in whites' homes.

Leaders like Harleston faced the daily oppressions associated with being an African American in the South. Racism permeated every life factor—from where one lived and the spaces people occupied to their professional opportunities. Yet because of his status and gender Harleston had access to a limited amount of privilege. For instance, although Harleston was certainly the driving force behind the Charleston NAACP chapter's founding and its initial campaigns, he was not necessarily the most invested Harleston family member when one considers the fact that the city's policy had a more direct effect on his wife than himself. Likewise, African American teachers faced daily racism. Since most teachers were women, this meant that black women teachers faced the double oppression of race and gender. They faced a particular discrimination reserved explicitly for black women, i.e., they were either the Jezebel or the Mammy. Yet it is also true that teaching and middle-class status granted these women some semblance of respectability.¹²² It made them an essential part of the NAACP's constituency, granting women like Clark access to assistance and nominal leadership.

¹²² See Kimberle Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics," *University of Chicago Legal Forum* 1989 (1989): 139–167; Deborah Gray White, *Ar'n't I a Woman?: Female Slaves in the Plantation South*, Revised Edition (W. W. Norton & Company, 1999); Leslie Brown, *Upbuilding Black Durham: Gender, Class, and Black Community Development in the Jim Crow South* (The University of North Carolina Press, 2008); Wanda A. Hendricks, *Gender, Race, and Politics in the Midwest: Black Club Women in Illinois* (Indiana University Press, 1998); Evelyn Brooks

The black teacher hiring campaign was the chapter's most victorious undertaking.¹²³ Its success held real, concrete benefits since it helped connect black South Carolinians in innovative ways and informed them of the opportunities collective action could bring. Not only were they connected to each other, but to a national organization—making them part of the national black freedom struggle. The mass meetings associated with the campaign also helped blur the long-held socioeconomic lines in the city's black community as local and national racial conditions underscored the need to attach collective activism to concepts of racial uplift.¹²⁴

The teacher hiring campaign garnered more vocal support from local blacks than other important causes. For instance, the second major set of issues Harleston and the rest of the branch addressed were two cases of violence: a murder case wherein a white streetcar conductor killed an African American man, and an attempted rape case of a ten year old black girl by a white man. Harleston lobbied the solicitor to investigate both crimes.¹²⁵ While the murder case “marked the first time in twenty years” that a white Charlestonian was tried for an African American's murder, the all white male jury composition prevented even the hope of a conviction.¹²⁶ In the rape case a grand jury refused to indict.¹²⁷ Yet neither case garnered widespread community support. Perhaps this could be partly attributed to a belief that these cases would not be successful, but the

Higginbotham, “African-American Women's History and the Metalanguage of Race,” *Signs* 17, no. 2 (Winter 1992), 251-274.

¹²³ *Initiative, Paternalism & Race Relations*, 140.

¹²⁴ *Democracy Rising*, 63; *Initiative, Paternalism & Race Relations*, 140, 173.

¹²⁵ *The Sweet Hell Inside*, 193–194.

¹²⁶ *Ibid.*, 194.

¹²⁷ *Ibid.*

imminent threat of violence and economic repercussions was more likely what affected black Charlestonians' limited involvement.

Instead, the teacher hiring campaign caused NAACP membership to rise drastically. In only two years' time the Charleston branch's membership rose from an original group of twenty-nine to, by the close of the campaign, 646. Such growth garnered South Carolina's activists special attention. In 1919, when Harleston attended the annual NAACP conference in Cleveland, DuBois asked him to share the campaign's success with the rest of the attendees and to write about it in the *Crisis*.¹²⁸ Hence the campaign was not just impressive on the local level. It was significant on the national stage. The community's support implied that education was the cause the NAACP could use to build a mass social movement. It insinuated that African Americans black success of black schools and students to be bound to black teachers' fate.

The positive effects of the campaign moved beyond the Charleston area. The NAACP soon grew to rural areas. Between 1918 and 1919 additional branches were founded in Aiken, Anderson, Darlington, Florence, Orangeburg, and Beaufort. This growth connected blacks in different communities and linked poor, rural blacks with civil rights activities throughout the nation. By 1919 the NAACP had positioned itself at the center of South Carolina's black freedom struggle; and by the end of the Great War the NAACP completely transformed itself from a northern organization with white management to one with a growing southern constituency that provided both its funding and leadership.¹²⁹ The NAACP changed with the times, moving away from being an

¹²⁸ *The Sweet Hell Inside*, 196; *Initiative, Paternalism & Race Relations*, 176.

¹²⁹ *Democracy Rising*, 147; "Soldiers of Democracy," 1492; *Black Carolinians*, 47.

organization primarily concerned with a small, professional, urban community to a “mass organization representing the needs and interest of a broad cross-section of black South Carolinians across lines of geography, gender, and economic status.”¹³⁰ This ability to change course and pursue a broader constituency’s interest propelled the SC NAACP’s power and influence.¹³¹

Just as African Americans understood hiring black teachers to be inextricably linked to improving black children’s education, white official’s efforts to lessen teachers’ effectiveness proves they understood and feared this outcome. Even after the teachers were hired, the school board continued to oppose high education standards in black schools.¹³² In 1925 the board agreed to add the eleventh grade at Burke Industrial School, but refused the inclusion of French and Latin courses. A.B. Rhett defended the policy, saying that what African Americans needed most was an industrial education—to prepare themselves for “Negro jobs.”¹³³ As Asa H. Gordon, a South Carolina State College professor wrote in 1925, “[t]he Burke Industrial School . . . is supposed to be the high school, but the real high school for the city is a private school, Avery Institute.”¹³⁴ In 1939, a committee including the PTA, civil, and ministerial organizations petitioned the board for an accredited high school. They argued that Burke’s alumni were unable to go into institutions of higher education unless they completed two additional years of schooling that Charleston’s public schools did not provide. Nonetheless, despite these

¹³⁰ Peter F. Lau, “Mr. NAACP: Levi G. Byrd and the Remaking of the NAACP in State and Nation, 1917-1960,” 146.

¹³¹ “Mr. NAACP: Levi G. Byrd and the Remaking of the NAACP,” 146.

¹³² *Initiative, Paternalism & Race Relations*, 181.

¹³³ Scott Baker, “Pedagogies of Protest: African American Teachers and the History of the Civil Rights Movement, 1940-1963,” *Teachers College Record* 113 (No. 12): 2781. *Initiative, Paternalism & Race Relations*, 181.

¹³⁴ *Initiative, Paternalism & Race Relations*, 181.

encumbrances, black schools improved significantly after the entrance of black teachers.¹³⁵

Yet the victory of the teacher hiring campaign did not mean the eradication of discriminatory hiring practices in public schools. Prior to World War I and the teacher hiring campaign, African American women were kept from teaching positions because of their race. Afterwards their marital status often barred them. Only unmarried women could teach in the city schools. Married women were permitted to teach in the county, but that could mean less income and separation from their family.¹³⁶ Fields noted that deciding to get married essentially meant giving up her teaching career:

. . . I was going to turn twenty-five that summer; it was time for me to think about getting married. If I stayed over there [on John's Island], maybe I never would. Quite a few teachers stayed single all their lives—[Cousin] Lala was one. I didn't want to become a spinster teacher, yet still I hated to leave my profession. That's the fix I was in: I hated to leave but couldn't stay.¹³⁷

Women like Fields and her cousin found themselves in a precarious situation. They could sacrifice their career, and probably a much-needed income, or they could sacrifice their personal lives. Pushing married women out of teaching jobs was almost certainly based on the assumption that their husbands could now provide them with financial support.¹³⁸ For African American families, this was likely a grossly inaccurate assumption since black men in the South continued to face huge barriers to gainful employment.

¹³⁵ *Initiative, Paternalism & Race Relations*, 181-182.

¹³⁶ *Lemon Swamp and Other Places*, 204.

¹³⁷ *Ibid.*, 141.

¹³⁸ "That's When We Were Marching for Jobs," 128.

African Americans may have witnessed the hiring of black teachers, but in the long run they lost school autonomy as white officials began closely monitoring the principals, teachers, and after-school activities. Additionally, hiring black teachers did not necessarily mean hiring black principals. In fact, white Charleston education officials endeavored to maintain control of the schools through a concession stating whites would still be the principals. Rhett was eventually forced to hire black principals when all the whites he approached for the positions turned him down.¹³⁹ But Rhett later reasoned “the white people still have an interest in the schools and an authority over the schools, which they are prepared to exercise.”¹⁴⁰ He created a new position, “supervisor of Negro schools,” and hired Shaw’s former white principal, Edward Carroll, to fill it.¹⁴¹ Rhett claimed that Carroll was the ideal candidate because he “was widely respected by the Negroes, knew how to talk to them, and how to influence them. He exerted over them at all times a wise and salutary influence.”¹⁴² After his death in 1925, Carroll was replaced by F. W. Wamsley who complained in 1932 that B.B. Jones, Burke’s principal, did not acknowledge his authority on school issues. It was not until Wamsley’s retirement in 1944 that the board finally appointed an African American, William H. Grayson, Jr. Grayson used wartime labor shortages to his advantage, hiring college educated teachers and pushing Burke’s curriculum from primarily industrial to classical education.¹⁴³

Loss of autonomy is emphasized by the fact that the local white authorities decided to investigate Simonton school principal James Andrew Simmons’ political

¹³⁹ *Initiative, Paternalism & Race Relations*, 176-177.

¹⁴⁰ Katherine Mellen Charron, *Freedom’s Teacher: The Life of Septima Clark* (Chapel Hill: University of North Carolina Press, 2009), 95.

¹⁴¹ *Freedom’s Teacher*, 94–95; *Initiative, Paternalism & Race Relations*, 177.

¹⁴² *Initiative, Paternalism & Race Relations*, 177.

¹⁴³ *Ibid.*, 177.

activities when word spread that he encouraged his teachers to register to vote, and after he offended white audience members during a speech he gave in February 1932 on Race Relations Sunday in which he allegedly suggested that whites and blacks were social equals.¹⁴⁴ During an interview with the school board, Simmons denied advocating social equality but admitted to promoting hiring black policemen and, after hours, encouraged teachers to register to vote. He was instructed that if he continued to make “harmful statements” he would be censured as a public school official.¹⁴⁵ Rather than face censorship, Simmons chose to leave Charleston and assumed a principal’s position at the Booker T. Washington High School in Columbia, the state’s largest black high school. Yet even this reflects the intersections of oppression and privilege. On the one hand, whites limited Simmons’ political activities. On the other hand, the fact that Simmons had the opportunity to leave for another job reflected gender and class privilege. For as a male, he was much more likely to be considered for a principalship. Born to middle-class Charlestonians, he was able to go to private school at the School of Immaculate Conception from the first to eight grades, and then attend the Avery Institute for high school. He then attended the prestigious Fisk University where he received his Bachelors degree.¹⁴⁶ In short, Simmons’ socioeconomic background gave him greater educational opportunities, setting him up for a lifetime of improved professional opportunities.

Throughout the upcoming decades of the twentieth century, education remained an incredibly politicized topic. Teachers like Fields and Clark continued to follow some of the methods they learned in the teacher hiring campaign. Both women worked

¹⁴⁴ *Initiative, Paternalism & Race Relations*, 178.

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*, 177-178.

through black women's clubs. Clark continued to work with the NAACP and, later on, the Highlander Folk School. The NAACP, and the African American community as a whole, also learned some important lessons from the teacher hiring campaign. These methods (petitions, marches, mass meetings, mass protest, etc.) were used continually in local blacks' efforts to establish a more just society. This case study also cautions that while black education is often viewed through the lens of the historic *Brown v. Board of Education* decision, it is important to consider these cases contemporarily. For African Americans in Charleston (and other southern urban centers) desegregation/integration did not even factor into the conversation.

With the hiring of black teachers in the city schools, superintendent A. B. Rhett told the school board in May 1919:

It is customary in cities where negro teachers are employed to teach negro children to have an entirely different salary schedule. I would recommend that a salary schedule for colored teachers in Charleston be adopted, which shall amount to 2/3 of the white schedule.¹⁴⁷

That same month the Board of School Commissioners approved the adoption of different salary schedules for white and black teachers. Therefore, even as black teachers and the larger black community were winning one battle on the education front, they were being forced to wage another one. The next major public schools struggle in the state focused on teacher salary equalization. Clark and Simmons would both play key roles in the salary equalization cases. Obviously Simmons did not take away from the encounter the need to avoid whites' anger. In the early 1940s, he was accused of initiating a salary

¹⁴⁷ *Initiative, Paternalism & Race Relations*, 179.

equalization lawsuit.¹⁴⁸ Simmons, and other educated African Americans, “represented the emergence of a cultured and college-educated black leadership that advocated a more activist-oriented interpretation of the social uplift philosophy.”¹⁴⁹ For his M.A. thesis at Columbia University in 1935, Simmons conducted a study of South Carolina teachers in black public and private high schools. The study surveyed 141 teachers and found that the average male’s salary was \$640/year and the average woman’s was \$475/year. These were well below the average whites’ salary of \$1,249/year for men and \$832/year for women.¹⁵⁰ So the teacher hiring campaign presents an opportunity to reconsider and reanalyze the goals of African Americans on the local level. It pushes us to not confuse the goals of the NAACP national headquarters with those of the broader community. If—as the fight to equalize teachers’ salaries suggest—the ultimate goal was equal education, then the African American teacher, and not desegregation, was possibly perceived as the key to that objective.

¹⁴⁸ *Freedom’s Teacher*, 94–95; “Initiative, Paternalism & Race Relations,” 178.

¹⁴⁹ *Ibid.*, 179.

¹⁵⁰ *Ibid.*

CHAPTER 2: “MY SALARY INCREASE WAS AMAZING:” THE TEACHER SALARY EQUALIZATION CAMPAIGN

John McCray, editor of the prominent African American newspaper, *Lighthouse and Informer*, once reflected that:

...the colored citizens in Sumter ought to change the city's slogan from “Gamecock” city to something like “The start here city.” As we look over the past seven years and note the great strides our people have made in the state, especially in educational matters and in our fight for the right to vote, we cannot help but note that both of these either originated or were carried out by Sumterites.¹

South Carolina's teacher salary equalization campaign began in 1940 in Sumter County where local African Americans embarked on a thirty-month crusade to accomplish this goal. Osceola McKain's return home marked the campaign's beginning. He had just spent sixteen years in Europe, where he owned a club in Ghent, Belgium, when World War II's outbreak resulted in Belgium's German occupation. McKaine decided to trust the club's management to friends and return to the United States. The following year, a young group of teachers, including one of his cousins, spoke to him about the possibility of a salary equalization suit. The national NAACP was still basking in their recent teacher salary equalization victory in Virginia, *Alston v. School Board of the City of*

¹ “Negro Teacher Here Asks Pay Increase, Opening State Drive,” *The News and Courier*, June 25, 1943

Norfolk, and some black Carolinians were eager to bring a similar suit in their home state.²

Supporters of a salary equalization lawsuit faced a number of challenges in getting things off the ground. First, the NAACP's lead attorney, Thurgood Marshall, informed the state's black teachers that they needed to gather hard evidence of salary differentials. He also told them to start a defense fund to pay legal fees and assist plaintiffs who lost their teaching positions. McKaine initially believed teacher salary equalization held even greater urgency than voting rights, so he was willing to take all necessary steps to ensure victory. He travelled the state to collect salary data. Then he, along with several other Sumter businessmen, started a legal defense fund.³

The second challenge to getting the teacher salary equalization campaign off the ground was connected to the black teachers association, the Palmetto State Teacher's Association (PSTA), whose executive committee did not support McKaine in his endeavors. The executive committee was comprised mostly of senior level teachers and administrators who were concerned that involvement in a lawsuit would result in loss of prestige and position. In response to their hesitations and ambivalence, McKaine and McCray, editor of the prominent African American newspaper, the *Lighthouse and Informer*, worked together to oust the PSTA's leadership. Through McCray's newspaper, the two men publically criticized the organization's president John P. Burgess, who made a speech in which he ridiculed black teachers for thinking they could get equal pay. The speech propelled the Sumterites' efforts. Its aftermath actually gave

² Wim Roefs, "Leading the Civil Rights Vanguard in South Carolina: John McCray and the Lighthouse and Informer, 1939-1954," in *Time Longer Than Rope: A Century of African American Activism, 1850-1950*, ed. Charles M. Payne and Adam Green (New York University Press, 2003), 471.

³ "Leading the Civil Rights Vanguard in South Carolina," 472.

the salary issue some much-needed attention. McCray and McKaine's efforts were largely successful. Over time the PSTA became more activist oriented as the organization's financial and logistical support for the NAACP became increasingly unabashed. This increased militancy, combined with World War II, drastically decreased the organization's membership.⁴

A third challenge came in convincing the state NAACP to finance the salary equalization case. State president, John Hinton, certainly thought it was a legitimate issue, but believed black teachers—who, despite salary inequities were better paid than many black Carolinians—should finance the legal suit themselves. He wanted the state NAACP to focus its resources on school facility equalization. Nonetheless, Hinton eventually agreed to work towards both issues. Since a local salary equalization campaign was already underway, and with the recent *Alston* victory, the salary equalization case took precedence over facility equalization.⁵

On April 26, 1942 the Sumter NAACP met at Mt. Pisgah AME Church where Dr. B. T. Williams made a move to endorse teacher salary equalization. Dr. E. C. Jones seconded the move, and the group unanimously passed it. With the support of the local branch and state conference, McCray and McKaine were able to crusade, full force, for salary equalization. From 1942 to 1947, the Sumter branch revisited the issue during almost every meeting. They kept their movement relevant and energetic by bringing in several guest speakers with firsthand knowledge of the case and its importance, such as: NAACP Secretary and former teacher Modjeska Simkins; attorney Harold Boulware; North Carolina Mutual Insurance Company representative Tommie Gilliard; S. J.

⁴ "Leading the Civil Rights Vanguard in South Carolina," 472.

⁵ Ibid.

McDonald, Sr.; Donald Sampson; and John McCray. Moreover, these mass meetings enabled the Sumter branch to build up its membership, collect much needed membership dues, and take up donations which could be earmarked for the salary equalization fight.⁶

Sumterites provided the initial groundwork for the teacher salary equalization suits, but Charleston was where the first case began. On a Sunday morning in Charleston, South Carolina, Eugene C. Hunt was walking to Saint Mark's Episcopal Church on the corner of Thomas Street and Warren Street when a car stopped in front of him. The car carried James Hinton, president of the National Association for the Advancement of Colored People (NAACP) South Carolina Conference of Branches; Mr. Robinson; and Harold Boulware, state NAACP attorney. To anyone else, the meeting would have looked like a chance encounter between old friends. And while the gentlemen had not accidentally bumped into each other on the street, the meeting was designed to look that way. Hunt had been quite eager to serve as the plaintiff in a local teacher salary equalization lawsuit. However, he received an A-1 designation from the military, heightening his risk of being drafted. The plaintiff's departure would have made the whole case fall apart. So that morning, Hunt was giving the NAACP leaders directions to another schoolteacher's home, Viola Louis Duvall—a woman he described as both “very brilliant” and “very pretty.”⁷ As Hunt was forced to step away from the case, Duvall would bravely take up the mantle as plaintiff.

⁶ National Association for the Advancement of Colored People, “Minutes of the Sumter Branch, 12 April 1942-28 September 1952 .” n.d., South Caroliniana, University of South Carolina.

⁷ Eugene C. Hunt, Oral History Interview with Eugene C. Hunt, August 28, 1980, Avery Research Center.

The teacher equalization campaign that swept across the South was the “first systematic challenge to the southern caste system.”⁸ The campaign was momentous for the NAACP because it established an important precedent for taking public education cases before federal courts, and highlighted a strong legal challenge to prevailing notions of white supremacy. The NAACP’s legal strategy began largely with the work of Charles Hamilton Houston, the man Walter White handpicked to lead the NAACP’s legal division. In 1935 he showed a 30-minute documentary at the NAACP annual convention titled *A Study on Education Inequalities in South Carolina*. The film provided visual evidence that there were huge disparities in the funding between black and white schoolchildren. Houston believed that litigation would mobilize local communities and quickly cited unequal education as the chief issue in this expanding legal program. With Charles Houston at the helm, the NAACP entered the 1940s with a focus on using the courtroom to ensure African Americans’ constitution rights, and concentrated the great majority of those efforts on the South, where more than eighty percent of blacks lived. But instead of immediately beginning desegregation litigation, Houston purposely began with an equalization strategy that he believed would eventually make the courts more amenable to desegregation, and place a significant enough financial strain on school systems to make continued segregation unfeasible.⁹

Houston’s legal strategy began with founding the Legal Defense and Educational Fund, Inc., a separate legal offshoot of the NAACP, which gave the fund’s lawyers more

⁸ R. Scott Baker, *Paradoxes of Desegregation: African American Struggles for Educational Equity in Charleston, South Carolina, 1926-1972* (Columbia: University of South Carolina Press, 2006), 44.

⁹ John A. Kirk, “The NAACP Campaign for Teachers’ Salary Equalization: African American Women Educators and the Early Civil Rights Struggle,” *The Journal of African American History* 94, no. 4 (October 1, 2009): 530; Sullivan, *Lift Every Voice*, 204-206, 188.

independence and led the NAACP to place an even greater emphasis on litigation. After Thurgood Marshall was appointed assistant special counsel in 1936, he went about acquiring black teachers' support to finance the salary equalization lawsuits. These lawsuits were ideal for the NAACP's legal strategy. Unequal salaries elucidated the fact that "separate but equal" was not a reality. Racial discrimination was blatantly obvious because African American teachers were always paid less, even when their education was equal to or superior to that of white teachers. Unlike other labor markets, blacks and whites were doing the exact same skilled labor. If anything, black teachers' labor was more challenging and difficult because they worked in inferior facilities and had significantly heavier teaching loads.¹⁰

With the NAACP's assistance, African American schoolteachers in every southern state sued local school boards for salary equalization. The NAACP was committed to teacher salary equalization for a number of reasons. It was only one part of a much larger anti-discrimination campaign that also included gaining entrance into white professional and graduate schools, and equalizing segregated public schools. In fact, with the NAACP's assistance, African American schoolteachers in every southern state sued local school boards for salary equalization. Houston had his own reasons for focusing on salary equalization. He believed the NAACP's middle-class constituency would find it pleasing, that higher teachers' income would increase the organization's coffers, and that

¹⁰ "The Campaign for Teachers' Salary Equalization," 530; *Paradoxes of Desegregation*, 44-45; Sonya Yvette Ramsey, *Reading, Writing, and Segregation: A Century of Black Women Teachers in Nashville* (University of Illinois Press, 2008), 47.; "Inequities in Education in South Carolina," January 25, 1949, Papers of the NAACP, Part 3, Series C, Reel 17. The State Superintendent of Education's 1947-1948 survey report the average teaching load for white teachers was twenty-nine in elementary and twenty-three in high school, compared black teachers' average of thirty-four in elementary and twenty-nine in high school.

teachers embodied a large, untapped pool of potential plaintiffs. Teachers may have found the salary equalization campaign appealing because it represented the possibility of a better salary without acquiring the personal financial burden of acquiring legal assistance.¹¹

South Carolina's segregationists were equally invested in maintaining the status quo. Teacher salary inequalities saved the state millions of dollars. Although the state partially funded public schools, the allocation of those funds was left to the local school boards' discretion. During the Duvall case, Charleston school superintendent A. B. Rhett admitted that teacher salary equalization would require additional funds for the school district. Although the school board of trustees allegedly had a plan to equalize salaries, Rhett was unsure where that extra money would come from. He mentioned that it would help if the state allocated more funds, and that the only other option was local taxation.¹² As the NAACP moved its teacher salary equalization campaign into the Palmetto State, this disconnect would prove to be a challenge to its legal strategy.

Although the salary equalization campaign emerged in Sumter, the initial three plaintiffs were Charlestonians. First was Malissa Theresa Smith, an ideal choice. She taught history at Burke Industrial High School, a well-known and respected institution. She was also well educated, having graduated from Charleston's Avery Normal Institute in 1934, the city's first accredited secondary school for blacks. She continued her education at South Carolina State College, and had two years teaching experience when

¹¹ *Reading, Writing, and Segregation*, 47; Adam Fairclough, *A Class of Their Own: Black Teachers in the Segregated South* (Cambridge, Mass: Belknap Press of Harvard University Press, 2007), 309; "The NAACP Campaign for Teachers' Salary Equalization," 531–532.

¹² *Paradoxes of Desegregation*, 50–52; "Deposition of A. B. Rhett, Superintendent of Schools" (Viola Louise Duvall, et al. v. J. F. Seignous, February 7, 1944), The National Archives at Atlanta.

James Hinton and J. Arthur Brown approached her. But, it was more likely Smith's family connections and background that gave her the impetus she needed to step forward as a plaintiff. Salary inequalities had persuaded her cousin, "Pearly" Simmons, to resign from a teaching position at Simonton. "Pearly" tried to prepare Smith for the inevitable consequences of her involvement, telling Smith that she would lose her position at Burke. Smith's cousin, J. Andrew Simmons—a Charleston native, former principal of Simonton, and current principal of Columbia's Booker T. Washington high school—was the one who finally convinced her to get involved with the case.¹³

Charleston would prove a particularly challenging city to wage the salary equalization campaign. In demonstration of a complete lack of commitment to African American teachers, the city still had not developed a policy for paying pensions to retired black teachers. In March 1943 A.B. Rhett informed the Charleston City School Board of Commissioners that Hinton planned on addressing salary equalization. The board received Smith's petition on behalf of herself and the other Burke teachers on June 24, 1943.¹⁴ The petition requested that the school board:

...immediately discontinue the policy, custome (sic) and usage of making any discrimination in the payment of salaries of teachers and principals because of their race and color.¹⁵

¹³ "Negro Teacher Here Asks Pay Increase." She married soon after the case started and became Malissa Burkhalter; Edmund L. Drago, *Charleston's Avery Center: From Education and Civil Rights to Preserving the African American Experience* (The History Press, 2006), 224-226; Katherine Mellen Charron, *Freedom's Teacher: The Life of Septima Clark* (Chapel Hill: University of North Carolina Press, 2009), 157. She and her cousin had been raised in his home.

¹⁴ *Initiative, Paternalism & Race Relations*, 240; *Freedom's Teacher*, 163.

¹⁵ "Negro Teacher Here Asks Pay Increase"

Initially, it looked as if the NAACP would be able to rely upon the PSTA's unqualified support. On April 9, 1943, executive secretary C. V. Bing announced during a House of Delegates meeting that \$1,200 would be reserved for a Legal Defense Fund. A long discussion of the issue followed because some the delegates had not been informed of the vote.¹⁶ When Rev. H. B. Butler's motion that "the \$1,200 be used with the words Defense Fund meaning fighting for equalization of salaries for teachers and transportation facilities and other facilities for Negro children to start this year" was almost unanimously passed it seemed to be an open and shut case.¹⁷ However, during a meeting later that day, twelve "very influential" delegates voiced their discomfort with a legal suit, and another drawn-out discussion followed.¹⁸ Instead of seeking a lawsuit, the organization sent a letter to the State Board of Education requesting that the state "close the gap between" black and white teachers' salaries "with a 50 percent differential" and give at least two school buses to each high school and one school bus to each grammar school.¹⁹ If the Board met their requests, they would not seek court action. Upon receiving an ambiguous response from the Board, PSTA members favoring a legal suit motioned that the funds be given to the NAACP to help with their efforts to equalize salaries. Opposition to legal action was voiced again. J. E. Blanton of Voorhees Institute in Denmark motioned that the previous motion be tabled indefinitely. Blanton's motion was seconded and, in a number reflecting the changing tides of the organization, passed

¹⁶ John F Potts, *A History of the Palmetto Education Association* (Washington: National Education Association, 1978), 62–63.

¹⁷ *Ibid.*, 63.

¹⁸ *Ibid.*

¹⁹ *Ibid.*

in a 39 to 31 vote.²⁰ The PSTA still was not as militant as the NAACP, but its leadership was becoming more closely aligned with the civil rights organization.

Fortunately the NAACP's commitment to the case remained steadfast. Their attorneys, Thurgood Marshall and Harold Boulware, announced that if the school board denied the petition they were prepared to take the case to court. In fact, the attorneys said they had acquired the funds to take the case all the way to the Supreme Court if necessary. Initially, the board's legal advisor, H.L. Eckerman, informed them that racially based salary inequalities were unconstitutional.²¹ However, when the board met on August 6, they were also told that they could revise their pay scale based on whatever criteria they saw fit, as long as that criteria was not race or creed. With this in mind the board passed a resolution stating that all teachers and principals would be classified. Salaries were to be based on this classification as well as "character, age, experience, preparation, teaching ability, and general fitness."²² Essentially, the school board had simply found another way to pay African American teachers unequal salaries. Unfortunately for Smith, the resolution was a null factor. On September 27, 1943, Smith called in sick. When the school board got wind of it, their legal advisor, H.L. Eckerman, informed them that they had legal grounds to fire her for failing to obtain permission for her absence. Additionally, she took the time off because she had just been married and used the time to honeymoon and the board still had a policy against hiring married

²⁰ *A History of the Palmetto Education Association*, 64.

²¹ "Negro Teacher Here Asks Pay Increase"; *Charleston's Avery Center*, 224.

²² *Charleston's Avery Center*, 224.

women. According to her contemporaries, the board's true intent in firing her was that it provided a succinct way to dismiss the legal suit.²³

Yet, Smith's case may have put Charleston's segregationists on guard, for it confirmed that salary equalization was only one part of a much larger plan to acquire equal education rights for black Carolinians. Marshall and Boulware revealed that they planned to engage the issues of equal access to graduate training, the transportation system, and unequal school terms. Smith took a similar position in her petition when she aptly linked salary inequalities with the board's refusal to provide Burke with sufficient funds, yet finding the funds to build a new gymnasium for the local white school and spend more on white children.²⁴

Another Burke High School teacher, Eugene C. Hunt, became the second potential plaintiff Brown and Hinton chose partly because he was a male teacher and therefore immune to the downfall of their previous potential plaintiff.²⁵ Hunt remembered that he was also chosen because of his character and academic accomplishments:

They contacted J. Arthur Brown, who was the president of the local NAACP chapter. J. Arthur knew me and knew the type of person that I was, that I was qualified—academically qualified—and also that I would not be afraid to bring suit and so he recommended me to that committee.²⁶

The NAACP was also considerably more secretive this time around. Hunt flew from Charleston to Columbia to meet with Hinton and other NAACP officials at J. Andrew Simmons' home. During that meeting, they discovered a significant problem with Hunt's

²³ *Freedom's Teacher*, 43, 163; *Charleston's Avery Center*, 224; Eugene C. Hunt, Oral History Interview with Eugene C. Hunt, August 28, 1980, Avery Research Center.

²⁴ "Negro Teacher Here Asks Pay Increase, Opening State Drive."

²⁵ *Initiative, Paternalism & Race Relations*, 48.

²⁶ Interview with Eugene C. Hunt.

potential as a plaintiff. The nation was in the midst of World War II. Because of Hunt's status as a teacher, he had already been deferred from military duty three times. This meant that he now had an 1-A designation for being drafted and they feared that if he was presented as plaintiff, local officials would find a way to ensure he was drafted before the case could be decided.²⁷

Indeed, the war was having a negative effect on African American schools and the teaching community. The PSTA suffered a decline in membership as many teachers enlisted in the military. Many teachers were leaving the teaching profession to pursue more lucrative positions in the war industries, creating even greater education disparities in areas already suffering from lower educational outcomes.²⁸

Still the SC NAACP continued in its efforts to find a suitable plaintiff. They asked Hunt for a recommendation—someone who would be willing to stay the course. The first person he thought of was a “brilliant young woman” named Viola Louise Duvall.²⁹ Duvall was a model candidate. Like Smith and Hunt, she worked at Burke High School where she taught science. And as a Howard University graduate, she had the requisite academic background.³⁰ Equally important to her education and work background was the fact that she “was young and single, and her parents were financially secure.”³¹ She was, therefore, in no danger of losing her job because of her marital status. If she did lose her position, she had a family that could support her until she got back on her feet.

²⁷ Interview with Eugene C. Hunt; *Initiative, Paternalism & Race Relations*, 241; *Freedom's Teacher*, 163.

²⁸ *A History of the Palmetto Education Association*, 62; “Industry Attracts Teachers,” *The Crisis*, December 1945, 352.

²⁹ Interview with Eugene C. Hunt

³⁰ *Initiative, Paternalism & Race Relations*, 241.

³¹ *Paradoxes of Desegregation*, 54.

Duvall's suit against the city school board and superintendent—*Viola Louise Duvall, et al. v. J. F. Seignous*—was filed with the federal district court on November 10, 1943. Like Smith's petition, Duvall's suit charged the school board with paying African American teachers less money solely on the basis of race, therefore denying her and the other teachers their fourteenth amendment right of equal protection under the law. The suit included an addendum outlining the salary inequalities. White principals were being paid \$2,500 to \$3,000 a year while black principals were paid \$1,100 to \$1,450 a year. The salary differentials for teachers were equally stark with white teachers making \$900 to \$1,340 compared to black teachers income of \$600 to \$750. Although in her third year at Burke Industrial, Duvall was making \$645/year while white teachers with the same qualifications were making \$1100/year. Furthermore, although African Americans were willing to acknowledge that the lack of access to professional/graduate school training sometimes resulted in fewer qualified teachers, salary was clearly not based solely on education and training. Not all white teachers had high school degrees. But a greater disparagement to black teachers was that white teachers with degrees from non-accredited colleges and without any college degree had significantly higher incomes than black teachers with college degrees from accredited schools.³²

As Smith did with her petition, members of the black press successfully linked Duvall's salary equalization suit to broader education equalization. In an editorial column, Osceola McKaine noted that although African Americans constituted forty-three percent of South Carolina's population, there were over 3,000 more white teachers; white

³² "Negroes File Petition for Equal Pay"; Drago, *Initiative, Paternalism & Race Relations*, 241; "Negroes File Petition for Equal Pay," *The State*, November 14, 1943; "Complaint" (*Viola Louise Duvall, et al. v. J. F. Seignous*, November 10, 1943), The National Archives at Atlanta; Osceola McKaine, "Negro Side of Teacher Salary Suit," *Sumter Daily Item*, November 15, 1943.

school property was valued at over \$41,000,000 more than black schools; and while 84,134 white children were taken to school on buses, only 551 black children were. He then linked the lack of school transportation to the lower levels of high school graduation.³³

Due to the amount of discretion Hinton and the other NAACP officials practiced with the Duvall case, the local authorities were caught off guard. Hunt remembers:

...when the suit hit the school board, they were entirely flabbergasted. They were taken off their seat. They were so sure that they had the colored teachers under that they were just shocked and there was very little resistance to that on the part of the board. They saw the handwriting on the wall. They had no way of fighting it.³⁴

The school board filed a reply to Duvall's suit, stating that she could not bring a salary equalization suit since she signed a contract that would begin June 1, 1944. The board could not raise or reduce salaries until that time, making the legal suit "premature and ill-advised."³⁵ The board further claimed that her school district could not raise additional funds until the next meeting of the General Assembly, and that it would take "some time to reclassify and grade the teachers along the lines proposed by the Resolution."³⁶ They even referenced the Smith petition, noting that the board had met in August and adopted a new method of deciding teachers' salaries. Duvall did not respond to the filing and the case proceeded.

Her attorneys Thurgood Marshall and Harold Boulware had legitimate reasons to be concerned about the suit's possibility of success. They would be arguing the case in front

³³ "Negro Side of Teacher Salary Suit"

³⁴ Interview with Eugene C. Hunt.

³⁵ "Answer" (Viola Louise Duvall, et al. v. J. F. Seignous, December 3, 1943), The National Archives at Atlanta.

³⁶ Ibid.

of Judge J. Waties Waring, whose background made the attorneys wary. He came from a distinguished aristocratic Charleston family and had worked for U.S. Senator Ellison “Cotton Ed” Smith, a well-known white supremacist. In fact, he largely owed his federal bench appointment to Smith, and many assumed that Waring embraced the South’s racially regressive social mores.³⁷

Waring heard the case in February 1944. During Marshall’s direct examination of Dr. William H. Frampton, a Board of Trustees member, Frampton verified that as of that time, black teachers were being paid less than white teachers with the same qualifications. When Marshall asked if, as a result of the Melissa Smith petition, there was supposed to be a new classification system for deciding teachers’ salaries, Dr. Frampton responded that it was “in the process of being put into effect.”³⁸ When Marshall asked if he, as a board member, had any objection to black teachers being paid equal salaries, Frampton responded:

The Supreme Court, as I understand, has made that quite clear that, regardless of what the individual’s own feelings in the matter might be, it is right, just and fair that there shall be no differentiation in payment of salaries for any race with the same qualifications; and it is my purpose to fulfill, as far as I can, that decision.³⁹

Such a response was hardly an endorsement, but it was a promise to at least follow the letter of the law. Indeed, the Charleston school board passed a resolution to equalize

³⁷ Peter F Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865*, Civil Rights and the Struggle for Black Equality in the Twentieth Century (Lexington: University Press of Kentucky, 2006), 129. Boulware graduated from Howard University Law School and was the SC NAACP’s Committee on Legal Redress chairman; *Initiative, Paternalism & Race Relations*, 242; *Freedom’s Teacher*, 163–165; *Democracy Rising*, 129.

³⁸ *Viola Louise Duvall, et al. v. J. F. Seignous*, Deposition of Dr. William H. Frampton (Feb. 7, 1944) (District Court of the United States for the Eastern District of South Carolina 1944).

³⁹ Deposition of Dr. William H. Frampton.

teacher salaries essentially because they saw the writing on the wall. Their lawyer advised them that recent court decisions declared unequal pay on the basis of race unconstitutional.⁴⁰

Waring ruled in Duvall's favor. Extensively citing the *Alston* case, as well as noting similar teacher salary cases, Waring ruled that the law clearly entitled the plaintiffs to an equal salary. The Charleston school board agreed to equalize teachers' salaries by September 1946.⁴¹

Duvall was a significant victory for the South Carolina NAACP and African American teachers. Yet, although a salary equalization suit in a U.S. District court should have meant statewide compliance to the law, it did not. In April, just two months after Waring handed down his decision, Hinton announced that the state NAACP was preparing for another case in Columbia. Yet Waring's decision may have, at least, placated the fears of some PSTA members. In April 1944, the teachers' group finally contributed \$1,200 to the state NAACP to assist in the teacher salary equalization fight.⁴²

White reaction to the *Duvall* decision, and the broader 1940s black freedom struggle, was fraught with fear, anger, and ambivalence. On March 15, 1944 the State Senate passed what was known as the Jeffries Bill, for Sen. Richard Manning Jeffries, which established a lengthy process for teachers who wanted to appeal their salary. First an aggrieved teacher had to appear before the county board of education. Teachers could only appear on their own behalf, meaning they could not petition on behalf of themselves and others as Smith and Duvall had. If the teacher was unsatisfied with the board's

⁴⁰ Deposition of Dr. William H. Frampton.

⁴¹ Ibid.; *Democracy Rising*, 129.

⁴² "South Carolina," *The Crisis*, April 1944, 120; *A History of the Palmetto Education Association*, 65.

decision s/he had thirty days to appeal to the State Board of Education. Following this appeal, the State Board then had the right to reexamine and recertify all teachers in the aggrieved teacher's school district. If the State Board also ruled against the teacher, an additional appeal could be filed with the Court of Common Pleas. Only after these multiple appeals could the teacher file with the District Supreme Court.⁴³ This process would not only put the appellant's livelihood at risk, but the jobs of all teachers in the district.

The Jeffries bill also determined that teacher's salaries would be based "exclusively upon the merit of the individual teacher." Some of the qualifying merits were dubious and subjective, such as: "character," "personality," "refinement," health," "cultural background," and "Any other things pertaining to the employment and its performance."⁴⁴ The bill was clearly "another legal subterfuge to postpone what the Legislatures conceived as the evil day of doing justice to the state's Negro teachers."⁴⁵ Others asserted that salary increases for black teachers would result in salary cuts for white teachers. One writer for the *Columbia Record*, the foremost white newspaper, insisted that the state would have to come up with an additional \$3 million.⁴⁶

Possibly the most vitriol reaction was a resolution Union County Representative John D. Long introduced and the House of Representative passed. The resolution—referencing the "Yankee slave-traders," "War between the States," the North and South's

⁴³ *Freedom's Teacher*, 68; "Journal of the Senate of the Second Session of the 85th General Assembly of the State of South Carolina" (South Carolina Department of Archives and History, 1944), 649–657, 165; *Albert Thompson vs. J. Heyward Gibbes, Board of School Commissioners, Richland County, South Carolina (District Court of the United States for the Eastern District of South Carolina, Columbia Division 1945)*.

⁴⁴ "Journal of the Senate of the Second Session of the 85th General Assembly of the State of South Carolina," 653.

⁴⁵ "In the Ditch Together," *Columbia Record*, March 16, 1944.

⁴⁶ Cheves Ligon, "Equal Pay Is Seen as Big Need," *Columbia Record*, March 2, 1944.

need for “self-government,” and “agitators of the North”—sought to reaffirm Jim Crow segregation.⁴⁷

...we indignantly and vehemently denounce the intentions, utterances and actions of any person or persons and of all organizations seeking amalgamation of the White and Negro races by a co-mingling of the races upon any basis of equality, as being destructive of the identity and characteristics and integrity of both races, and as being Un-American . . .⁴⁸

The resolution also expressed the legislative body’s commitment to white supremacy:

...we re-affirm our belief in our allegiance to the established White Supremacy as now prevailing in the South and we solemnly pledge our lives and our sacred honor to maintaining it, whatever the cost, in War and in Peace.⁴⁹

For their part, moderate whites did not consider the resolution appropriate, noting that there were “very few” northern agitators and that mentioning the possibility only invited more attention from the North.⁵⁰ As far as moderates were concerned, South Carolina was fortunate in avoiding the race riots that plagued other parts of the country; the resolution would not help keep the peace.⁵¹ The legislature would have better served its citizens by “keeping its mouth shut.”⁵²

Other white Carolinians may not have welcomed salary equalization with open arms, but assumed it was inevitable. As the *Columbia Record* reported:

There has been no criticism of Judge Waring’s decision in the “Teacher Pay Case” from any source. That decision

⁴⁷ “Journal of the House of Representatives of the 85th General Assembly of the State of South Carolina” (South Carolina Department of Archives and History, 1944), 568–570.

⁴⁸ Journal of the House of Representatives of the 85th General Assembly, 569.

⁴⁹ Ibid., 570.

⁵⁰ “Exercise in Futility,” *Columbia Record*, March 1, 1944.

⁵¹ “Without Thinking,” *Columbia Record*, March 2, 1944.

⁵² “Exercise in Futility.”

was a foregone conclusion as a matter of law in view of prior federal decision. It should have been foreseen and anticipated as indeed some South Carolinians did foresee it and try to persuade the General Assembly to anticipate it.⁵³

For example, actress, feminist, and Charleston native Margaret Vale simultaneously lauded the merits of her Confederate veteran and former Ku Klux Klan member father while arguing that African Americans should receive equal pay for equal work.⁵⁴ The *Walterboro Press and Standard* shrugged off assertions that the additional money needed to equalize salaries would be a burden to the state. South Carolina could get the necessary funds from the federal government. Lest its readers fear that receiving federal aid would lead to white and black children attending school together, the newspaper observed that the state already received federal aide to pay the salaries of agricultural and home economics teachers, and yet that had not led to “mixed race classes.”⁵⁵

Unsurprisingly, African Americans were upset by the Long resolution. Nat Humphries, Executive Director of the Welfare Equity Association, wrote Long a letter which maintained that no “colored persons or Colored Organization, or white person or White Organization advocate amalgamation of the white and colored race[s].”⁵⁶ He went on to point out how Representative Long’s amalgamation claim was hypocritical:

I have particularly in mind, a T. Jones, a wea[l]thy citizen of your county, who was tried and acquitted of wife-murder, and thereafter he lived with his colored mistress, borned [sic] him several children. There was, and still is, many T. Jones’ in your state.”⁵⁷

⁵³ “In the Ditch Together.”

⁵⁴ John Henry McCray, “The John Henry McCray Papers, 1929-1989” (South Caroliniana Library). “Education, Justice, Removal of Fear of Negro Held Solvents of the Race Question”

⁵⁵ “Why Not Federal Aid for Our Schools?,” *Press and Standard*, February 24, 1944.

⁵⁶ “The John Henry McCray Papers, 1929-1989,” Roll 1.

⁵⁷ Ibid.

Despite the Jeffries Bill, the NAACP took the position that teachers should not be subjected to such a “long, drawn-out procedure to secure their rights” and that the legislature had no right to “close the doors of the federal courts to aggrieved parties.”⁵⁸ In Columbia, Albert N. Thompson, a teacher at Booker Washington Heights Elementary School submitted his petition for equal salary to the Richland County School Board on June 7, 1944. The petition asserted that the School Board and the City of Columbia had a policy of paying black teachers less money than white teachers, even when they had the same qualifications. On behalf of all black teachers in the city, Thompson requested that the board discontinue this policy and asked that the board take action at its next meeting. The Board of School Commissioners denied that they had a policy of paying equally qualified black teachers less. When the petition went before the County Board of Education, they admitted that before February, 1941, there was a salary schedule that paid black teachers less. But they also asserted that, in the summer of 1940, they had appointed a committee of school commissioners who advised the board to establish a salary schedule that did not consider race.⁵⁹

At this point Thurgood Marshall advised Hinton and Orangeburg attorney Shadrack Morgan to abandon the appeals process the Jeffries Bill outlined and to instead directly petition the federal district court.⁶⁰ Like the petition submitted to the County Board Of Education, this one charged the school board and superintendent with maintaining

⁵⁸ Consuelo Young to Thurgood Marshall, 15 February 1945, “National Association for the Advancement of Colored People Records, 1842-1999,” Library of Congress.

⁵⁹ Exhibit A: Copy of Albert Thompson’s Petition; Exhibit B: Answer and Return, *Albert N. Thompson, et al. v. J. Heyward Gibbes*, June 7, 1944, The National Archives at Atlanta.

⁶⁰ *Freedom’s Teacher*, 167; “Teacher Salary Case in South Carolina,” *The Crisis*, April 1945.

...the policy, custom and usage of paying Negro teachers and principals in the public schools of School District 1 of Richland County less salary than white teachers and principals.”⁶¹

As with the *Duvall* case, the NAACP argued that unequal pay on the basis of race or color was a violation of the Fourteenth Amendment. Additionally, black and white teachers had to meet the same certification requirements as all South Carolina teachers were required to obtain the same teaching certificate from the State Board of Education.⁶² The complaint also noted that the teachers were being denied equal pay from public school funds. So, not only were their fourteenth amendment rights violated with public funds that Thompson and the black teachers she represented paid in to.

The NAACP again went to the PSTA for support. On April 7, 1945, the state president James M. Hinton spoke to the organization’s House of Delegates, reiterating the NAACP’s commitment to ending salary inequalities. Hinton suggested that the PSTA form a seven-member committee to work directly with the NAACP Defense Fund in order to coordinate future court battles. The PSTA agreed and appointed representatives from six school districts and one college representative. Isaac Bracy, of Sumter’s Stone Hill School, who moved that the PSTA immediately contribute \$500 to the NAACP. Several members expressed wariness of the motion and someone else moved that instead the teachers should go back to their communities to request local teachers’ support. Fortunately, when Rev. C. H. Brown. of Benedict College, moved that they provide the

⁶¹ Complaint, *Albert N. Thompson, et al.*, February 2, 1945.

⁶² Ibid.

NAACP with \$400, that motion was carried and a decision was made to present the funds at the first joint committee meeting.⁶³

On the same day that Hinton spoke with the PSTA committee, Thurgood Marshall filed a request for admission of fact. In it, Marshall agreed with the school board's assertion that prior to 1941 there was a salary schedule that paid lower salaries to black teachers, and that in 1941 the school district set up a new salary schedule with a minimum salary of \$675 to all elementary and junior high teachers, and \$720 for all high school teachers. But Marshall also asserted that all black teachers were paid the minimum salary while all white teachers were paid more than the new minimum.⁶⁴ Therefore, although black teachers were, in fact, receiving a higher salary, the school district had not abandoned its policy of paying lower salaries to qualified black teachers. They had simply attempted to ameliorate the problem.

The defense responded by reiterating that they instituted a new minimum salary in 1941. They also directly contradicted the plaintiff's assertion by insisting that all teachers were earning more than the minimum salary and that the minimum salary for all teachers was \$900 a year. But according to the documents they submitted, most white teachers were making over \$1000 a year, while no black teachers received more than \$882 a year. The school board essentially argued that black teachers were to blame for their lower salaries. They asserted that ninety-three percent of white teachers/principal had voluntarily participated in the new certification process while only fifty-six percent of black teachers/principals had.⁶⁵

⁶³ *A History of the Palmetto Education Association*, 65–66.

⁶⁴ Request for Admission of Facts, *Albert N. Thompson, et al.*, April 4, 1945.

⁶⁵ *Ibid.*

Unsurprisingly, Thurgood Marshall strongly objected to the defendants' claims. He confirmed that Thompson filed a petition with the County Board of Education, but maintained that this should have no impact on the court's jurisdiction in this case. Asserting that this case was about black teachers' fourteenth amendment rights, Marshall argued that *res judicata* was not applicable because even though the General Assembly adopted a method for teachers to contest their salaries, that method was done through the county school board rather than a recognized court of law. Marshall further asserted that a state statute could not limit a person's ability to appeal to a federal court. Even if a citizen appealed to a system established through state statute, that did not mean they had to accept that body's decision. So although Thompson submitted a petition to the County Board of Education, that did not mean he relinquished his right to appeal to a federal court. The NAACP also addressed the defense's assertion that a new certification system would alleviate unequal teacher salaries. He argued that a future certification plan had nothing to do with the *Thompson* case. This case was about whether or not black teachers were receiving equal pay at the present time.⁶⁶

For his part, Judge Waring believed that the court clearly had jurisdiction in this case. He referred to the Duvall case (which he had also decided) as proof of the court's jurisdiction.⁶⁷ The General Assembly was well within its rights to set up "system of hearing and appeals" for the state's citizens, and said citizens had every right to pursue such a method. But the General Assembly did not have the right to impede on the federal court's constitutionally guaranteed jurisdiction.⁶⁸

⁶⁶ Memorandum Brief on Behalf of the Plaintiff, *Albert N. Thompson, et al.*, May 3, 1945.

⁶⁷ Opinion, *Albert N. Thompson, et al.*, May 26, 1945.

⁶⁸ Ibid.

On May 26, 1945 Judge Waring ruled in Thompson's favor. Waring believed that as of 1941, the school district made an effort to alleviate unequal pay, but that there was still a "startling disparity" between what black and white teachers made, even when they had the same amount of experience.⁶⁹ Waring asked the defendants about the pay disparities and was told that other qualifications were the cause. The defense also asserted that black teachers' lower pay was a matter of supply and demand; there was a lesser need for black teachers so they were willing to work for less. But the judge found these answers unsatisfactory. He believed that the evidence demonstrated lower salary was due to race, and that there actually seemed to be a greater number of experienced white teachers than black teachers. The teacher salary equalization plan the General Assembly enacted in 1945 did, according to Waring, lessen pay disparity. But it only applied to the part of teachers' salaries that came from state funds, and since it was part of the annual appropriations statute, the plan was only a temporary measure.⁷⁰

Waring ruled in the plaintiff's favor, concluding that Thompson and the teachers he represented were entitled to a salary plan that was not influenced by their race. The Board had to begin a new classification system, effective spring of 1946. But Waring underscored that his order was related only to pay discrimination on the basis of race or color.⁷¹ The defense was still allowed to use their judgment "respective to the amounts to be paid to individual teachers based on their individual qualifications, capacities, and abilities."⁷²

⁶⁹ Opinion; Findings and Facts of the Law, *Albert N. Thompson, et al.*, May 26, 1945.

⁷⁰ Ibid.

⁷¹ Ibid.; Order, *Albert N. Thompson, et al.* May 26, 1945.

⁷² Order, *Albert N. Thompson, et al.* May 26, 1945.

Waring's opinion in this case demonstrates that he already had a far broader understanding of contemporary racial disparities than the teacher salary equalization cases. In the Thompson opinion, Waring endorsed a central proposition of the NAACP that linked educational and political opportunities to citizenship rights. Waring remarks:

The idea that emancipation of a race long enslaved and without political rights, without political or any other kind of education, and without training to assume citizenship, would bring about a satisfactory situation over night could be held by only a few partisan, biased, persons motivated either by idealistic abstraction or by a spirit of political revenge and self-seeking aggrandizement.⁷³

Over the next decade, Waring's perspective would play a key role in black South Carolinians' efforts to improve their schools and to expand their civil rights agenda.

Some of the NAACP's most meaningful 1940s legal victories were the teacher salary equalization cases. As a direct result of the NAACP's equalization campaign, salary inequalities across the South decreased by the late 1940s. In 1931-2 black teachers made about fifty percent of what white teachers made. In 1935-6 they made fifty percent. And by 1945-6 they were making sixty-five percent.⁷⁴ As Septima Clark remembered:

And our efforts paid off . . . in actual cash. The courts sided with us. When I went to Columbia, my salary was \$65 a month. When I left I was getting almost \$400 a month . . . I cannot rightfully argue that all the raise came from the action of the court. But a greater part did. And the decision of the court followed our institution of legal action. As a matter of fact, my salary increase was amazing.⁷⁵

⁷³ Opinion, *Albert N. Thompson, et al.* May 26, 1945.

⁷⁴ Mark V. Tushnet, *The NAACP's Legal Strategy Against Segregated Education, 1925-1950* (Chapel Hill: University of North Carolina Press, 1987), 88, 103.

⁷⁵ Septima Poinsette Clark, *Echo in My Soul*, 1st ed. (New York: Dutton, 1962), 83.

But these legal victories were often hollow as state school boards found seemingly objective methods for determining salaries. In 1941 the South Carolina legislature—in response to the *Alston* case—appointed a committee to look at how teachers were certified and how their compensation was determined. The committee recommended that the state consider using the National Teacher Examination (NTE) to develop a four-tier certification system. The highest twenty-five percent of test-takers were to receive an A certificate, the middle fifty percent received a B certificate, the next fifteen percent received a C certificate, and the remaining ten percent received a D certificate. Southern officials began writing Ben D. Wood, the NTE creator, after the *Alston* and *Mills* rulings in an effort to find another way to determine teachers' salaries. Wood asserted that the tests were objective because machines scored it.⁷⁶ Still Wood, who initially expressed hesitancy with getting “mixed up in the racial problem,” also predicted that black teachers would score lower than white teachers.⁷⁷ The South Carolina State Board of Education did a two-year study, which supported Wood's prediction. In a 1944 four volume report conducted to comply with the committee's recommendation, pretests revealed that ninety percent of the white teachers received an A or B certificate, and ten percent would receive a C or D certificate. Conversely, only twenty-seven percent of the state's black teachers would receive an A or B certificate while seventy-three percent would get a C or D certificate. Still, as it faced the possibility of another salary equalization suit, the state embraced the NTE and Wood's salary plan. Beginning in

⁷⁶ *The NAACP's Legal Strategy Against Segregated Education*, 88-93; *Paradoxes of Desegregation*, 49; *A Class of Their Own*, 351. Rebecca Monteith, a teacher at the Monteith School in Columbia, filed a salary equalization suit in September 1944.

⁷⁷ *Paradoxes of Desegregation*, 49; *A Class of Their Own*, 351. The National Committee on Teacher Examinations was facing the likelihood of financial ruin and Wood was remiss to turn down guaranteed consistent revenue.

1945, all South Carolina teachers were required to take the exam.⁷⁸ Like the Charleston Board of School Commissioners, the State School Board had found a legal means for sustaining unequal salaries. As Sen. Hughs of Oconee admitted:

What is the real reason for the certification program[?] . . . It is not going to improve our schools nor the qualification of our teachers. The real reason for this program, is to set up, by a legalized method, a standard by which it is hoped that a vast majority of the white teachers can qualify for higher salaries, and the Negro cannot, thus legalizing a difference in their salaries.⁷⁹

Black Carolinians would have agreed with this assertion. William Henry Grayson, principal of Burke Industrial High School, advised his teachers to continue their education beyond a bachelor's degree because not only would it better prepare them for the classroom, but it would better position them to do well on the NTE. For Principal Grayson, this was part of a larger objective to hire a cadre of college-educated black teachers who could build up a more academic rather than vocational curriculum to better prepare their students for success.⁸⁰ Eugene Hunt recollected that the exam was "another device, which was intended to discriminate against black teachers." For, officials had been "assured that by using this as a standard . . . they could still pay black teachers less money."⁸¹ Another African American teacher, Rev. Joseph A. DeLaine, who would become the foremost leader in the *Briggs v. Elliott* desegregation case, called the new

⁷⁸ *The NAACP's Legal Strategy Against Segregated Education, 1925-1950*, 93; *Paradoxes of Desegregation*, 57; *A Class of Their Own*, 351.

⁷⁹ Report, November 28, 1946, Rev. Joseph A. DeLaine Papers, 1918-2000, University of South Carolina, Thomas Cooper Library, Digital Collections Department.

⁸⁰ Interview with Eugene C. Hunt; Scott Baker, "Pedagogies of Protest: African American Teachers and the History of the Civil Rights Movement, 1940-1963," *Teachers College Record* 113 (No. 12): 2782-2783.

⁸¹ Interview with Eugene C. Hunt.

certification program an “effort to legally dodge an equal salary decision by the Federal Court.”⁸²

South Carolina’s use of the NTE not only facilitated salary inequalities between white and black teachers, but it also aided economic disparities within the black community. Black teachers, like Septima Clark, who were able to attend private high schools and universities often scored higher than both black and white teachers. In fact, some white officials, such as Columbia school superintendent A. C. Flora, were hesitant to support using the examination out of concern that it could prove that black teachers were actually better trained than some white teachers. However, the majority of black teachers, who were products of an unequal education system, made lower scores and therefore had lower salaries. Overall, the salaries of black teachers remained well below whites. Sadly, the gap between the highest and lowest paid black teachers made also widened. People like Duvall made \$45 more than her lowest paid black colleague in 1943. But by 1948 she made \$2,000 more. Furthermore, as these already advantaged teachers began earning more, they were given even more opportunities for advancement. They, unlike their lower paid colleagues, could now afford to pay for continued educational opportunities in graduate school. These additional economic and educational achievements helped legitimize the state’s use of standardized testing since white officials could now point to them as examples of significant achievement among African Americans.⁸³ Therefore, while race remained the defining factor in teacher salaries, post-NTE remuneration was also bound to one’s socioeconomic status.

⁸² Report on Education, October 16, 1952, Rev. Joseph A. DeLaine Papers, 1918-2000.

⁸³ *Paradoxes of Desegregation*, 45, 60.

Even Judge Waring, who handed down each of the equalization decisions and saw the new certification program as “a perfectly fair scheme of adjusting the whole [salary] thing,” conceded that the new certification program was problematic:

I realized that it wasn't going to [be] very satisfactory to anybody, because some of the school teachers were going to have a bad time under it, because they were so inadequately prepared. And it happened. They had trouble from it. They were so inadequately prepared, many of them, that necessarily there were going to be a lot of failures. But those are casualties that come about from bad to good—there are always a lot of casualties. You have it in housing. You have it in education. You have in practically everything that comes about. Whenever you put in another system, you're going to have certain people that fall by the wayside.⁸⁴

The PSTA had these very concerns regarding the new certification system. The organization pointed out that under Jim Crow segregation, the state had given them an unequal education. While white teachers had numerous graduate school options, black teachers' options were limited to South Carolina State College. For the most part, they had to leave the state to pursue a graduate degree. Therefore, while graduate training was an A or B certificate requirement, the state provided no in-state method for black teachers to meet that requirement.⁸⁵

Additionally, the lawsuits associated with these legal cases were most often in urban areas, leaving black teachers in rural areas still largely subject to significant inequalities. Indeed, according to a 1947-1948 State Superintendent report, white elementary school teachers, on average, made \$601 more than black teachers. This was

⁸⁴ Julius Waties Waring, *The Reminiscences of J. Waties Waring*, interview by Harlan B. Phillips and Louis Morris Starr, 1957, 231, South Caroliniana Library.

⁸⁵ *A History of the Palmetto Education Association*, 72.

partly due to higher NTE scores. But the difference was also attributed to unequal fund distribution on the district level. The school system was comprised of a series of largely autonomous school districts controlled by all-white school boards responsible for determining salaries.⁸⁶

African Americans pointed out various other subtle methods of preventing salary equalization. Some school officials were insisting the black school administrators hire teachers with less experience and qualifications—who could, therefore, legitimately be paid less than the teachers they replaced. There was also a practice of hiring black teachers as substitutes rather than contract teachers. These teachers were left in “substitute” status for years even though they had the appropriate qualifications for contracted employment. Despite this unfair treatment, these teachers were often women who were married and settled, and therefore unable to move to another school district with better career opportunities.⁸⁷ Consequently, not only did African American teachers continue to face discrimination, but women teachers were more negatively affected than male teachers. And, in light of African American men’s continued exclusion from gainful employment, the limited or outright loss of women’s income could have a truly detrimental effect on a family.

African American teachers’ larger teaching load magnified continuing salary inequalities. As McCray’s *Lighthouse and Informer* reported, “[t]he Negro teacher, in

⁸⁶ *The NAACP’s Legal Strategy Against Segregated Education, 1925-1950*, 103; n.d., Papers of the NAACP, Part 3, Series C, Reel 17; I. A. Newby, *Black Carolinians: A History of Blacks in South Carolina from 1895 to 1968*, 1st ed., South Carolina Tricentennial Commission, no. 6 (Columbia: Published for the South Carolina Tricentennial Commission by the University of South Carolina Press, 1973), 304.

⁸⁷ “Your NAACP and You: A Challenge,” February 24, 1949, Modjeska Monteith Simkins Papers, South Caroliniana, University of South Carolina.

many instances, does twice the work for half the pay of the white teacher.”⁸⁸ That same State Superintendent report noted that there were 9,272 white teachers for 249,897 white students. On the other hand, there were only 6,222 black teachers for 207,058 students. The average white elementary school teacher had approximately twenty-nine students, and the average high school teacher had twenty-three students. This stood in stark contrast to the average black elementary school teacher’s thirty-four students, and the high school teacher’s twenty-nine.⁸⁹

These continuing differentials may have contributed to the NTE scandal. A large group was caught cheating on the exam. Somehow an individual obtained part of the exam and distributed an answer key. Unluckily, s/he was only able to obtain part of the test, and made several mistakes on the answer key. Most of the cheaters were caught because they scored high on the same portions of the exam and all made the same errors. Judge Waring suspected the possibility of “a certain amount of entrapment among these poor devils.” But he also concluded that “[i]n the long run it wasn’t a bad thing, because it got rid of a lot of inadequate teachers and crooked teachers.”⁹⁰

Regardless of the scandal and black teachers’ legitimate concerns that a lack of educational opportunities would result in continued salary inequalities, there is significant evidence that they were willing to seek further training. In 1930, 15.6% of black teachers in the thirteen southern states had a bachelor’s degree, but by 1940 that number had increased to 35.1%. Furthermore, in rural areas where teachers often taught in one-room schoolhouses, the number of teachers with more than six years of training after elementary school more than doubled between 1930 and 1935. They sought further

⁸⁸ “From the Press of the Nation,” *The Crisis*, July 1941.

⁸⁹ Papers of the NAACP, Part 3, Series C, Reel 17.

⁹⁰ Waring, *The Reminiscences of J. Waties Waring*, 232.

training because they linked their qualifications not only to their salary potential but also to their work for racial uplift which placed education at its core.⁹¹

Still, despite their evident willingness to pursue further education, many teachers were opposed to or fearful of the NAACP's litigation method.⁹² They believed the best method was to be "patient and reasonable and try to get the whites, the School board, the state to change [their salary] voluntarily."⁹³ The issue caused a rift in the PSTA. There was a small, but more activist, faction who sided with McCray and McKaine. This faction had grown weary of the state's education officials. Their position was clear—the only way to rectify the issue was through a court battle, which meant providing support to the NAACP. The opposing group saw waging a court battle as using force. They argued that the NAACP was trying to control the PSTA.⁹⁴

Such uncertainty and apathy garnered criticism and outright anger from activists and other teachers. Indeed, as one historian has noted, the salary equalization campaign presented "perhaps the 1940's greatest clash between conservative and militant black leaders in South Carolina."⁹⁵ Eugene Hunt believed that a more cautious method never would have worked.⁹⁶ Modjeska Simkins, then NAACP secretary and a former teacher, expressed the same sentiments in a newspaper editorial that strongly criticized the PSTA'S leadership and their "patience" argument:

Resolve NOW that you will acquit yourselves as American citizens and not as sniveling, crawling nonentities that the petition of your Executive Committee would intimate that

⁹¹ Charron, *Freedom's Teacher*, 127–128.

⁹² Clark, *Echo in My Soul*, 81.

⁹³ Interview with Eugene C. Hunt

⁹⁴ *A History of the Palmetto Education Association*, 66.

⁹⁵ "Leading the Civil Rights Vanguard in South Carolina: John McCray and the Lighthouse and Informer, 1939-1954," 471.

⁹⁶ Interview with Eugene C. Hunt

you are. . . Believe me, that BEGGING will not improve your economic condition, or any other condition for that matter.⁹⁷

Simkins also sent out a letter expressing frustration with the PSTA and teachers' lackadaisical and sometimes unfavorable attitude towards seeking salary equalization through the courts:

The suit WILL BE BROUGHT. Plans which have been under way for months were not started by the Palmetto State Teachers Association and the PALMETTO STATE TEACHERS ASSOCIATION cannot stop them. This letter is being sent, therefore, with the urgent request that you give all the money you possibly can to help finance the case. . . Now, I shall make a suggestion which should be a great insult to you: If for any reason you fear publicity or intimidation because of your contribution, you may either send a check or a cash donation directly to me or you may leave your contribution at the Victory Savings Bank in a sealed envelope marked "FOR TEACHERS FUND."⁹⁸

John McCray expressed similar outrage:

More and more (though it is a sinister feeling) I am reaching the conclusion that Negro teachers, as spineless and unworthy as those of Columbia have proven themselves, should be left to slave and starve and receive the wages of a serf.⁹⁹

The belief that teachers were among the NAACP's primary beneficiaries engendered these hostile feelings. As Simkins later wrote in 1949:

Teachers, in particular, must realize that court action, if it must come, is costly. Ethically, teachers should contribute far more to the South Carolina Teachers Defense Fund of the NAACP because they have been the real benefactors, so far. The years of indication and compromise are over in this fight. Men and women of noble character . . . must be

⁹⁷ *Democracy Rising*, 132.

⁹⁸ Letter dated April 15, 1943, Modjeska Monteith Simkins Papers, Box 2.

⁹⁹ "Leading the Civil Rights Vanguard in South Carolina," 473.

willing to take the unequivocal stand in these matters, “and having done all, to STAND.”¹⁰⁰

These views of teachers reflect those of national leaders like Thurgood Marshall, and later by the militant activists of the 1960s such as Stokely Carmichael.¹⁰¹ Yet, there are many teachers’ actions that challenge the uncooperative-apatetic-teacher narrative.

In fact, some teachers inspired student activism.¹⁰² Under school principal, William Grayson’s, leadership, Burke High School teachers like Duvall, Hunt, and Smith took advantage of changing school policies in order to “strengthen the curriculum and create new progressive educational programs.”¹⁰³ As Duvall recalled, “We knew what the requirements for college were. We wanted to make sure that our young people could meet them.”¹⁰⁴ These new efforts—combined with an increasing number of college-educated teachers who used the school as a safe space to teach black race consciousness—taught students citizenship and dissatisfaction with white supremacy. Within the walls of the black school, teachers found a way to ingrain citizenship, democracy, and racial uplift in their pedagogies.¹⁰⁵ And when Smith decided to stand up for herself and the other teachers, she felt that she was also taking a stand for her students.

While I teach my pupils to be brave and fight for democracy I do not feel teaching by concept alone is sufficient. I must set the example so that they might keep

¹⁰⁰ “YOUR NAACP AND YOU: A Challenge,” February 24, 1949, Modjeska Monteith Simkins Papers, Box 2.

¹⁰¹ Scott Baker, “Education and Equality: African American Teachers and the Civil Rights Movement, 1940-1963,” *NAAAS & Affiliates Conference Monographs*, January 2010, 1025–1026.

¹⁰² Baker, “Education and Equality,” 1027.

¹⁰³ Ibid., 1028.

¹⁰⁴ Baker, “Pedagogies of Protest,” 2783

¹⁰⁵ “Education and Equality,” 1029–1031; “Pedagogies of Protest,” 2787-8.

alive and have more love for the democracy some day they must keep alive. . . Rousseau said “He who would be free must strike the first blow.” I believe as ardently in that doctrine as I do in the concepts of that democracy and God himself.¹⁰⁶

In short, Smith believed that directly challenging discrimination would allow her to teach her Problems of Democracy students citizenship, in both word and deed.¹⁰⁷

Further evidence of South Carolina’s black teachers’ eagerness to ensure their students’ awareness of current events is found in their communication with newspaperman John McCray. Dillon, South Carolina teacher Herbert Crawford wrote McCray requesting twenty-five copies of the *Lighthouse and Informer* because he wanted his students to be “acquainted with the activities of their state and the service and duty of the N.A.A.C.P.”¹⁰⁸ Miss Alma Metcalfe, a teacher at Mather Academy in Camden, South Carolina, wrote to ask for materials to help her teach about civil rights in her Social Problems class.¹⁰⁹

However, the high risk of repercussions and ostracism certainly made teachers’ caution understandable. Fighting for equal pay, and other civil rights activities, was a significant risk for African American teachers. Their jobs were not guaranteed, and they were largely at superintendents and/or white school board members’ mercy. Furthermore, black teachers’ associations which supported these equal pay campaigns

¹⁰⁶ “Negro Teacher Here Asks Pay Increase, Opening State Drive,” *The News and Courier*, June 25, 1943.

¹⁰⁷ *Paradoxes of Desegregation*, 53–54.

¹⁰⁸ McCray, “The John Henry McCray Papers, 1929-1989,” Roll 2, Letter dated October 25, 1944.

¹⁰⁹ McCray, “The John Henry McCray Papers, 1929-1989,” Roll 1, Letter dated October 20, 1946.

were risking their well-cultivated relationships with white officials.¹¹⁰ Hence, an African American teacher's willingness to challenge a white school board, and to do so in court, "required considerable courage, exposed them to recriminations, and, because the cases could be very lengthy, required great perseverance."¹¹¹

John McCray remembered Duvall assembling a small group in Columbia about three weeks before her court case began. She told them she was "getting depressed and feeling the pressure of being cut-off by her fellow teachers."¹¹² Duvall said that if she did not have the support of her family, the NAACP, and the *Lighthouse and Informer*, she would not have been able to endure so much stress. Malissa Smith's first cousin, J. Andrew Simmons chose to resign his position as Booker T. Washington High School's principal rather than face the possibility of dismissal for his role in the salary equalization campaign. Simmons moved to New York where he continued a life of public service by working for the department of welfare and founding a home for children. He also maintained his commitment to education when he served on a U.S. task force to rebuild educational facilities in the Pacific area following World War II, and becoming the first African American elected to his district school board.¹¹³ Smith and Simmons' stories elucidate why becoming a plaintiff and/or assisting in lawsuits was considered a huge risk. Equally important to acknowledge is the fact that Smith and Simmons had resources many other African Americans did not have. Smith came from a well-established family who could afford to give her financial assistance. She also had a four

¹¹⁰ *A Class of Their Own*, 311.

¹¹¹ "The NAACP Campaign for Teachers' Salary Equalization," 534.

¹¹² "Leading the Civil Rights Vanguard in South Carolina," 473.

¹¹³ *Ibid.*; Drago, *Initiative, Paternalism & Race Relations*, 242. Simmons did not return to South Carolina until his death, when his body was returned to Charleston.

year degree which better positioned her to seek other career opportunities. Likewise, Simmons was already a school principal. He likely knew that, if necessary, a move could facilitate viable career options. Unlike the married women mentioned earlier, his position as an educated man meant that although he faced racial discrimination, he had more ways to circumvent that discrimination than women or uneducated men.

The teacher salary equalization campaign represents the shifting tides of civil rights activism. These suits helped the NAACP's southern membership grow. They garnered greater interest than the higher education cases. They were sometimes the first experience African Americans had in formal protests.¹¹⁴ They provided an avenue for civil rights activists' move towards a "collective and forceful protest movement."¹¹⁵ Indeed, those who participated in the campaign, found it transformative and defining. As Septima Clark remembered:

My participation in this fight to force equalization of white and Negro teachers' salaries, on the basis of equal certification, of course, was what might be described by some, no doubt, as my first "radical" job. I would call it my first effort in a social action challenging the status quo, the first time I had worked against people directing a system for which I was working.¹¹⁶

Indeed, for Modjeska Simkins the equalization campaign served as a catalyst for her "personal radicalization"—a move from racial uplift to protest politics.¹¹⁷ Furthermore, many of the individuals who helped realize teacher salary equalization—Boulware, Clark, McCray, McKaine, Simkins, etc.—would continue to serve as the seminal figures

¹¹⁴ "The NAACP Campaign for Teachers' Salary Equalization," 532-534.

¹¹⁵ *Democracy Rising*, 131.

¹¹⁶ *Echo in My Soul*, 82.

¹¹⁷ *Democracy Rising*, 131.

in the Palmetto State's civil rights movement. Therefore, as this campaign transformed activists, it also transformed the whole movement. The critiques individuals like McCray and Simkins expressed against South Carolina's black teachers illustrated this shift.¹¹⁸

The salary equalization cases also signified a transition in white segregationists' methods. On the one hand, the cases proved that it was possible to take on white authority and win. On the other hand, Smith's firing and the era's racial violence also proved that taking on white officials could come with significant repercussions. South Carolina's segregationists made a concerted effort to get the NAACP's membership roster. More specifically, white officials wanted to know which teachers were NAACP members. This was especially obvious in rural areas.¹¹⁹ In addition, in 1948, three years after the NTE became a requirement, passing the law exam became a requirement for practicing the law in South Carolina. It was clear that this was done to prevent African Americans from practicing law since the legislature who introduced the bill said that it would "bar Negroes and some undesirable whites."¹²⁰ The new law was reminiscent of the NTE. These issues served as a precursor of what was to come. Efforts to track NAACP membership, with a specific focus on black teachers, would become a hallmark of the 1950s white massive resistance movement; and in South Carolina, it was rural school districts that came to the forefront of the fight for school equalization. Additionally, the NTE gave segregationists some valuable insight. For, they now knew that it was possible to maintain white supremacy through seemingly objective processes.

¹¹⁸ *Democracy Rising*, 131.

¹¹⁹ See: Kirk, "The NAACP Campaign for Teachers' Salary Equalization," 546. Potts, *A History of the Palmetto Education Association*, 66.

¹²⁰ *Paradoxes of Desegregation*, 84.

The salary equalization cases also indicated and helped strengthen black teachers' long-term alliance with the NAACP and emphasized the fact that their goals could be aligned. The salary equalization campaign helped legitimize the NAACP's work in South Carolina.¹²¹ Therefore, the campaign benefitted both parties.

The PSTA's vocal support of the 1947 John H. Wrihten case to integrate the University of South Carolina's law school exemplified this teacher-NAACP alliance.¹²² And while the PSTA—especially the older, less militant faction—was hesitant to place its full support behind the equalization lawsuits, the organization was far less cautious in supporting improved education for black schoolchildren. In fact, by the close of 1947, the PSTA seemed to have completely altered its public position on challenging educational inequality. As one article noted:

As one of the oldest organizations of its kind, and having a membership of approximately 6,000, the association [PSTA] has thrown its full strength behind the S. C. Conference of the NAACP in its fight for first-class educational opportunities for all children in South Carolina. The organization has made liberal contributions towards financing legal fights lead by the NAACP. . . From now on, for the PSTA in its avowed fight for all the children of South Carolina, it is "Full Speed Ahead!" Close alongside is the strong right arm of the NAACP. Now the two are inseparable. They can become invincible.¹²³

All the difficulties to garner the PSTA's support, and the necessary ousting of certain PSTA members and leadership enabled a PSTA-NAACP partnership by transforming the teachers' association into what was, by contemporary standards, a much more radical organization. Indeed, when the efforts of McCray, McKaine, and Simkins to oust what they considered a much too conservative PSTA leadership were combined with World

¹²¹ *Democracy Rising*, 132.

¹²² January 25, 1947, *Journal and Guide*.

¹²³ November 15, 1947, *Palmetto State Standing Herald*.

War II, the draft, and the ability to leave the teaching profession for better paying war industries jobs, a more militant and literally new PSTA was possible. Contemporaries understood that the NAACP/PSTA collaboration was not an organic transformation, but one wrought in “planning, scheming, and financial outlay.”¹²⁴

This new PSTA’s goals foretold the coming civil rights fight in South Carolina and throughout the nation. Although it had not initially confronted the teacher salary equalization cases head-on, the organization was making definite changes in the mid-1940s. On April 7, 1945, it petitioned the governor, superintendent of education, and speaker of the House regarding specific issues geared towards improving education for black children:

1. Equal transportation facilities for all high school pupils.
2. Full enforcement of the Compulsory School Law.
3. The same or equal opportunity for higher education on the undergraduate and graduate levels.
4. Qualified Negro representation in the state Department of Education.
5. A request made to all members of the United States Senate and the House from South Carolina petitioning them to support federal aid to education.¹²⁵

As the 1940s came to a close, the national and local civil rights movements were undergoing significant changes in style and objectives. South Carolina’s African American teachers had to face the increasingly difficult segregation versus desegregation/integration debate. But two things were becoming increasingly clear. On one hand, the state’s white officials would never guarantee equal education for blacks. On the other hand, the NAACP’s national office was moving away from equalization and

¹²⁴ "YOUR NAACP AND YOU: A Challenge," February 24, 1949, Modjeska Montieth Simkins Papers, Roll 8.

¹²⁵ *A History of the Palmetto Education Association*, 68.

towards integration.¹²⁶ Indeed, as of the 1947-1948 school year, the average value for white school buildings, land, and equipment was still five times blacks'—\$221 compared to \$45. State level NAACP officials began to see segregation and discrimination as inextricably linked. As Modjeska Simkins noted, “We are concerned about the denial of civil rights, and the indignities experienced because of segregation.”¹²⁷ Yet, the South Carolina NAACP was aware that attacking segregation would meet with resistance from local whites, and necessitate what James Hinton referred to as “supersalesmanship” to win over many black Carolinians’ support.¹²⁸ The state’s black teachers would play a vital yet conflicted role in the ensuing struggle. For, although they eagerly supported school equalization, they were often hesitant to support desegregation due to the possible loss of their position and their autonomy, and the belief that it would compromise the need for black schools.

¹²⁶ See *A Class of Their Own*, 352.

¹²⁷ *Democracy Rising*, 182.

¹²⁸ *Ibid.*

CHAPTER 3: “A VERY BACKWARD COUNTY:” CLARENDON COUNTY AND THE FIGHT FOR EQUAL SCHOOLS

The same year Judge Waring’s decision on the *Thompson* case became effective (1946) a man named Joseph A. De Laine received his second bachelor’s degree in divinity from Allen University. His time at Allen would later prove to be essential to his activism because it was at Allen that De Laine became inspired by the idea that black churches had to provide more than spiritual guidance to their members. A second degree was also quite fortuitous since the state’s new certification system created a direct link between education and earning potential. However his wife, Mattie De Laine had not finished her degree. She wanted to attend college but her parents could not afford to send her. Yet her father’s friendly relationship with a Fairfield County school district trustee enabled her to get a \$42 dollars a month teaching job. Her salary was higher than most of the county’s black teachers, but it was still a small amount.¹ As a result she and many others “flocked to colleges, taking both evening and summer courses to improve their credentials.”² Mrs. De Laine furthered her education in Columbia at the combined Benedict College/Allen University Summer School. Rev. De Laine joined his wife and took a Race and Culture course where he heard a powerful message from NAACP state

¹ Ophelia De Laine Gona, *Dawn of Desegregation: J. A. De Laine and Briggs v. Elliott*, (Columbia: University of South Carolina Press, 2011), 14-24; “Quest for Civil Rights: Mrs. Mattie De Laine,” Moving Image Research Collection, University of South Carolina;

² *Dawn of Desegregation*, 24.

president James Hinton. How he reacted to this message signaled an important shift in De Laine—one from civically minded community leader to civil rights activist.³

But De Laine's radicalization was already taking place, and it was directly connected to his work in Clarendon County where he was the elementary school principal in the little town of Silver, and pastor in the AME church's Pine Grove/Society Hill circuit. Rev. De Laine held a place of prominence in the community because of his teaching and preaching. Indeed, these were "the only professions that a black youth could aspire to"—the "only sources for educated leadership, or leadership of any kind."⁴ So teaching and preaching became a pattern that defined his career in South Carolina. His commitment to both informed his leadership and made him a person of authority on matters of both religion and education. The active role he played in both the Palmetto State Teachers Association and the NAACP placed De Laine in a juxtaposition that seemed to foretell the vital role he would play in South Carolina's civil rights movement. He did not separate his work of saving souls from tangibly bettering black folks' lives.⁵ As he preached in a 1968 sermon, "race relations, poverty, and war" were not only secular matters, but effected "the souls of men and directly refer to the Christian Faith."⁶ It was likely his role in the black church that most informed his leadership because churches were regarded as "places of leadership development and morale building."⁷

³ *Dawn of Desegregation*, 25.

⁴ "Quest for Civil Rights: Rev. I. DeQuincey Newman," Moving Image Research Collection, University of South Carolina.

⁵ Julie Magruder Lochbaum, "The Word Made Flesh: The Desegregation Leadership of the Rev. J. A. DeLaine" (PhD diss., University of South Carolina, 1993), 3, 85; *Dawn of Desegregation*, 17. Magruder notes that De Laine was gaining a reputation as the person to approach for problems regarding education.

⁶ "The Word Made Flesh," 85, 148.

⁷ *Ibid.*, 29.

Religion was a central part of everyday life.⁸ And as the Clarendon County movement would prove, the black church was “a bedrock of NAACP organizing efforts.”⁹

Clarendon County was one of the poorest in South Carolina. Over two-thirds of the county’s approximately 31,500 residents were African American. Most of these men and women were engaged in agricultural labor. It seemed that little had changed for them since emancipation. Most worked in agriculture, growing and harvesting the same crops as their enslaved ancestors, on land owned by slave owners’ decedents. For black children, their families’ dependence on white landowners and agriculture’s demands meant that farm work came first—even before school.¹⁰ Billie Fleming, who would become one of the county’s most prominent activists, remembered economic dependence and a life in servitude:

We had no rights whatsoever that whites were bound to respect. We suffered and we were held in bondage. . . we actually had tenant farmers living on farms owned by whites that had no freedom whatsoever. These people were held in servitude and they were held in bondage. Many of these people were not free to move from these farms. Many of these people were jailed because they made attempts to question the accountability of these farmers to them when they sold the crops. Life for blacks in Clarendon County in that era was deplorable and I think about as bad as they were anywhere in this country.¹¹

⁸ “The Word Made Flesh,” 29.

⁹ Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement*, (New York: The New Press, 2009), 264.

¹⁰ Orville Vernon Burton, Beatrice Burton, and Simon Appleford, “Seeds in Unlikely Soil: The Briggs v. Elliott School Segregation Case,” in *Toward the Meeting of the waters: Currents in the Civil Rights Movement of South Carolina During the Twentieth Century* (Columbia: University of South Carolina Press, 2008), 177; Gona, *Dawn of Desegregation*, 3.

¹¹ “Quest for Civil Rights: Mr. Billie Fleming,” Moving Image Research Collections, University of South Carolina.

There were a few black landowners. Their lives, though comparatively better than farm laborers, were far from easy. Their work was backbreaking, and their incomes were low. They were self-sufficient, not wealthy. Most black people who did not labor in the fields did other menial work such as loading trucks, sawing wood, cooking, cleaning, or caring for children. They were not prepared to do anything better because, for most of them, their educational opportunities ended before seventh grade. Black children could not even get to school because the county refused to provide them with bus transportation.¹² As Judge Waring remembered, the county's lack of economic opportunities went hand-in-hand with its oppressive race relations:

It's a poor county; it's a very backward county. . . . One of the most backwards counties of the state. It's ruled by a small white minority very limited in their viewpoint and education, and a large population of Negroes, most of whom are dreadfully ignorant and poor, with very little opportunities.¹³

As many of Clarendon County's African Americans would soon learn, insisting on their constitutional rights as a way to move their children out of ignorance and poverty put them at the mercy of a small but powerful white minority who controlled jobs and their children's education.

Yet race relations in this rural area were headed toward change. During World War II concerned citizens became more civically engaged. Rev. De Laine became increasingly involved in civil rights in this era—issuing food and gas ration stamps. But it was the returning African American veterans' growing militancy that truly helped radicalize De Laine. Clarendon's returning black veterans found that local school

¹² *Dawn of Desegregation*, 3-5.

¹³ Julius Waites Waring, interview by Harlan B. Phillips and Louis Morris Star, 1957, transcript, South Caroliniana Library, Columbia, SC.

officials were making it difficult for them to take advantage of the GI Bill's education benefits. Two local black veterans wanted the school district to offer GI agricultural classes. School officials claimed that they could not find a teacher. So the veterans found a qualified candidate. When officials continued to drag their feet, the veterans approached Rev. De Laine who drafted a petition that they sent to the State Department of Education. The petition was successful. They soon had so many students that they had to hire more teachers.¹⁴

De Laine was pleased to help the veterans and learned valuable lessons. In hindsight it seems unsurprising that the two veterans who lead the fight for those GI classes were Jesse and Ferdinand Pearson—the very same family who would initiate the school bus petition that culminated into a school desegregation movement.¹⁵ Just as important for this study is the fact that De Laine would have walked away from this encounter knowing the value of organizing, a petition's effectiveness, and who to approach if he needed a petitioner.

Rev. J. A. De Laine and Mrs. Mattie De Laine found themselves at the center of an all-encompassing fight for equal rights. But it was a fight that Rev. De Laine's role as a minister—particularly in the AME church which had historically linked leadership and social activism—and their experiences as educators in segregated schools made them well prepared.¹⁶

¹⁴ Mrs. DeLaine Recalls Equal Rights Struggle," *The State*, June 6, 1976; Burton, Burton, and Appleford, "Seeds in Unlikely Soil," 177; "The Word Made Flesh," "The Word Made Flesh," 81; Jessie J. Pearson, etc. to W. A. Schiffley, 6 July 1946. Joseph A. De Laine Papers.

¹⁵ *Dawn of Desegregation*, 21; "The Word Made Flesh," 84-85.

¹⁶ "The Word Made Flesh," 60-61.

De Laines' activism was also informed by more practical matters—namely he was not completely economically dependent on whites. Rev. De Laine learned the value of economic independence while attending Allen University in Columbia where he worked his way through school with a series of jobs in and out of state. Now, Rev. De Laine worked for the AME Church. He also bought a small farm that provided his family with another source of income.¹⁷ Mrs. De Laine was likely an ideal spouse to support his efforts to be economically autonomous. Her childhood gave her an appreciation for rural life, and knowledge of how powerful economic autonomy could be.

We lived in a rural district. My father was a farmer. He was a poor man but a rather independent farmer. He made almost everything we used. We had cows, hogs. We raised farm products. . . We were poor. There were many of us in the family. But I don't know a day that we wanted for a piece of bread.¹⁸

So, while Rev. and Mrs. De Laine's teaching positions made them vulnerable to powerful whites. Farming and preaching positioned them to withstand the onslaught of economic repercussions that undid activists with less economic autonomy.

The De Laines knew from experience how difficult it was for the children Clarendon County's children to get a primary and secondary education. Rev. De Laine spent his childhood working his family's land. When he did have the opportunity to go to school, he had to walk five miles each way, and was taught the minimum when he got there. Likewise, Mrs. De Laine knew what it was like to walk long distances to attend school. Her father wanted all his children to have the best possible education so instead of sending them to the local one-room schoolhouse he sent them to a five room, four

¹⁷ *Dawn of Desegregation*, 62; "The Word Made Flesh," 77.

¹⁸ "Quest for Civil Rights: Mrs. Mattie De Laine."

teacher, Presbyterian parochial school five miles away. Her father always sent someone to walk her home from school, but she remembered that the white children had a school bus.¹⁹

Mrs. Mattie De Laine taught at Scott's Branch school in Summerton. She and the other teachers at Scott's Branch not only had to contend with the labor demands on Clarendon County's children, but also the fact that it was often impossible for students to traverse the surrounding landscape. The Santee Dam, a \$65 million project, was supposed to attract new business by making hydroelectric power and the transportation of goods by water possible. Instead, it failed to attract business and continually flooded the roads black children travelled on their way to school. Conditions were so bad that the children sometimes had to row a boat to go to school. Yet when local blacks implored the school board to help they were shrugged off by a group that saw no need to educate black children, and had no desire to hide the fact that these decisions were based on racist sentiments.²⁰ Indeed as a black father named James Gibson remembered the school board chairman told them, "We ain't got no money to buy a bus for your nigger children."²¹

Embodying the self-help philosophy that had defined post-emancipation black racial uplift, a group of Davis Station parents purchased an old bus. They hired a driver and started a fund to operate the bus. (Parents in Society Hill, which adjoined Davis Station—did the same thing.)²² But over time the bus became less reliable. The Santee

¹⁹ *Simple Justice*, 11; Quest for Civil Rights: Mrs. Mattie De Laine," Moving Image Research Collection, University of South Carolina.

²⁰ *Simple Justice*, 15-18.

²¹ *Ibid.*, 4.

²² "The Word Made Flesh," 86-87.

Dam's continued flooding compounded the problem. No students died on the way to or from school, but two boys died on those roads, as well as a man who was visiting his in-laws. In fact, the only reason more locals did not drown was because they were so familiar with the area's terrain.²³

When Rev. De Laine attended that Race and Culture class, he heard Rev. Hinton speak about the need to challenge the school bus transportation racism. Hinton told those gathered that the state of black schools was proof that "the white man's heel was still pressing the black man's head into the mud."²⁴ Black Americans could not advance unless they were better educated, and white segregationists were purposely preventing black Carolinians from getting an equal education. After all, an educated man would not be satisfied laboring in the field for wages so low they could scarcely afford the bare necessities. Hinton implied that although the PSTA had enough funds to pursue a legal case, there was not a teacher or preacher with enough "damn guts" to serve as plaintiff. De Laine resented the implication. It served as his call to action. He promised Hinton that he would bring a client the next week.²⁵

De Laine's task was not an easy one. He may have had the courage to face the reprisals coming his way but he also had to find a parent with the same courage. And that parent had to be a taxpayer, an upstanding citizen, and have a child in the right school. Fortunately as a teacher, preacher, NAACP organizer, and hometown man, De Laine had deep roots in the community. If anyone could accomplish such a feat, he could. When

²³ "The Word Made Flesh," 87-88.

²⁴ *Simple Justice*, 16.

²⁵ J. A. De Laine, "History Leading Up to the U.S. Supreme Court's Decision Outlawing Segregation in Public Schools" (speech, May 17, 1974), Joseph A. De Laine Papers, University of South Carolina Political Collections; "Seeds in Unlikely Soil," 180; *Simple Justice*, 16; Seeds in Unlikely Soil," 180.

De Laine got home, he met with two brothers, Hammitt and Levi Pearson. De Laine originally considered Hammitt to serve as the petitioner, but decided he was too hot-headed. Instead, they chose the level-headed Levi.²⁶

The disparities between black and white schools were obvious. But for people like Levi Pearson, their first priority was simply getting their children to school on a regular basis.²⁷ De Laine described how important it was to get black children to school safe and sound:

As [a] country school teacher for seventeen years I have seen some conditions that many people do not even think exist. I have had children come to me wet from the rain and from the white school bus slashing mud and water on them when I did not have a stick of wood or other fuel to make a fire and warm their little bodies with. I have seen children from the windows of the white school bus spit out of the window of the bus on the little helpless Negro Children coming to my school.²⁸

Pearson's mindset and De Laine's statement remind us that local level activism was most often sparked by a desire for practical changes, not grandiose ideals.

The following week De Laine and Levi Pearson went to a meeting in Columbia. The cohort—James Hinton; A. T. Butler, the PSTA executive secretary; and attorney Harold Boulware—represented the alliance that would take black Carolinians' fight for equal education into its next phase.²⁹ With the Pine Grove Church board's approval Rev. De Laine and a committee of two others approached a local white Presbyterian minister

²⁶ De Laine, "History Leading Up to the U.S. Supreme Court's Decision Outlawing Segregation in Public Schools" (speech, May 17, 1974), Joseph A. De Laine Papers; "Seeds in Unlikely Soil," 180; *Simple Justice*, 17; "The Word Made Flesh," 80.

²⁷ "The Word Made Flesh," 89.

²⁸ J. A. De Laine "A Brief History of Events Leading Up to Distress [sic], Joseph A. De Laine, Sr., to Grand Master Prince Riley, all Grand Officers, Local Officers, and Brethren," (speech, n.d.), Joseph A. De Laine Papers.

²⁹ "The Word Made Flesh," 91.

named L. B. McCord. McCord was the pastor at Manning Presbyterian Church and had served as the superintendent of schools since 1940. Such education and religious leadership made him a respected person among Clarendon County whites, but African Americans considered him a white supremacist. They did not believe he cared about whether or not their teachers were qualified. So perhaps De Laine and his committee were unsurprised when their request for bus transportation was denied. White school officials unwittingly left local blacks with few options. In late June of 1947, attorney Harold Boulware drafted a petition bearing Levi Pearson's name. The petition, requesting bus transportation for black students, was filed with the board in July. After three weeks with no response, Boulware wrote the Superintendent again, and requested a hearing. But Clarendon County's black parents were met, once again, with a deafening silence. The Board of Trustees chairman, Vander Stukes, told Boulware that Levi Pearson was no longer interested in the case, but Pearson was adamant.³⁰ Anyone who assumed he was uninterested in carrying the case out, "assume[d] too much."³¹ In fact, De Laine and Pearson seemed eager for the case to move along. De Laine believed people would gain courage after the case went public.³²

On March 16, 1948 NAACP attorneys Harold Boulware, Thurgood Marshall, and Edward R. Dudley filed a complaint with the U.S. District Court in Charleston, South Carolina, alleging that the practice of providing bus transportation to white students but not black students was unconstitutional because it was done on account of their race. The state constitution, argued the attorneys, made public education a state responsibility. It

³⁰ Harold R. Boulware to J. A. DeLaine, 29 July 1947, De Laine Papers; *Simple Justice*, 9, 18.

³¹ Levi Pearson to Whom it may Concern, 16 December 1947, De Laine Papers.

³² J. A. De Laine to Mr. James Hinton, 5 February 1948, De Laine Papers.

was county and state school official' duty s to provide free bus transportation for all students. Besides, bus transportation was paid for out of public school funds, which all Clarendon County residents, including African Americans, paid into.³³

Two defendants named in the complaint—the State Board of Education and the State Superintendent of Education, Jesse T. Anderson—argued that providing bus transportation was not their responsibility. They had not provided bus transportation to any students. That was the school district's responsibility. They also asserted that the court had no jurisdiction in the case. The other defendants—the County Board of Education; L.B. McCord, County Superintendent; Board of District Commissioners, School District 26; and E.G. Stukes, Board of District Commissioners Chairman—agreed with this assertion. They said that the District Commissioners of School District 26 held a hearing twenty days beforehand but had not had a chance to make a decision. The plaintiffs, according to them, had not pursued every available option. State law provided a way to petition the County Board and the State Board of Education. Therefore the Court should not hear the case because the aforementioned procedures were better suited to address the plaintiffs' issues.³⁴

The defense also argued that discrimination was not based on race. Instead they claimed that black students greatly outnumbered white students.³⁵ The larger number of black students prompted the district to situate the black schools closer to where the

³³ Complaint, March 17, 1948, *Pearson v. County Board of Education for Clarendon County et al.*, Civil Case Files; U.S. District Court for the Eastern District of South Carolina, Charleston Division, Southeast Region National Archives, Atlanta, Georgia.

³⁴ Answer, April 12, 1948, *Pearson v. County Board of Education*.

³⁵ Ibid.

students lived, but that white schools were not as close to white students' homes because they were "scattered and sparsely settled."³⁶

The *Pearson* case was to be tried on June 9, 1948, at the U.S. District Court in Florence. Unfortunately for the NAACP attorneys and the rural blacks they represented, the case did not go to trial.³⁷ The reason proved to be embarrassing for Boulware who recalled that they "goofed."³⁸ It was dismissed, at the plaintiff's request, because it was decided that Pearson had no legal standing. His farm was located between school districts 5 and 26. He paid taxes in district 5, but his children attended school in districts 22 and 26. However, this is not an indisputable fact. On Friday, April 9, 1947, L. B. McCord and E. G. Stukes stopped by Pearson's home. De Laine, who had been speaking with Pearson outside, overheard their conversation. The two men informed Pearson that his taxes had been credited to District 5, not 26. Pearson was confident that he had paid his taxes in District 26, but did not have his tax receipt. He went to his brother Hammitt Pearson's home, located only a few yards away from his. Hammitt's receipt was for District 26.³⁹ Although the case may not have been a legal success, it was far from a waste of time. As Billie Fleming recalled, the *Pearson* suit "was the beginning of the real

³⁶ Answer, April 12, 1948, *Pearson v. County Board of Education*.

³⁷ "Negroes Seek Free School Bus Service," *The State*, March 8, 1948; "Free Negro Bus Transportation Suit Scheduled," *The State*, May 28, 1948; "The Clarendon County School Segregation Case," Papers of the NAACP, Part 20, Box A-279, Thomas Cooper Library, University of South Carolina, Columbia, South Carolina.

³⁸ "Quest for Civil Rights: Judge Harold Boulware," Moving Image Research Collection, University of South Carolina.

³⁹ J. A. De Laine, "The Clarendon County School Segregation Case," *Simple Justice*, 21; Rev. J. A. DeLaine to Mr. Boulware, 9 April 1948, De Lain Papers; *Dawn of Desegregation*, 353

Clarendon County movement.”⁴⁰ Likewise, De Laine said it was “the legal beginning of the movement” for equal education.⁴¹ Eugene Montgomery, one of the state NAACP leaders agreed:

This was really, I would say, the beginning of the Clarendon County case because they decided then that they were not going to stop until they got some better educational facilities for the children.⁴²

Unfortunately, the *Pearson* suit reawakened the KKK. The day after the case was filed in the U.S. District Court, the *State* newspaper ran a story on Levi Pearson and he faced swift economic repercussions. White owned stores and banks refused to issue him credit. In the past, Pearson would find a white farmer with a harvester to help him gather his crops. But this season, no white farmer would help him, and no black farmers had access to one. That fall, he watched helplessly as his crops decayed in the fields.⁴³

The Clarendon movement recovered quickly. At 10:00 AM on March 12, 1949, a small meeting was held at the Palmetto Teachers Association building in Columbia. In attendance were Thurgood Marshall and his staff, PSTA officers, state NAACP branch officials, De Laine, Rev. J. W. Seals, Ravenel Felder, and several Pearson family members: Levi, Hammit, Willis, Jesse, Ferdinand, and Charlotte.⁴⁴ De Laine was caught off guard when Marshall insisted that the NAACP would no longer support a case that

⁴⁰ “Quest for Civil Rights: Mr. Billie Fleming,” Moving Image Research Collection, University of South Carolina.

⁴¹ Harold R. Boulware to Rev. J. A. DeLaine, 29 July 1947. De Laine Papers. (De Laine’s personal notes in the margin.)

⁴² “Quest for Civil Rights: Eugene A. R. Montgomery,” Moving Image Research Collection.

⁴³ Ibid.; *Simple Justice*, 21-22.

⁴⁴ Harold R. Boulware to Rev. J. A. DeLaine, 8 March 1949, De Laine Papers; J. A. De Laine, “The Clarendon County School Segregation Case,” Papers of the NAACP, Part 20, Box A-279; “Seeds in Unlikely Soil,” 181; “The Word Made Flesh,” 96.

dealt only with bus transportation. Marshall told him that if Clarendon County blacks wanted the civil rights organization's legal support, the case would have to be for school and education equalization. Clarendon County presented an ideal situation to challenge whether or not black and white schools were, in fact "separate but equal." Districts 9 and 22 had in-district high schools for both black and white students. Their case would be clear-cut. De Laine had to find at least twenty parents to sue for equalization.⁴⁵

De Laine was frustrated, but from Marshall's perspective, there was safety in numbers. Having one plaintiff was too risky because it was easy to find some disqualifying factor, as they did with Mr. Pearson. If De Laine could not find twenty plaintiffs, Marshall planned on going somewhere else. He needed a major case to test separate but equal. The Clarendon group "withdrew for coffee" to consider Marshall's challenge and ultimately decided to pursue the case.⁴⁶ They would find enough plaintiffs to file an equalization suit. They decided to bring some permanency to what had been a temporary NAACP branch. Levi Pearson was appointed President of the local branch and Seals was appointed Secretary and Treasurer.⁴⁷

The group quickly got to work in Clarendon County. The first mass meeting was held on March 30, 1949, at Mount Zion AME Church, located in District 26, where Rev. Larry King was the pastor. A second meeting was held on March 31 at Union Cypress AME Church in District 5. An informational meeting was held the next month

⁴⁵ J. A. De Laine, "The Clarendon County School Segregation Case," Papers of the NAACP, Part 20, Box A-279; "The Word Made Flesh," 101-102.

⁴⁶ Ibid.

⁴⁷ De Laine, "The Clarendon County School Segregation Case" De Laine mentioned that he "reminded" Marshall that they had only demanded one plaintiff; James M. Hinton to Mr. Levi Pearson, 12 March 1948, De Laine Papers; Kluger, *Simple Justice*, 22; Lochbaum, "The Word Made Flesh," 97.

on April 19 in Summerton, District 22, at St. Mark AME Church where Rev. Seals was the pastor. Another informational meeting was held the following day in Manning (District 9) at Ebenezer Baptist Church. That these initial meetings were held at churches demonstrates how important faith and religion were to birthing a local protest movement. The fact that many were held at AME churches shows that this intra-church network was central to organizing efforts, and helps explain why someone like De Laine became so integral to the Clarendon movement.⁴⁸

De Laine recalled that this was when the “real work and sacrifice were made.”⁴⁹ But the repercussions not only directly affected black adults, but the very children De Laine and Pearson put themselves on the line to help. In the failed legal case’s aftermath, school officials replaced the Scott’s Branch principal, Mr. Maceo Anderson, with Mr. S. I. Benson, a man who did not have a college degree. Anderson, who had served effectively for eleven years, was active in the Progressive Democratic Party. In fact, Anderson and another teacher named Mrs. White had recently attempted to register to vote. The pretense for their denial—that they were not literate enough—was only further evidence that Clarendon County white officials were blatantly denying blacks’ right to vote. Anderson was dismissed because “[s]omebody had to suffer for the eyes of the people being opened.”⁵⁰ His dismissal came at a critical time in the school’s history.

⁴⁸ De Laine, “The Clarendon County School Segregation Case,” Lochbaum, “The Word Made Flesh,” 98.

⁴⁹ Ibid.

⁵⁰ Harold R. Boulware to Rev. J. A. DeLaine, 16 February 1948 (De Laine’s personal notes in the margin).

Scott's Branch would now have its first senior class. They needed an experienced principal to guide them through this process.⁵¹

Teachers, students, and parents found Principal Benson's performance unsatisfactory.⁵² The list of grievances against him was so long that one wonders why he ever became involved in education. Benson was not particularly "skillful in judging the feelings and intelligence of others."⁵³ They asserted that he did not spend enough time at the school—a problem that was amplified by the fact that the students in the algebra and geometry classes he was supposed to teach had paid extra money for their textbooks. He was unable and unwilling to properly supervise and discipline schoolchildren. His handling of teacher absences further compromised the school's discipline issues. Instead of calling in a substitute, he adopted the method of placing one of the older schoolgirls in charge of the classroom. Such a policy was not wholly peculiar in a small, one room schoolhouse. But Scott's Branch was far from being a one-room schoolhouse. Its large classes needed a trained teacher, not inexperienced teenagers. Moreover, he was soon assumed to be a thief. Parents who could afford to do so pulled their children from the school and either sent them to a boarding school or to the public school in Manning. The De Laines were among the parents who did this. They sent their son Jay to a private school.⁵⁴

⁵¹ Harold R. Boulware to Rev. J. A. DeLaine, 16 February 1948 (De Laine's personal notes in the margin); De Laine, "The Clarendon County School Segregation Case"; J. A. De Laine to Mr. J. M. Hinton, 5 March 1948, De Laine Papers; *Simple Justice*, 23; "The Word Made Flesh," 99. De Laine notes that more than one person with a master's degree was unable to register to vote; *Dawn of Desegregation*, 40.

⁵² *Simple Justice*, 23.

⁵³ *Dawn of Desegregation*, 42; *Simple Justice*, 23.

⁵⁴ *Ibid.*, 42-49; *Ibid.*

Summerton's black adults were "slow to take up the fight."⁵⁵ Students were the first to organize. About thirty members of the Class of 1949 filed charges against the principal with the Board of Trustees, the District Superintendent, and the County Superintendent.⁵⁶ The six complaints against Principal Benson were:

1. Misappropriation of monies for equipment and books
2. The Principal neglected his duty as a teacher unreasonably.
3. The Principal is holding some certificates and charging some children \$27.00 plus the \$7.00 paid at the begging of the school term.
4. Failing to show results from \$800.00 raised in two rallies.
5. Pocketing moneys raised in May as door fee for eight programs.
6. Overcharging for certificates and threatening children's transcripts.⁵⁷

When there was no response from school officials the students, along with their parents, organized a meeting to be held the first Sunday of the month, June 8, at St. Mark AME. This time they notified school officials by registered mail. More than 300 African Americans, including parents, students, teachers, and Scott's Branch faculty were in attendance. They filled the pews, then stood in the aisles, and some were even forced to stand outside and observe the proceedings through the windows. Reverdy Wells, the student body president and class valedictorian, opened the meeting and asked other members of their class to share their complaints against Principal Benson. About thirty students presented their complaints to the group. Later on at least two teachers—Mrs. Rosa S. Montgomery and Mattie D. Stokes—signed affidavits before Rev. De Laine

⁵⁵ "The Word Made Flesh," 98.

⁵⁶ De Laine, "The Clarendon County School Segregation Case."

⁵⁷ Minutes from Senior Class and Parent's meeting, 8 June 1949, De Laine Papers.

supporting the students accusations against Principal Benson. But no school officials attended the meeting.⁵⁸

The parents formed the Parent Committee on Action and chose Rev. De Laine as their formal leader and Rev. E. E. Richburg, pastor of the county's largest A.M.E. church, to serve as secretary. De Laine was hesitant to take on the leadership position. He was in poor health and already had too many commitments. Foreseeing the repercussions they would face, he was concerned that the parents would abandon him when things got really tough. And he did not want to compromise Mrs. De Laine's position at the school.⁵⁹ But in the long run this meeting would become one of the most integral in cementing these rural blacks' determination for true educational equality. As De Laine recalled:

This was the Psychological Meeting [sic] which conditioned the minds of the mass of parents in District 22. This was the time when the effort shifted from Mr. Levi Pearson to Harry Briggs et al. This acceptance of the chairmanship by Rev. J. A. De Laine was a deliberate act, understood by Rev. J. W. Seals and Levi and Hammit Pearson, to shift the struggle from District 26 to District 22.⁶⁰

Indeed, until this point, Richburg had refrained from formally engaging in the black equal rights movement. But he was ideal for this role. Richburg could bolster the people's commitment to the fight.⁶¹ He was a Clarendon County native who could prove to be a powerful ally to De Laine. Furthermore, Richburg may have been "a country boy who

⁵⁸ Affidavit by Mrs. Rosa S. Montgovery, 20 June 1949; Affidavit by Maggie D. Stokes 1 July 1949, De Laine Papers; J. A. De Laine, "The Clarendon County School Segregation Case."; Gona, 53; *Simple Justice*, 24-25, "The Word Made Flesh," 100.

⁵⁹ De Laine, "The Clarendon County School Segregation Case," Minutes from Senior Class and Parent's meeting, 8 June 1949, De Laine Papers; *Simple Justice*, 24-25; *Dawn of Desegregation*, 56-57.

⁶⁰ De Laine, "The Clarendon County School Segregation Case."

⁶¹ *Dawn of Desegregation*, 58; *Simple Justice*, 25

hailed from Spring Hill,” but he possessed an urbanity that De Laine simply did not have.⁶² That this moment catapulted him into activism demonstrates the importance of education in the black community, and its power to mobilize the community and its leaders.

The meeting also served as an important crossroads for local blacks. It demonstrated that they were committed to ensuring their children had an adequate education. But equally important was that a full decade before the well-known 1960 Greensboro sit-in, and the birth of SNCC, Clarendon County’s youth were engaging in organized direct action. Incorporating the youthful fervor of the 1960s, and the litigation method of the 1930s-1950s, this case can be seen as a bridge between two generations’ civil rights activism.

One June 9, 1949, the J. A. De Laine and the two other Committee on Action members—Robert Georgia and Edward Ragin (NAACP member who helped plan the church meeting and would later serve as *Briggs* plaintiffs—went to see Superintendent Betchman with a letter outlining the students’ concerns. Betchman was on vacation, so they met with the school board clerk, J. D. Carson.⁶³ Two days after that meeting, June 11, De Laine received a registered letter from the Board of Trustees of Clarendon School District 30 informing him that his services as principal of Silver School were no longer needed. Of course, De Laine knew that this was a possibility. He predicted the previous year that he went “out so far until I doubt anything can save me as a teacher next year.”⁶⁴ But it had been a risk he was willing to take. The loss of income was certainly an

⁶² *Dawn of Desegregation*, 58.

⁶³ *Ibid.*, 60.

⁶⁴ Rev. J. A. DeLaine to Mr. Boulware, 9 April 1948, De Laine Papers.

inconvenience, but the De Laines had a productive farm. And Mrs. De Laine was still gainfully employed as a teacher at Scott's Branch. They were in a better situation than most local blacks to weather financial repercussions.⁶⁵

The County Board of Education eventually agreed to dismiss Principal Benson from his position during a hearing on Saturday, October 1, 1949.⁶⁶ The following Monday, Rev. De Laine met with Superintendent Betchman who handed De Laine his son's transcript, which had been withheld in the melee, and said that except for books, students would no longer be charged school fees. He then dangled a carrot stick.⁶⁷ If De Laine ended the fight for better school facilities, he could have the Scott's Branch principalship:

Ninety percent of the people are following you, De Laine, and they deserve better leadership than to get into a fight with the white people. The whites provide the money and the jobs that keep them going.⁶⁸

Betchman's threat was pretty obvious. Either take the proverbial carrot stick and quell the growing local movement, or everyone who signed the petition will face economic repercussions. Nonetheless, De Laine refused the offer and was unmoved by the threat. He could not ignore the interests of those who had chosen him as their leader.⁶⁹ His wife, Mrs. Mattie De Laine, who had been serving as the assistant principal, was chosen to serve as the acting principal in "a transparent maneuver to compromise the reverend's

⁶⁵ *Dawn of Desegregation*, 61-62.

⁶⁶ De Laine, "The Clarendon County School Segregation Case;" L. B. McCord to Committee on Action, 23 September 1949, De Laine Papers; Robert Georgia, Edward Ragin, and J. A. DeLaine to the County Board of Education, 9 July 1949, De Laine Papers (notes in margin).

⁶⁷ J. A. De Laine, "The Decision of May 17, 1954" (speech, 1957), De Laine Papers; *Simple Justice*, 27.

⁶⁸ *Simple Justice*, 27.

⁶⁹ "Seeds in Unlikely Soil,"

protest activities.”⁷⁰ Indeed, as Rev. De Laine remembered, the thought behind giving Mrs. De Laine the position was, “Old De Laine can’t fight his wife.”⁷¹ But by that point the plight of the black children in this rural, agricultural area was gaining more and more attention from the NAACP.

The Clarendon County Branch definitely had their work cut out for them. The *Pearson* case made finding twenty plaintiffs incredibly difficult. After all, there was now a glaring example of what could happen to a person who openly challenged the racial status quo. Farmers could look at the example of Levi Pearson to see their eventual fate. Teachers could look at the example of the Scott’s Branch principal who had been fired for the mere suspicion of supporting the bus case. To combat this the newly formed chapter began having meetings in local A.M.E. churches. After one of these meetings two NAACP Executive Secretaries—Lester Banks of Virginia and Eugene Montgomery of South Carolina—spent the night at the De Laine home and convinced them that they should shift their focus from School Districts 25 and 5, which bused its white high school students to different districts to Districts 22 and 9, which had white high school facilities in decidedly better condition than their black counterparts. But one local minister warned De Laine that his work in that area would likely result in his murder, or his house being burned down.⁷² In hindsight, his warnings seemed more like a prediction.

Ultimately De Laine met and surpassed Marshall’s demands. The Parent Committee on Action submitted six local petitions to the trustee board. Each petition was unsuccessful. So on November 11, 1949, NAACP attorneys Harold Boulware, Thurgood

⁷⁰ De Laine, “The Clarendon County School Segregation Case,” Kluger, *Simple Justice*, 28; Burton, Burton, and Appleford, “Seeds in Unlikely Soil,” 181.

⁷¹ “The Clarendon County School Segregation Case.”

⁷² *Ibid.*; *Simple Justice*, 23.

Marshall, and Robert Carter submitted a petition to the Board of Trustees for School District No. 22 with over 104 names (twenty-nine adults and seventy-five schoolchildren). However De Laine did not sign the petition because Boulware warned him that it would make him a bigger target. The petition asserted that the black school facilities—Scott’s Branch High School, Liberty Hill Elementary School, and Rambay Elementary School—were significantly inferior to the white school facilities. The black school facilities were unsanitary, unhealthy, dilapidated, overcrowded, and did not have enough teachers.⁷³

The Board of Trustees did not respond immediately. In fact, they did not respond for three more months. And when they gave their decision on February 20, 1950, Clarendon’s activists found it unsatisfactory. For, despite the overwhelming evidence to the contrary, the Board employed deceitful, misleading language to advance the idea that black school facilities were not only equal to white school facilities, but that they were often superior. For example, the board said that the white school in Summerton was a forty-three year old, two story, eight room structure that was “improperly lighted” and old. Its physical condition was “a source of dissatisfaction to both patrons and trustees.”⁷⁴ On the other hand, Scott’s Branch was a forty-three year old, ten-room structure “built according to approved plans for educational buildings, taking into

⁷³ Exhibit A: Petition, November 11, 1949, *Harry Briggs Jr., et al. v. The Board of Trustees for School District Number 22, Clarendon County*, Civil Case Files; U.S. District Court for the Eastern District of South Carolina, Charleston Division, “The Clarendon County School Segregation Case”; “Seeds in Unlikely Soil,” 183-184.

⁷⁴ Exhibit B: Decision of the Board, February 20, 1950, *Briggs v. Elliott*.

consideration the proper lighting and protection from fire,” and that there were three recently built additional structures.⁷⁵

The board also excused the fact that white students had bus transportation while black students did not by asserting that the white population had “shifted” since the school was built, and that it was hazardous and inconvenient for white students to travel without bus transportation—therefore ignoring the hazards black children faced walking to school.⁷⁶ They disregarded the unsanitary conditions black students faced with the excuse that the restrooms in the black schools fulfilled the State Health Department’s specifications. And if those at the white school were admittedly better it was not intentional. The town of Summerton had installed a new water and sewer system, and the Parent Teacher Association provided the better facilities.⁷⁷ Although there was no municipal water system where Scotts Branch was located, the Board had “at a great expense to itself” laid a water line to the school that was “installed and terminated under the direction of the colored school authorities.”⁷⁸ They also denied unequal teacher pay, saying that it was based on school attendance and that white schools had greater attendance. Predictably, the board did not rule in the petitioners’ favor.⁷⁹

On May 15, 1950, NAACP attorneys Boulware, Marshall, and Robert Carter submitted a complaint to the U.S. District Court on behalf of Harry Briggs and other black students and parents in School District 22. The plaintiffs alleged that school officials had a policy of providing and maintaining free bus transportation for white

⁷⁵ Exhibit B: Decision of the Board, February 20, 1950, *Briggs v. Elliott*.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Ibid.

children, and not providing the same to black children. The school facilities for white children (Summerton Elementary School and Summerton High School) were superior to those provided to black children (Scotts Branch High School, Liberty Hill Elementary, and Rambay Elementary School). Therefore, black children were being denied an equal education—a violation of the Fourteenth Amendment. They asked the court for a permanent injunction to prevent the plaintiffs from providing unequal school facilities and withholding bus transportation on account of race.⁸⁰

Attorneys for the defense asserted that this was a local issue, and therefore not the court's jurisdiction. The only issue of controversy, according to them, was whether or not the school facilities were unequal, and whether or not free bus transportation was provided to white children and not black children. They asserted that the school facilities were equal, and that they were not the ones who provided bus transportation.⁸¹

When the Clarendon County legal petition was filed, it marked an important turning point for the local movement. Local black activists could not avoid the national spotlight that would soon shine on them—or the massive repercussions that would continue to descend on them. But instead of suppressing the movement, the repercussions seemed to embolden many of Clarendon County's blacks. According to De Laine the economic pressure they faced opened a lot of people's eyes to "the need for such an organization as the NAACP."⁸² He encouraged Summerton blacks to join the NAACP as a response to the repercussions. As a result, their membership grew from fifty, to five hundred.

⁸⁰ Complaint, May 17, 1950, *Briggs v. Elliott*.

⁸¹ Answer, June 7, 1950, *Briggs v. Elliott*.

⁸² "Lake City Pastor Threatened; Bishop Sends Him Back to Post," *The State*, October 10, 1955.

Yet as the repercussions increased, morale began to fall. Support for De Laine waned. Someone attempted to kill Robert Georgia, Sr., a member of the Committee on Action, by running him down. Two white men attacked and killed a black man named James McKnight, who had signed the equalization petition. Mr. McKnight pulled over to answer nature's call in the woods when the two men attacked him. Despite the fact that his family, who were still in the car, witnessed the attack, his assailants were exonerated. Betchman threatened Rev. Seals' teaching position if he did not stop allowing De Laine to have meetings at St. Mark. Rev. Seals did not give in to the threat but it demonstrated how creative segregationists had to be when confronting economically autonomous blacks.⁸³

And the repercussions kept coming. Bo Stukes, "perhaps the best mechanic in town," was fired.⁸⁴ Stukes tried to continue working from home, but he did not have the proper equipment and was tragically crushed to death trying to work under a car. Hazel Ragin, the only housepainter in Summerton, stopped getting hired for jobs. Mazie Solomon, who had not actually signed the petition, was dismissed from the Windson Motel after the supervisor told her to take her name off the list or be fired.⁸⁵

Unfortunately, Mazie Solomon's troubles did not end at work. When she returned home, the landowner told her and her family that they would have to move if they did not remove their name from the petition. The landowner was facing pressure from other whites. If he did not kick them off the land, he would not be able to get his cotton

⁸³ *Dawn of Desegregation*, 89-193; "The Word Made Flesh," 118.

⁸⁴ *Ibid.*, 107.

⁸⁵ *Ibid.*, 109; "The Word Made Flesh," 118.

ginned, or be able to sell his produce. He gave them one month to move.⁸⁶ A sharecropper named Elliott Richardson was also evicted from his land.⁸⁷ Clarendon County's white segregationists told local blacks to be wary of following "the radical leadership of those Methodist preachers."⁸⁸ To do so would be met with real and substantial repercussions.

Summerton's white leaders labeled the Reverends Seals, Richburg, Frazier, and De Laine as Communists. They told local blacks that Russia was paying the AME ministers who were pocketing the money blacks gave to the NAACP.⁸⁹ As hard as it was to be a black civil rights leader, it was "infinitely worse to be black and Communist."⁹⁰ De Laine and the other leaders believed that the term "communist" was used as a way to distract people from the education inequalities they brought to the surface. They believed that it was used to question their patriotism.⁹¹

White officials also began telling the blacks they employed that they had to get a resignation letter from De Laine to prove that they were no longer in the NAACP. For instance one man, named Elvin Walker, was forced to get a written statement from De Laine because he lived on S. E. Rogers' property—a prominent pro-segregation attorney. Soon there was an influx of requests, sometimes from people who had never even been in the NAACP. The requests, most often made in person, got so annoying that De Laine

⁸⁶ *Dawn of Desegregation*, 109.

⁸⁷ "The Word Made Flesh," 118.

⁸⁸ "The Clarendon County School Segregation Case."

⁸⁹ *Dawn of Desegregation*, 112.

⁹⁰ "Keep the Door Locked," *Pittsburgh Courier*, January 5, 1952.

⁹¹ "The Word Made Flesh," 119.

began telling people go to attorney Rogers. He could draw up that kind of papers they needed.⁹²

Harry Briggs and William Stukes, both World War II veterans, were denied admission to the GI classes local black veterans had fought so hard to gain. Officials said the classes were full, but Briggs and Stukes found out that other veterans were admitted. They ended up having to travel twenty-four miles to Manning in order to continue their coursework.⁹³

John Edward Black, a veteran of Iwo Jima and Okinawa, could not get financing for a tractor to farm his one hundred acres of land. Lee Richardson's outstanding debt at the McClary feed store, a regular part of doing business as a small farmer, was called in to be paid immediately. Billie Fleming, owner of the Fleming-De Laine funeral home and J. A. De Laine's nephew, was informed that black sharecroppers were being prohibited from doing business with him. In fact, one family who had brought their infant son in for burial was forced to move their son's body to another funeral home.⁹⁴

Many people lost their jobs. Harry Briggs and Larry Stokes were fired from their jobs before the case reached the federal court. Teachers suspected of sympathizing with the students or who Principal Benson accused were fired. Two GI teachers, William Ragin and Rev. J. W. Seals lost their teaching positions. Parents found these dismissals incredibly disturbing. On the evening of July 25, over forty parents got together at St. Mark and signed a petition asking the district trustees not to dismiss any more teachers.

⁹² "Things That Happened Since Nov. 11, 1949," 4 December 1949, De Laine Papers; *Dawn of Desegregation*, 112.

⁹³ "Things That Happened Since Nov. 11, 1949," 4 December 1949, De Laine Papers; "A Summary of Incidents in the Summertown School Affair," January 1950, J. A. DeLaine, De Laine Papers; Lochbaum, "The Word Made Flesh," 117.

⁹⁴ *Simple Justice*, 29.

Similarly District 22 chose not to rehire three of the Liberty Hill elementary school teachers—Rowena Oliver, Carrie Martin, and Edyth Oliver—who had signed the equalization suit. Once locals heard that the teachers had effectively been dismissed, sixty-six people signed a petition to the board of trustees citing how much the school improved during their tenure and asked that they be rehired.⁹⁵ These types of reactions to teacher dismissals reiterate that they were seen as an integral part of improving black life for the next generation.

Harry and Eliza Briggs faced more repercussions than any of the other *Briggs* signatories because the case bore their name. Mrs. Eliza Briggs was dismissed from her job as a motel chambermaid, after serving in that position for six years. Her employers told her their suppliers would stop making deliveries unless they dismissed her and anyone else who had signed the petition. Mr. Harry Briggs was fired from his job of fourteen years, and he was unable to find subsequent employment in South Carolina.⁹⁶

He remembered:

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 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."⁹⁷

His boss may have been specifically referring to age, but it is just as likely that he was also referring to manhood/masculinity. When Harry Briggs insisted that his children had

⁹⁵ "The Clarendon County School Segregation Case;" "Things That Happened Since Nov. 11, 1949," 4 December 1949, De Laine Papers; *Dawn of Desegregation*, 17, 65; "The Word Made Flesh," 128-129.

⁹⁶ "Seeds in Unlikely Soil," 185; *Simple Justice*, 29.

⁹⁷ *Simple Justice*, 28.

a right to the same education and facilities as white children, he not only stepped out of his place as an African American, but away from the assigned role of boy. His activism was, consciously or not, an assertion of his manhood and therefore a challenge to the racial, gendered status quo. Like his Reconstruction era counterparts, Mr. Briggs' assertion of his manhood was a way for him to "assume full patriarchal responsibility" for his family. Gaining access to the larger society's patriarchal definition of manhood could grant the Briggs children greater educational and economic opportunities. These discussions demonstrate that for some families, civil rights and black manhood were inextricably linked. Mr. and Mrs. Briggs remained Clarendon County residents in name only. Mr. Briggs relocated to Miami for twelve years. His Florida employer, aware of his unfortunate situation, took advantage of him and forced Briggs to work off-the-clock or be fired. With the NAACP's assistance the whole family relocated to New York in 1952.⁹⁸

As the visual and vocal leader of this movement, De Laine faced unrelenting persecution. S. E. Rogers—who would represent the state in the Supreme Court desegregation case and play an integral role in forming the White Citizens Councils—came up with a legal way to punish De Laine. He persuaded the outgoing Principal Benson to file a \$20,000 lawsuit against De Laine. The suit was filed on January 24, 1950, and accused De Laine of fabricating the students' complaints.⁹⁹ Only days before

⁹⁸ "Seeds in Unlikely Soil," 185-186; *Simple Justice*, 28; "The Word Made Flesh," 118; bell hooks, *Black Looks: Race and Representation*, 92. hooks argues that black women emerging from slavery had endured years of white patriarchal domination and were not willing to relinquish their newfound freedom to black men. However, they did want black men to be "protectors and providers."

⁹⁹ "The Clarendon County School Segregation Case;" *Dawn of Desegregation*, 117.

the March 6 court date, papers appeared all over town threatening the outgoing Principal Benson.

WARNING BENSON:

YOU HAD BETTER NOT APPEAR IN JUDGEMENT AGAINST ANY PERSON IN SC OR ANYWHERE. AND MAY WE EMPHASIZE THE FORTHCOMING COURT. TOO, YOU BETTER BE TOLD THAT ANY SUBSEQUENCE COURT WILL BE JUST AS PERILOUS AS THIS ONE. THE PEOPLE OF SOUTH CAROLINA WILL NOT ALLOW A CHARACTER LIKE YOU TO SERVE OF HANDLE PUBLIC AFFAIRS. TELL YOUR "DARKY" SUPPORTERS THAT IF THEY WANT TO DIE WITH YOU COME AND WITNESS FOR YOU. -KU KLUX KLAN¹⁰⁰

To De Laine and his supporters, the badly worded "warning" was clearly the KKK's creation. They were trying to imitate De Laine trying to imitate them. Indeed, the FBI did find the original stencil and mimeograph in a local white school attic. The slander case not only put De Laine in a precarious position, but threatened to undo the whole school equalization suit. De Laine was able to be an effective leader and withstand white persecution because he was far more financially autonomous than most local blacks. He did not buy on credit, and owned his own land. But if the suit was successful it would ruin him, and by default the local movement. School officials even fired his two sisters and niece, who were all teachers. None of these women were NAACP members. Their dismissal was an effort to prevent them from giving financial help to De Laine during the lawsuit.¹⁰¹ Their goal was evident. They wanted De Laine to be financially ruined.

¹⁰⁰ Ku Klux Klan to Benson, 4 March 1950, De Laine Papers.

¹⁰¹ "Home of Man Who Touched Off Suit Hit by Missiles," *The State*, September 11, 1955; Joseph A. De Laine, "The Decision of May 17, 1954," (speech, 1957); Ku Klux Klan to Benson, 4 March 1950, De Laine Papers; "The Word Made Flesh," 126.

De Laine rushed to get his land transferred to other people's names. He needed the help of an attorney and began contacting the area's few black attorneys. Boulware was unable to take the case because of a conflict of interest. William James and Esau Parker, both located in Sumter, were unavailable. A white lawyer agreed to take the case, but his \$1,000 retainer was more than De Laine could afford, and De Laine did not fully trust him, especially when he found out the lawyer was related to one of the District 22 trustees. His friend, Dr. E. A. Adams of Columbia, had a real-estate license and began helping with the process of transferring property ownership. Fortunately the two Sumter attorneys realized the predicament he was in and took the case. But even though Mr. Parker drove from Sumter to the Manning courthouse to personally deliver the documents, not every thing was finished by the time the case started.¹⁰²

All of the witnesses in the slander trial were white men with ties to District 22. This included the local superintendent of schools, the county superintendent, members of the high school board, and the Summerton High School agricultural teacher. All except the teacher were defendants in the equalization suit. De Laine expected his accuser to be dishonest, but was shocked when McCord, the Presbyterian minister, lied under oath.¹⁰³

It was a short trial. It lasted three days, and the jury deliberated four hours. The \$5,000 De Laine was ordered to pay was substantially less than what Benson had asked for, but still too high for De Laine to pay. In this case, his forethought in having his property transferred to other people was extremely valuable. Getting that money from De Laine would prove to be impossible. De Laine's fee was eventually lowered to \$2,700 on appeal, but it remained unpaid. Those who instigated the suit tried to attach his property

¹⁰² *Dawn of Desegregation*, 117.

¹⁰³ "The Clarendon County School Segregation Case;" *Dawn of Desegregation*, 133.

to the case, but the county sheriff confirmed that there was no property in his name. They then tried to contest the property transfers, but a judge ruled that the transfers were legal. The slander suit was a financial and psychological blow. De Laine, who had worked so hard to create a sense of financial security and prosperity under Jim Crow segregation, was “left financially at the mercy of others” for the first time in his adult life.¹⁰⁴

From the very beginning of the equalization fight, there had been a rumor that local blacks wanted to send their children to school with whites. At this point, there was no truth to this rumor. The racial integration of schools was not the goal of the Clarendon County movement.¹⁰⁵ De Laine went so far as to call this rumor as “a malicious lie.”¹⁰⁶ And yet, the NAACP’s official stance on education equality was changing. In July 1950, a group of NAACP attorneys suggested that the Association no longer accept “equalization only” cases.¹⁰⁷ Instead, they would pursue cases that challenged segregation. The recommendation was made an official rule during the October Board of Directors meeting. So, when Judge Waring ordered a pre-trial hearing in November, Marshall indicated that their ultimate objective was to challenge segregation. At Judge Waring’s recommendation, attorneys Boulware, Carter, and Marshall filed a new complaint in December, requesting that the state constitution’s rule requiring black students attend segregated schools be ruled a violation of the U.S. Constitution, but they quickly filed a motion to dismiss, which Waring granted without prejudice. The NAACP

¹⁰⁴ *Dawn of Desegregation*, 117-154.

¹⁰⁵ “The Word Made Flesh,” 116.

¹⁰⁶ “A Summary of Incidents in the Summerton School Affair,” January 1950, J. A. DeLaine, De Laine Papers.

¹⁰⁷ “A History of the Clarendon Case,” Papers of the NAACP, Part 26, Box C-182.

would bring the case again. And the next time, they would have ample evidence that not only were black and white school facilities unequal, but that racial segregation was unconstitutional and damaging to black children.

When James F. Byrnes (known as Jimmie Byrnes) became South Carolina's 104th governor in 1950 the southern Democrat already had extensive experience in public office. He served in the U.S. Senate for ten years. FDR named him to the Supreme Court, but Byrnes left after only one year of service; he preferred the wheeling and dealing innate to elected office. He then served in FDR's administration, helping the much-beloved president manage the conservative and liberal branches of the Democratic Party.¹⁰⁸ During his inaugural address, the newly elected Governor Byrnes likely came across as a southern moderate, perhaps even as a progressive. His speech demonstrated a deep awareness of the burgeoning school equalization movement and the Supreme Court's changing attitude regarding racial equality. Abandoning a language of vitriolic racial hatred, Byrnes positioned himself as a sort of rational segregationist—seeming to acknowledge that some social changes were necessary, yet insisting that no serious challenge to the southern racial status quo would be tolerated.

Byrnes indirectly acknowledged black disfranchisement. He recommended that the legislature approve a constitutional amendment to repeal a voting poll tax that had been approved during a recent election. He renounced the KKK's activities, but lumped the NAACP in with the terrorist organization. The most important parts of his speech, for the purposes of this study, were that he upheld the white southern belief in state's rights, but also conceded that the state had to fulfill its responsibility to educate all the

¹⁰⁸ *Simple Justice*, 419-420.

state's children. All children, according to the new governor, should be provided at least a grade school education. Teacher salaries should be increased, and the school transportation system should be improved.¹⁰⁹

To address the state's education inequalities, but remain true to the state constitution's mandate on segregated schools, Byrnes introduced a school building program. The state program would: supplement local government school building funds, span over twenty years, and provide an estimated \$75 million for school construction. And while Byrnes declared that the program was the right thing to do, he also asserted that it was a wise choice. It was a preventative measure to thwart desegregation. He referred to the U.S. attorney general, who had urged the courts to declare segregation unconstitutional. Understanding the importance of the *Briggs* case, and foreseeing the possibility of Supreme Court mandated desegregation, Byrnes noted that South Carolina was not the only state with a legal case questioning racial segregation's validity. He warned that if these cases went to the Supreme Court, they could very well be ruled in the plaintiffs' favor.¹¹⁰

As a former Supreme Court Justice, Byrnes had a broad enough understanding of the law and recent court decisions to conclude that school equalization would most likely become a legal mandate in both word and deed. The courts could rule in favor of desegregation merely as the most effective means of ensuring school equalization.¹¹¹ He hoped that if these cases made it to the court, the justices would take the school equalization program into consideration. Using a mantra employed by other

¹⁰⁹ The Inaugural Address of the Honorable James F. Byrnes as Governor of South Carolina, Columbia, January 16, 1951.

¹¹⁰ Ibid.

¹¹¹ *Simple Justice*, 420.

segregationist politicians, Byrnes warned that desegregation could result in the complete destruction of the public school system. Moreover according to him black South Carolinians did not support desegregation. This movement was the work of “professional agitators.”¹¹²

Later that month, in his address to the General Assembly, Byrnes spoke directly about the state’s education system. Likely wanting to assuage the demands of the original *Pearson* case, Byrnes acknowledged that school transportation needed to be improved. The best way to do this was for the state to take on the responsibility of providing and maintaining school transportation. He spoke again of his statewide school building program, saying that it would be “one of South Carolina’s first objectives.”¹¹³ Issuing bonds could help pay for the program. The state would also need to institute a sales tax. This would be new for the Palmetto State, but Byrnes insisted that it was not a revolutionary concept since there was already a sales tax on specific items, and twenty-eight other states already had one. To give the legislatures further incentive to approve the new sales tax, he claimed that it would actually grant relief to low-income taxpayers. He spoke directly to the Clarendon case when he said, “The education of every boy and girl in the rural districts is important to every man and woman in our cities.”¹¹⁴ And as he did with his inaugural address, Byrnes assured the members of the South Carolina legislature that local blacks were committed to segregation:

The overwhelming majority of colored people in this State do not want to force their children into white schools. Just as the Negro preachers do not want their congregations to leave them and attend the churches of white

¹¹² The Inaugural Address of the Honorable James F. Byrnes as Governor of South Carolina, Columbia, January 16, 1951.

¹¹³ Ibid.

¹¹⁴ Ibid.

people, the Negro teachers do not want their pupils to leave them and attend schools for white children.¹¹⁵

And lest his audience start to believe that this school building program reflected a belief in true racial equality, Byrnes compared the contemporary desegregation efforts to Reconstruction era politics:

The politicians in Washington and the Negro agitators in South Carolina who today seek to abolish segregation in all schools will learn that what a carpetbag government could not do in the reconstruction period cannot be done in this period.¹¹⁶

The school building plan would enable South Carolina to avoid desegregation, but the state legislature and the citizens they represented should not confuse school facility equalization with social equality. Black schools would be improved, but white power would not be challenged.

For their part, African Americans seemed to see the school building program for what it was—a ruse to avoid desegregation. South Carolina was “making desperate attempts to put its house in order” before the desegregation case was decided.¹¹⁷ As the well-known black newspaper *The Chicago Defender* reported, “white people of Mississippi and South Carolina would rather support equalization programs than abolish segregation in their schools.”¹¹⁸ Mary McLeod Bethune, one of the most respected and well-known black educators to come out of South Carolina lambasted the program as

¹¹⁵ Address of The Honorable James F. Byrnes, Governor of South Carolina, to the General Assembly, Columbia, South Carolina, January 24, 1951.

¹¹⁶ Ibid.

¹¹⁷ “Dixie Sweating Out Schools Cases,” *The Chicago Defender*, May 2, 1953.

¹¹⁸ “Two Dixie States Seek Multi-Million Dollars to Maintain Jim Crow Schools,” *The Chicago Defender*, October 27, 1951.

“another poorly disguised attack on [the] democratic practice.”¹¹⁹ McLeod expressed doubts that segregated schools could be truly equalized. After all, “buildings do not spring up over night. Remodeling is not done overnight.”¹²⁰ The schools that opened that school year would be the same inferior schools they had been the previous school year. McLeod was not alone in her doubts. Other black leaders believed that while school equalization may have worked in the past, it was too late to use that remedy now. Desegregation was the only way to guarantee equal educational opportunities. The Southern Regional Council, a biracial southern group, did not explicitly denounce segregation, but said school equality could not be accomplished unless African Americans were permitted to serve on policy-making positions. But the Palmetto State’s segregationists not only supported the idea in the abstract, but had already spent over half a million dollars to get the school equalization program started.¹²¹

The South Carolina NAACP was aware that Gov. Byrnes’ school building program could be detrimental to their challenge to racial segregation. The association’s leaders also realized how important it was to maintain their positive relationship with black teachers, and make sure this group supported this new education objective. Eager to find a powerful speaker who could assist in this goal, the NAACP tried to get Ralph Bunch, who had won the 1949 NAACP Spingarn award and would win a Nobel Peace Prize in 1950, as the main speaker for that year’s PSTA meeting. Such an endeavor suggests the importance of this alliance. The two organizations remained “almost tied” to

¹¹⁹ “Propose \$5,000,000 for More Jim Crow Schools in Capital,” *The Chicago Defender*, June 7, 1952.

¹²⁰ Ibid.

¹²¹ Ibid.; “End of Jim Crow in Dixie Foreseen—If High Court Says So,” *New York Amsterdam News*, December 9, 1950; “Two Dixie States Seek Multi-Million Dollars to Maintain Jim Crow Schools,” *The Chicago Defender*, October 27, 1951.

each other after the 1940s teacher salary equalization campaign.¹²² Indeed, as Eugene Montgomery said in his letter requesting Bunche as speaker:

This is a most important event because the Teachers Association and NAACP are so closely allied here in our fight and so many forces here operate against the Teachers [sic]. I am certain you understand the situation. Please do your best to get Dr. Bunche to come.

In hindsight, the focus on South Carolina's schools was a long time coming. The state had demonstrated its refusal to invest in the education of black children for some time. The Margold Report of 1931 showed that South Carolina spent ten times more on white students than on black students. This was even worse than its southern counterparts of Alabama, Georgia, Florida, Mississippi, and Texas who were spending twice as much on black schoolchildren. When esteemed civil rights attorney Charles Houston's NAACP appointment as special counsel was announced, it was after he toured the segregated South. While in South Carolina, Houston filmed white and black school facilities. It seems fitting, therefore, that challenging unequal educational facilities was one of the first things on his agenda.¹²³

Houston's appointment signaled the shifting tides of the nation's most powerful civil rights organization. He once stated his preference for working in local and state courts since they presented more dramatic legal battles and could more effectively mobilize local black communities. However, he and the NAACP were tiring of the limitations inherent in this approach. They needed a faster method to dismantle racial segregation, so the federal courts became the legal campaign's central focus. That this shift was taking place at the same time that Charles Houston was emerging as the

¹²² Quest for Civil Rights: Rev. I. DeQuincey Newman," Moving Image Research Collection, University of South Carolina.

¹²³ *Simple Justice*, 168, 203-205.

foremost legal mind in black civil rights would prove significant in black Carolinians' equal education fight. It was Thurgood Marshall, Charles Houston's most well known student, who argued the *Pearson* and *Briggs* cases.¹²⁴

De Laine was not initially happy about the switch to desegregation because he, Richburg, and Seals had been assuring local whites that they would not challenge desegregation. The NAACP's change of plan made them appear dishonest. De Laine and the *Briggs* petitioners had certainly faced their share of troubles already, but the move from equalization to desegregation was when "things got hot in the state" for Rev. De Laine.¹²⁵

Yet the Clarendon case was building momentum. It seemed clear to everyone that either way, the case would be significant. For instance, on May 22, the NAACP Membership Secretary, Lucille Black sent a special bulletin to everyone who worked with the South Carolina Conference of Branches.¹²⁶ She alerted them that Thurgood Marshall, who could draw a large crowd for any occasion, would be arguing the *Briggs* case on Monday, May 28. She emphasized the case's importance, noting that it would be the NAACP's "first all-out attack on segregated education in the State. What happens in Clarendon County will affect the future of every colored citizen for generations to come."¹²⁷ Indeed, the *Briggs* ruling would technically be on one school district, but astute observers understood that it would have a "far-reaching effect on the entire

¹²⁴ *Simple Justice*, 159, 334.

¹²⁵ "Quest for Civil Rights: Mrs. Mattie De Laine," Moving Image Research Collections, University of South Carolina; *Dawn of Desegregation*, 137-138.

¹²⁶ Lucille Black to SC Branch Officers, Campaign Chairman, and Workers, 22 May 1951, Papers of the NAACP, Part 26, Box C-182.

¹²⁷ *Ibid.*

segregated public school system” throughout the state and entire South.¹²⁸ For Walter White, who had been working with the NAACP’s national office since the 1910s, the *Briggs* case was a victory regardless of the outcome:

Whatever the outcome of the Clarendon County, S.C. trial testing and challenging segregation at the lower school level it marks the beginning of a new and better era of race relations in the United States. It marks the emancipation of the Negro from fear and appeasement. It frightened the unreconstructed South into cringing confession of its monstrous sins of omission, forced them to admit there was no escape from eventual defeat...¹²⁹

Indeed, the *Briggs* decision’s one guarantee seemed to be that the losing side would appeal to the Supreme Court.¹³⁰ Such a certainty is what made this case so incredibly important.

Briggs created an increased interest in the NAACP. National membership secretary Lucille Black encouraged branches to capitalize on the case as an opportunity to garner new members. She made it very clear that this was not the time for black Carolinians to sit on their laurels. The association needed their support now more than ever:

At any rate, don’t sit down now! Back up Thurgood Marshall’s efforts by getting the memberships and the money to carry on the fight.¹³¹

¹²⁸ “S.C. Jimcero Schools in Vital Court Action,” *New York Amsterdam News*, May 26, 1951.

¹²⁹ Walter White, “Charleston Trials Marks Beginning of a New Era in Race Relations,” *The Chicago Defender*, June 16, 1951.

¹³⁰ “School Segregation Fight Hitting South,” *New York Amsterdam News*, March 17, 1951; “S.C. Jimcero Schools in Vital Court Action,” *New York Amsterdam News*, May 26, 1951; “Three Racial Paradoxes . . . From Capital City to the Deep South,” *The Chicago Defender*, June 9, 1951; S.C. to Build Jim Crow Schools as Court Weighs Their Legality,” *The Chicago Defender*, June 16, 1951.

¹³¹ Lucille Black to SC Branch Officers, Campaign Chairman, and Workers, 22 May 1951, Papers of the NAACP, Part 26, Box C-182.

Southern blacks did not disappoint.

Counting the *Pearson* case and the former *Briggs* case, *Briggs et al. v. Elliott et al.* was the third case De Laine was responsible for bringing to federal court. This was the first one, however, that would be heard. The previous two were withdrawn. After years of organizing and enduring severe repercussions, De Laine and the petitioners were finally getting their day in court.¹³² Ever devout, De Laine “fervently prayed nothing would go wrong.”¹³³

Local blacks arrived at St. Mark Church during the early morning hours of the first day of court and caravanned the seventy or so miles to Charleston. Instead of being battle-worn the travellers were excited. Something was finally happening. Unfortunately, they arrived to an already full courtroom. Anticipating a big crowd, black Charlestonians had arrived early that morning and took most of the seats.¹³⁴ The “determined crowd” of African Americans arrived from near and far to support Marshall and the NAACP.¹³⁵ As Judge Waring remembered, there were so many people in the corridor that the marshal had to rope off a path so that he and the other two judges could get through the door and to their seats.¹³⁶

But South Carolina’s segregationists quickly “created quite a coup” when they abandoned their previous efforts to argue that black and white school facilities were equal and openly admitted that they were, in fact, unequal.¹³⁷ The Board of Trustees insisted

¹³² *Dawn of Desegregation*, 144.

¹³³ *Ibid.*, 144.

¹³⁴ *Ibid.*, 144-145.

¹³⁵ “S.C. Loses First Round In School Bias Court Suit,” *Pittsburgh Courier*, June 2, 1951.

¹³⁶ Julius Waites Waring, interview by Harlan B. Phillips and Louis Morris Star, 1957, transcript, South Caroliniana Library, Columbia, SC.

¹³⁷ *Ibid.*

that they “never intended to discriminate against anyone on account of race or color.”¹³⁸ They defended their earlier finding that black and white schools were equal, asserting that they believed the white school facilities were superior in some ways, but inferior in other ways.¹³⁹ Yet despite defending their original argument, the defense said they had been satisfied as to the fact that the “educational facilities, equipment, curricula, and opportunities” for black and white students were unequal.¹⁴⁰ They continued to defend their disproportionate funds allocation, opining that Clarendon was a rural school district reliant on agricultural pursuits, and that limited funds forced the trustees to spend their resources on “the most immediate demand rather than in light of an overall picture.”¹⁴¹ They also referenced Byrnes’ inaugural address and his school building program to demonstrate that they would be taking advantage of the newly available funds. The defense would not oppose an order acknowledging that schools were unequal, but asked to be given a reasonable amount of time to formulate an equalization plan, have said plan approved, and presented to the court.¹⁴²

Admitting that the schools were unequal was a brilliant move. Initially, it took the wind out of the plaintiffs’ case because the NAACP had planned to spend that first day explicating in excruciating detail just how unequal those facilities were.¹⁴³ It was a smart move, and the segregationists knew it. As Judge Waring remembered:

¹³⁸ Statement of Defendants’ Counsel to Court, May 28, 1951, *Briggs v. Elliott*.

¹³⁹ *Ibid.*

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

¹⁴² *Ibid.*

¹⁴³ “Wait Court Rule on SC School Bias,” *New York Amsterdam News*, June 2, 1951; Julius Waites Waring, interview by Harlan B. Phillips and Louis Morris Star, 1957, transcript, South Caroliniana Library, Columbia, SC.

The defense said, “Well, it’s no use to put all those witnesses in.” They very smugly said, “We want to save the court’s time, and we’ll admit that the school facilities aren’t good, but we will have them good, and any court order should be reasonable enough to give you time if you’re going to do that,” which sounded rather plausible, but didn’t meet the constitutional issue.¹⁴⁴

Waring was correct. Marshall and Boulware certainly had to regroup. The ample evidence of the county’s long-term neglect of black schoolchildren could have garnered their case some much-needed sympathy from Judges Parker and Timmerman. But the defense’s admission did not deal with the constitutionality of segregation—the true crux of Marshall’s argument.

To challenge the constitutionality of racial segregation in public schools they relied on expert witnesses David Krech, Helen Trager, and Dr. Kenneth Clark. Krech was a professor of social psychology, and Mrs. Trager was a schoolteacher and a lecturer at Vassar College, Dr. Clark was a psychology professor at City College of New York and the associate director at New York’s North Side Center. Krech testified that legal segregation was harmful to black and white children, but was undoubtedly more harmful to black children. Racial segregation supported the idea that African Americans were different and inferior to whites. Black children were being taught this harmful lesson at an age when they were forming their view of the world. According to Krech, most children who grew up under legal segregation would never be able to recover from its harmful effects.¹⁴⁵

¹⁴⁴ Julius Waites Waring, interview by Harlan B. Phillips and Louis Morris Star, 1957, transcript, South Caroliniana Library, Columbia, SC.

¹⁴⁵ Testimony of Expert Witnesses at Trial of Clarendon County School Case, 29 May 1951, Papers of the NAACP, Part 3, Box A-230.

Dr. Clark argued that segregation hurt “the discriminating and the discriminated.”¹⁴⁶ Segregation not only gave African American children low self-esteem, but caused hostile feelings toward people in their own group. Among whites, segregation created “increased hostility, guilty feelings, generalized deterioration of moral values and a callousness of conscience which expresses itself not only in reference to the Negro but in other things.”¹⁴⁷

Mrs. Trager had similar findings in her research. She found that children as young as age five were aware of racial difference. Black children paradoxically expressed that they wanted to be black *and* that they wanted to be white. Similarly black and white children understood that to be black meant that others would not want to play with you, and that you were not allowed to do the same things as white children. So forced racial segregation influenced a child’s perception of their self-worth and stigmatized them.¹⁴⁸

Yet, despite their expert credentials and valid research findings, the defense’s attorneys relied on the age-old argument that these were outsiders; they did not understand the ways of the South; they may have had a lot of book learning, but they did not have practical experience. The defense’s main witness was E.R. Crow, director of the newly established State Education Commission that was tasked with allocating the funds

¹⁴⁶ “S.C. Loses First Round in School Bias Court Suit,” *Pittsburgh Courier*, June 2, 1951.

¹⁴⁷ *Ibid.*

¹⁴⁸ Testimony of Expert Witnesses at Trial of Clarendon County School Case, 29 May 1951, Papers of the NAACP, Part 3, Box A-230.

created by the new sales tax. While Marshall cross-examined him, Crow admitted that his opposition to school desegregation was based on his personal racial prejudices.¹⁴⁹

The defense also held up *Plessy v. Ferguson* to defend segregation's constitutionality. Clarendon County's school superintendent, L. B. McCord, admitted that Clarendon County's black children attended decidedly inferior schools. Likewise their attorney, Robert McFigg Jr., admitted that Clarendon County schools were unequal. But he insisted that Byrnes' new equalization program would deal with the inequalities. The county simply needed time. But Marshall found McFigg's assertion highly questionable. He doubled down in his argument that segregation itself was unconstitutional. And he reminded the court that "South Carolina has had 80 years" to equalize schools.¹⁵⁰

Ultimately the *Briggs* decision came down to Judge Parker. Waring was staunchly against segregation, and Timmerman was an unwavering segregationist. Parker was an able judge who followed the law. In the end, he decided that they could not overrule *Plessy*. Judges Parker and Timmerman decided that the plaintiffs were entitled to a declaration that school facilities were unequal. How school equalization was acquired was the local school board's prerogative, but it had to be accomplished promptly. The court would issue an injunction that the schools be equalized and schedule

¹⁴⁹ Testimony of Expert Witnesses at Trial of Clarendon County School Case, 29 May 1951, Papers of the NAACP, Part 3, Box A-230; "S.C. Loses First Round in School Bias Court Suit," *Pittsburgh Courier*, June 2, 1951.

¹⁵⁰ Julius Waites Waring, interview by Harlan B. Phillips and Louis Morris Star, 1957, transcript, South Caroliniana Library, Columbia, SC; "S.C. Loses First Round in School Bias Court Suit," *Pittsburgh Courier*, June 2, 1951; "Wait Court Rule on SC School Bias," *New York Amsterdam News*, June 2, 1951.

times to follow-up on their progress.¹⁵¹ But they did not grant the plaintiffs' request that segregation be ruled unconstitutional:

We think, however, that segregation of the races in the public schools, so long as equality of rights is preserved, is a matter of legislative policy for the several states, with which the federal courts are powerless to interfere.¹⁵²

According to Parker and Timmerman, segregation was not unequal as long as the facilities and opportunities were equal. Referring to expert testimony, the judges believed that the present case was not “hypothetical situations or mere theory.”¹⁵³ They also found testimony that desegregated schools were better for all children unconvincing, and said there was also testimony that it would result in “racial friction and tension.”¹⁵⁴ They believed it was in South Carolina's best interest to keep schools racially segregated.¹⁵⁵

For his part, Judge Waring seemed to think the defense's case was all a ruse. Citing the fact that only five months prior the defense denied the presence of any inequalities, Waring urged the court to see through the defense's method of avoiding the segregation issue. He also questioned how racial segregation could be truly upheld by challenging the very idea that race and ancestry can be clearly defined.¹⁵⁶ Noting the reliance on “blood and taint of blood” Waring said that there were only four kinds of blood—A, B, AB, and O—and that these are found in people of European and of African

¹⁵¹ Julius Waites Waring interview; On Application for Declaratory Judgment and Injunction, 28 May 1951, *Briggs v. Elliott*.

¹⁵² On Application for Declaratory Judgment and Injunction, 28 May 1951, *Briggs v. Elliott*.

¹⁵³ *Ibid.*

¹⁵⁴ *Ibid.*

¹⁵⁵ *Ibid.*

¹⁵⁶ Dissenting Opinion, 21 June 1951, *Briggs v. Elliott*.

ancestry.¹⁵⁷ Furthermore, Waring questioned whether or not Parker and Timmerman's legal arguments had a proverbial leg to stand on, noting *Plessy* was about intrastate transportation. Cases that dealt directly with education, *Sweatt v. Painter* and *McLaurin v. Oklahoma*, conclusively decided that segregation was unconstitutional. He doubted that the defense—which openly admitted that schools were presently unequal and that they were unsure exactly how much money it would take to equalize them—would truly equalize schools. Moreover, unlike the other two judges Waring found testimony regarding segregation's negative social and psychological effects convincing.¹⁵⁸ Perhaps more poignantly, he demonstrated an understanding of the huge challenges the plaintiffs faced in getting this case to court, and how unfortunate it was that all their hard work would be for naught:

And in addition to all of this, these sixty-six Plaintiffs have not merely expended their time and money in order to test this important Constitutional question, but they have shown unexampled courage in bringing and presenting this cause at their own expense in the face of the long established and age-old pattern of the way of life with the State of South Carolina has adopted and practiced and lived in since and as a result of the institution of human slavery.¹⁵⁹

Timmerman and Parker signed a decree which had two central points: 1) South Carolina's state constitution did not violate the Fourteenth Amendment, and 2) schools for Clarendon County's African American children were significantly unequal to those provided to white children.¹⁶⁰ This was a violation of the Fourteenth Amendment and the defense was ordered to "proceed at once" with providing "educational facilities, equipment, curricula and opportunities equal to those furnished white pupils," and report

¹⁵⁷ Dissenting Opinion, 21 June 1951, *Briggs v. Elliott*.

¹⁵⁸ *Ibid.*

¹⁵⁹ *Ibid.*

¹⁶⁰ Decree, 21 June 1951, *Briggs v. Elliott*.

back in six months.¹⁶¹ Waring, however, did not sign the decree. Instead he wrote at the bottom “I do not join the decree for the reasons set forth in a separate dissenting opinion.”¹⁶²

While the *Briggs* decision seemed to reaffirm segregation, some of the South’s “more thoughtful” segregationists feared that “it may be only a reprieve.”¹⁶³ Desegregation was still a looming threat. The *Briggs* decision stymied equalization efforts throughout the South.¹⁶⁴ With the help of Governor Byrnes’ equalization program white school officials throughout South Carolina began making a real effort to provide some semblance of “separate but equal.”¹⁶⁵ A list of approved school building projects noted that black school facilities accounted for seventy-three percent of the total amount spent. In Clarendon County, \$516,900 was approved for black school facilities, while no funds had been approved for white school facilities. In fact, although funds were approved in nine counties, only one county would be spending more on white facilities. Additionally, a bill was submitted to the legislature that would authorize the county treasurer and the school district board of trustees to issue and sell bonds. The proceeds were to be used on school facilities and properties. Scott’s Branch, the school at the center of the *Briggs* case, was receiving over \$262,000 in updates, and would be ready as of September 1952.¹⁶⁶

¹⁶¹ Decree, 21 June 1951, *Briggs v. Elliott*.

¹⁶² Ibid.

¹⁶³ “Reprieve or Confirmation,” *Pittsburgh Courier*, July 7, 1951.

¹⁶⁴ “Frontal Attack in Carolina,” *Pittsburg Courier*, June 9, 1951; “Reprieve or Confirmation,” *Pittsburgh Courier*, July 7, 1951.

¹⁶⁵ “Reprieve or Confirmation,” *Pittsburgh Courier*, July 7, 1951.

¹⁶⁶ E.R. Crow, Director at the State Education Finance Commission to The Honorable James F. Byrnes, 15 February 1952, *Briggs v. Elliott*; Certificate of Architect, 11 March 1952, *Briggs v. Elliott*.

De Laine's daughter, Ophelia De Laine Gona, remembered that the school equalization program did bring about substantive changes for Clarendon County's black children and teachers. Two new elementary schools were approved. Scott's Branch was converted to an elementary school. A new district high school for black children was constructed. Teachers' salaries in Clarendon County were finally equalized through a local supplement. Bus transportation was provided to all school children. The youngest Pearson children now rode the bus to a school with indoor toilets and water fountains. Fleming went so far as to say that some of the black school facilities built during Byrnes' school equalization campaign were actually superior to the white school facilities.¹⁶⁷ Some people referred to the sales tax that funded the new school buildings as the "Jimmy tax."¹⁶⁸ But Clarendon County's whites blamed it on the AME minister, calling it "De Laine's tax."¹⁶⁹ Indeed, even the town's black schoolchildren credited De Laine with the changes—though with a far more positive perspective. They referred to "Rev. De Laine's busses," and the "De Laine building."¹⁷⁰ The governor's school building program may have been an effort to dodge desegregation, but for Clarendon County's poor black children, it was truly revolutionary. And it was De Laine's and their own activism that pushed the governor into action. Unfortunately, De Laine would never have the opportunity to teach in one of the new equalization schools. And only their youngest child attended one. Ophelia and Jay were both already in college.¹⁷¹

¹⁶⁷ "Quest for Civil Rights: Mr. Billie Fleming," Moving Image Research Collections; *Dawn of Desegregation*, 156-157.

¹⁶⁸ *Dawn of Desegregation*, 157.

¹⁶⁹ *Ibid.*, 157.

¹⁷⁰ *Ibid.*, 157.

¹⁷¹ *Ibid.*, 161.

In February 1952 the NAACP moved for an early hearing and final deposition, and judgment in their favor. The reasons for this motion included: 1) the defense admitted in court that facilities were unequal, 2) the “Report of Defendants” dated June 21, 1952, showed that facilities remained unequal, 3) the aforementioned report only addressed school facilities. It did not address what the defense considered indisputable proof that enforced segregation was detrimental to children, and 4) the plaintiffs could get no “permanent relief” unless the state constitutional requirement for racial segregation in schools was overturned.¹⁷² Judge Parker suggested to Timmerman and Waring that they grant the motion. Waring declined to serve, on the basis that they still were not addressing the issue at hand—segregation.¹⁷³ Besides Judge Waring, “the South’s most controversial public figure,” and “the man they love to hate,” would be retiring soon.¹⁷⁴ Judge and Mrs. Waring planned to move to New York where they would continue to fight for human rights. But Waring tired of southern race relations, and he believed he had done all he could from the bench:

There’s nothing more for me to do here. I would not sit down again just to consider a report and I am not interested in blueprints showing how separate but equal toilets should be built.¹⁷⁵

Moreover, the elite white community Waring was born into had turned against him. The Warings’ home was stoned, they received incessant threatening phone calls and letters,

¹⁷² Motion for Judgment, 07 February 1952, Papers of the NAACP.

¹⁷³ John J. Parker to J. Waties Waring and George Bell Timmerman, 9 February 1952; J. Waties Waring to John J. Parker, 11 February 1952, *Briggs v. Elliott*.

¹⁷⁴ “Judge Waring Moving to N.Y.C.,” *New York Amsterdam News*, February 16, 1952; “Judge Waites Waring to Retire from Post,” *The Chicago Defender*, February 2, 1952.

¹⁷⁵ “Judge Waring Moving to N.Y.C.”

and a petition calling for Judge Waring's impeachment was circulating.¹⁷⁶ The progressive couple was "avoided like lepers."¹⁷⁷ News of his retirement was devastating to South Carolina blacks, but white Carolinians "seemed elated."¹⁷⁸ Mrs. Waring put it best when she commented that "the ostracism" in Charleston had "taken its toll. They could remain in the city, "but what's the point?"¹⁷⁹ The Warings' sentiments reveal that no one, not even privileged white elites, were safe from the repercussions that followed taking a public anti-segregation stance. Waring would never move back to the South Carolina.

Armistead W. Dobie replaced Waring, and along with Timmerman and Parker, the new judge followed the lead of their previous ruling. The judges were more than satisfied with defense's progress. Referring to the governor's equalization program, they expressed no doubts that equalization in Clarendon County would be realized by September 1952. Therefore, they denied the request to abolish segregation.¹⁸⁰

As the Clarendon County desegregation battle moved to the U.S. Supreme Court, the repercussions against local blacks only heightened in severity. The teacher who led this struggle—J.A. De Laine—noted in one of his sermons at Bethel A.M.E. Church that there was no secret behind why these repercussions were being levied:

Negroes are being fired from their jobs and there is no denying as to the reason. Banks are refusing to lend money to farmers and in some instances even refusing to cash government checks for them. Negro and white businessmen who are sympathetic cannot buy supplies or

¹⁷⁶ "Judge Waites Waring to Retire from Post," *The Chicago Defender*, February 2, 1952.

¹⁷⁷ *Ibid.*

¹⁷⁸ *Ibid.*

¹⁷⁹ *Ibid.*

¹⁸⁰ Civil Action No. 2657, 3 March 1952, *Briggs v. Elliott*; Decided, 03 March 1952, *Briggs v. Elliott*.

merchandize [sic] to carry on their day to day trade. They are literally trying to starve us out.¹⁸¹

Rev. Seals faced economic repercussions so intense that his wife was forced to move to Brooklyn to find gainful employment. Threats against the family forced his thirteen-year-old son to do the same. On October 4, 1956, Seals' home was burned down. Billie Fleming's funeral home became a focus of home grown terrorists. Allen Fleming, Billie's brother and business partner, came close to being burned inside the funeral parlor in January 1950. He had burns on his back and hands, and half his hair was singed off. His funeral home was burned down in November of 1954. He was able to resurrect his business, but it continued to be a target. On September 17, 1955, it was peppered with sixteen-gauge gunfire. In 1957 it was shot into twice during the middle of the night. Then on July 30, 1957, a twenty-eight car Ku Klux Klan caravan parked in front of that same business. One of the people in the caravan was T. K. Jackson, the Clarendon County sheriff. Even in 1960—twelve years after *Pearson* case, ten years after the first *Briggs* case, nine years after the second *Briggs* case, and six years after the *Brown* decision—Manning's whites continued to target Fleming's place of business. On February 27, he returned to the building that served as both his home and business to find that someone had shot a bullet through the front door. Fleming suspected that the shooting was in retaliation to the recent student sit-in movement.¹⁸²

¹⁸¹ Sermon, October 17, 1955, Rev. Joseph A. De Laine Papers [electronic resource], Thomas Cooper Library, Digital Collections Department.

¹⁸² Memo from Mr. Current to Mr. Wilkins, October 10, 1956, Papers of the NAACP, Part 20, Box A-279; Burn Home of NAACP Leader in Clarendon County, October 4, 1956, Papers of the NAACP, Part 20, Box A-279; "Negro Mortician at Summerton Narrowly Escapes in Early Morning Blaze, De Laine Once Owned House," *The State*, October 28, 1951; "Behind the Headlines," *Pittsburg Courier*, November 13, 1954; "Gunshot Hits Negro Place at Manning," *The State*, October 9, 1955; Statement of Billie S. Fleming before the Senate Subcommittee on Constitutional Rights, April 16, 1959,

Even at the dawn of the 1960s, when the black civil rights movement would take on an increasingly youthful fervor, Clarendon County blacks continued to face unrelenting reprisals. In 1958, eight Clarendon County parents filed petitions requesting that their local school boards comply with the 1954 *Brown* decision. The parents argued that, especially since Clarendon was one of the five original counties involved in the suit, four years was more than enough time for school officials to comply with the Supreme Court decision. The school boards (Districts 2 and 3) replied two weeks later that the schools currently operated in everyone's best interest and that they had no intention in complying with the law.¹⁸³

Clarendon County's African Americans were also seeking unfettered access to the vote. During his testimony before the Senate Subcommittee on Constitutional Rights on April 16, 1959, Billie Fleming testified that there was "a definite distinction" between how blacks and whites that went before the voter Board of Registration were treated. Yet it remained impossible for local blacks to change this dynamic because they were purposely prevented from serving on the Board.¹⁸⁴

In an unfortunate bit of irony, Fleming and his family faced further repercussions for his audacity to testify about the economic reprisals he and other local blacks faced. Immediately after his testimony, South Carolina Sen. Olin Johnston confronted him with Clarendon County banker Charles Plowden's testimony that his brother had a \$4,000-\$4,500 outstanding loan from the bank. The threat was clear, back down or your brother

Papers of the NAACP, Part 20, Box A-289; "Negro Leader Says Shot Fired Into His Home," *The State*, February 27, 1960.

¹⁸³ Statement of Billie S. Fleming before the Senate Subcommittee on Constitutional Rights, April 16, 1959, Papers of the NAACP, Part 20, Box A-289.

¹⁸⁴ *Ibid.*

will become the next victim of economic reprisals. When Billie Fleming was a few days late in paying the mortgage on his business, the bank took advantage of the situation and insisted that he pay off the mortgage in full.¹⁸⁵ He was able to pay off the loan, but only because local blacks had started their own self-help organization—the Clarendon County Improvement Association.¹⁸⁶

Despite the mass black community support for *Briggs*, it is important to bear in mind that the move from equalization to desegregation represented “a deviation from the usual pattern.”¹⁸⁷ Acquiring equal opportunities had always been at the center of black cultural values. Black southerners had a history of petitioning for equal facilities, equal teacher salaries, and equal school terms. But desegregation had not been a primary objective. Indeed, differing opinions regarding whether or not desegregation was the right method served as a contributing factor to W. E. B. Du Bois’ departure from the organization he helped found. While the NAACP was becoming more rigid in its support for desegregation, Du Bois was becoming less sure that it was feasible, or always in African Americans’ best interest. Virgil Clift warned that there could be negative, unforeseen consequences to desegregation.¹⁸⁸

Despite the participation of black teachers on the local level in Clarendon County, plenty of black teachers feared that desegregation could prove detrimental to their careers. These fears were partly perpetuated by school desegregation cases in other parts

¹⁸⁵ John A. Morsell to Dr. Kenneth Clark, May 11, 1959, Papers of the NAACP, Part 20, Box A-289; “Negro’s Rights Testimony Refuted,” *The State*, April 17, 1959.

¹⁸⁶ *Ibid.*

¹⁸⁷ Virgil A. Clift, “Democracy and Integration in Public Education,” *The Crisis*, August-September 1952, 416.

¹⁸⁸ “Democracy and Integration in Public Education,” *The Crisis*, 414-416; *Simple Justice*, 206.

of the country. In Indiana, where racial segregation was abolished by the state legislature, one city was dismissing black teachers before they gained tenure and effectively became impossible to fire. Moreover, black teachers were not being hired in the new teaching positions that were created when black students' transferred to previously all-white schools. The superintendent used this to push the city's black teachers into urging their students to continue attending segregated schools.¹⁸⁹

Southern segregationists promised their undying support to maintaining segregation. The state was moving forward with Governor Byrnes' \$75 million public school building program.¹⁹⁰ During an address to the State Education Association, the white teachers' professional organization, on March 16, 1951, Byrnes said that the state would "abandon the public school system if it cannot continue to separate white and Negro pupils."¹⁹¹ No matter what happened, South Carolina was prepared to avoid school desegregation. During a radio address on October 30, 1952, Lieutenant Governor George Bell Timmerman, Jr., whose father served as a judge on the *Briggs* case, warned the public that, in the coming election, they had an important decision to make regarding the state's public education system. Timmerman somewhat contradicted Byrnes' claim that the state would close its public schools rather than desegregate them. For, unlike many other states, South Carolina's state constitution required that it provide a public school system for all children. So if the *Briggs*' United States Supreme Court case was

¹⁸⁹ "Democracy and Integration in Public Education," *The Crisis*, 417.

¹⁹⁰ "S.C. to Build Jim Crow Schools as Court Weighs Their Legality," *The Chicago Defender*, June 16, 1951.

¹⁹¹ "Democracy and Integration in Public Education," *The Crisis*, 416.

ruled in the plaintiffs' favor South Carolina would have to either provide "mixed schools" or violate its own constitution.¹⁹²

The solution was to find a way around such a ruling beforehand. And the Palmetto State's segregationists were thinking ahead. The state legislature approved two bills that directly addressed the issue. One established a committee "to study and recommend a course of action" should the Supreme Court rule racial segregation unconstitutional. The second put a measure on the ballot repealing the state constitutional requirement to operate a public school system. Timmerman urged his listeners to go to the polls and vote in favor of the amendment.¹⁹³ Without the amendment's passage, the state would have "no legal avenue" to continue racially segregated schools if the court decided in the plaintiffs' favor.¹⁹⁴

Despite the fact that the NAACP lost the *Briggs* case, it continued to serve as an effective mobilizing tool in preparation for the Supreme Court case. Thurgood Marshall arrived in Sumter, South Carolina in September of 1951 to attend the 13th annual meeting of the South Carolina Conference of Branches.¹⁹⁵ Along with South Carolina's own Harold Boulware, Marshall would "map the state's legal program."¹⁹⁶ His presence at the meeting demonstrated that the association continued to see the Palmetto State as a vital part of its national movement. It is also evidence that black Carolinians remained committed to racial advancement. Indeed, local blacks saw the battle for equal education

¹⁹² Radio address, 30 October 1952, George Bell Timmerman Papers, Box 2, South Carolina Political Collections, Columbia, SC.

¹⁹³ Ibid.

¹⁹⁴ "Byrnes Urges Voters to End Public Schools," *The Chicago Defender*, October 26, 1952.

¹⁹⁵ "S.C. NAACP to Convene in Sumter, Oct. 13-14," 27 September 1951, Papers of the NAACP.

¹⁹⁶ Ibid.

as part of a whole cadre of important contemporary issues, including employment discrimination, and political participation.¹⁹⁷

Unfortunately for the people of Clarendon County, just because the highest court in the land ruled that schools across the country had to desegregate did not mean that the white power structure would comply with the law, nor that they would relent on using reprisals against those who had dared to challenge the racial status quo. As Billie Fleming recalled:

When they gave the terminology “with all deliberate speed,” there was no timetable set. Now this gave way to new thinking in the white community. . . . During this time, it gave them a chance to revamp.¹⁹⁸

Moreover, black parents may have felt ill at ease with sending their children to formerly white schools because the first black children to attend those schools had “a very unpleasant experience.”¹⁹⁹

A decade after *Brown*, Summerton’s schools remained racially segregated. As of 1963, 300 white children and 2,700 black children in Summerton were still attending segregated schools. Movement leaders like Billie Fleming found that they had to tread this path carefully because they also had to contend with the likelihood of a state-aided private school system that would be created in desegregation’s immediate aftermath. And if they took on the private school system directly, they risked Summerton’s school officials closing the public schools in retaliation. According to State Rep. Joseph O. Rogers, the town’s white residents were committed to a segregated private school system. In 1965, the U.S. Supreme Court issued an order for immediate desegregation. As a

¹⁹⁷ Ibid.; “1951 NAACP Meeting Set,” Papers of the NAACP.

¹⁹⁸ “Quest for Civil Rights: Mr. Billie Fleming,” Moving Image Research Collections.

¹⁹⁹ Ibid.

result, five black students were able to attend previously all white schools. But the following year, the desegregated school was closed down and Scott's Branch High School remained open. All the district's white students were either sent to an integrated school in Manning or their parents removed them from public school altogether, opting to send them to a newly opened private school. When a desegregation plan was created for the 1970-71 school year, a private school named Salem School was founded. Local whites claimed the timing was just a coincidence, but the absence of any black students in the school seemed to prove otherwise.²⁰⁰

Repercussions against Clarendon blacks continued more than fifteen years after the *Briggs* cases ended. De Laine and other northern supporters worked hard to get the word out regarding what Clarendon County's people were going through. The AFL-CIO loaned the Clarendon County Improvement Association more than \$40K to buy a combine. But in a move that demonstrated how petty and ill-willed local whites were, no merchant in the state would sell them the equipment unless they could prove that the buyer was not from Clarendon County. They eventually had to buy the combine from another state. Reverdy Wells, the Scott's Branch student leader and class valedictorian who had initiated the petition against Principal Benson, was never able to receive a college degree. He had been accepted to SC State on a conditional basis, but was drafted into the military. When he applied to another school he was refused admission. The

²⁰⁰ "Long Clarendon Struggle May Reach Climax in '64," *The State*, December 22, 1963; "Segregation Remark Rouses Senators," *The State*, December 4, 1981. *Dawn of Desegregation*, 191.

valedictorian's grades were altered to all F's. His transcript was not fixed until 1991. He died in 2007.²⁰¹

Reprisals against the De Laines became hyper-intensified in the years following *Briggs* and *Brown*. After it became apparent that Rev. De Laine had no intention of paying the slander suit, a "very suspicious" thing happened.²⁰² The De Laines' Summerton home burned to the ground. The town's firemen arrived in time to intervene, but chose not to because the home was located twenty to sixty feet outside the city limits. An official report confirmed it was arson. The fire provided a way for De Laine's enemies to finally get to him. The property was no longer in his name, but the insurance was. The local insurance agent had refused to transfer it to Dr. Adams. As a result, the court was able to attach the whole insurance payment to the case, despite the fact that it was substantially higher than the fine.²⁰³

Perhaps if their persecution stopped there, things would have turned out differently for the teacher and preacher. But after the *Brown* decision, whites in Lake City started to hear that the man responsible for desegregation was their very own Rev. J. A. De Laine. The De Laines became an even bigger target. Eggs and bricks were thrown at the parsonage. On August 20, 1955, nightriders drove by and broke a living room window. Six days later someone threw an orange at their window. Then on August 30 someone drove by and threw bottles at the house, breaking four windows. On September 3 several cars drove by making a lot of noise. A two-toned Buick returned a few minutes

²⁰¹ *Dawn of Desegregation*, 193-194.

²⁰² *Ibid.*, 154.

²⁰³ J. A. De Laine, "History Leading Up to the U.S. Supreme Court's Decision Outlawing Segregation in Public Schools" (speech, May 17, 1974), Joseph A. De Laine Papers; *Dawn of Desegregation*, 154-155; "The Word Made Flesh," 130. Gona says sixty. Lochbaum says twenty.

later and unloaded a barrage of rocks. The De Laines had been reporting all these incidents to the local police, but it was pretty clear they were not taken seriously. They asked him if he was a NAACP member, which he affirmed. Rev. De Laine actually got in his car and followed the young men who broke the window. He wrote down their license plate and reported it to the police who initially told him that he must be mistaken. The police did finally follow up on the incident, but they said the plates belonged to a dealer and it was impossible to know who was driving the car at the time. The police chief told him that next time he should “mark” the car by shooting it. That way they would know which car the nightriders were in.²⁰⁴

The next month things came to a head. On October 3, 1955, Mrs. De Laine’s neighbor, Ms. Eaddy, woke her up to inform her that the church—which was located across the street—was on fire. The Lake City firemen got the fire under control and completely put out. But the fire bore a striking resemblance to the one that destroyed their Summerton home.²⁰⁵ The insurance investigator said that the electrical wiring was in good shape and there was no evidence of fire before or after the incident. He concluded that it was clearly arson because “the fire had to start somewhere.”²⁰⁶ Apparently, gasoline and kerosene were poured down the aisle and around the pulpit and choir stand. At the time, Rev. De Laine was in Charleston at a statewide AME conference. He

²⁰⁴ “Home of Man Who Touched Off Suit Hit by Missiles,” *The State*, September 11, 1955; Ophelia De Laine, “Recollection of Three Incidents,” 3 September 1955, Joseph A. De Laine Papers; “The Word Made Flesh,” 132.

²⁰⁵ *Dawn of Desegregation*, 169-179; “The Word Made Flesh,” 132-135.

²⁰⁶ “Investigator Thinks Arson Involved in Church Fire,” *The State*, October 10, 1955.

returned to Lake City as soon as he could, but there was not much he could do. He returned to Charleston to wrap up his obligations at the conference.²⁰⁷

On Friday, October 7, Mattie De Laine arrived home to see an oddly addressed letter to her husband and, uncharacteristically, decided to open it. What she saw inside scared her. It was an unveiled threat on his life. The letter told the De Laines to leave Lake City voluntarily or be killed. Mrs. De Laine's friend told her that she needed to go to Charleston to notify her husband. So the following day, she dressed as if she were going in to work so that anyone who saw her would think she was on the way to the school. But instead, she found a friend to take her to Charleston where the local police chief provided Rev. De Laine with twenty-four hour protection and forwarded copies of the letter to the state and federal bureaus of investigation.²⁰⁸

Bishop Reid, who had insisted the De Laines move to Lake City for their own protection, now offered Rev. De Laine a position in Hamilton, Bermuda. At this point, De Laine was being pressured on all sides to leave. Local blacks were sincerely fearful that his life was at risk. And Bishop Reid made more than a few offers for De Laine to be transferred somewhere else. He could go to New York, or New Jersey. But De Laine did not want to be run out of town. He insisted on being reinstated in the Lake City church circuit. He and Mattie were southern, country folk. They did not want the bustle of the city. On the final day of the conference Bishop Reid announced to a shocked congregation of ministers that Rev. De Laine would remain in the St. James Circuit in Lake City. Referencing Emmitt Till, Bishop Reid said, "I don't think Lake City is

²⁰⁷ *Dawn of Desegregation*, 169-179; "The Word Made Flesh," 132-135.

²⁰⁸ "Quest for Civil Rights: Mrs. Mattie De Laine," Moving Image Research Collections, University of South Carolina; *Dawn of Desegregation*, 169-179; "The Word Made Flesh," 132-135.

Mississippi.” De Laine would be fine, “I don’t think they will bother the Rev. De Laine.”²⁰⁹ The St. James delegation travelled back home in a caravan, with De Laine’s car in the center.²¹⁰

On Monday morning, October 10, more than one person approached Rev. De Laine, advising him to leave Lake City. One individual even told him that the Klan held a rally with the goal of killing him. Mrs. De Laine repeatedly begged him to leave. They could at least go Sumter for the night and stay with friends. But he was resolved to stay.²¹¹

On the evening of Wednesday, October 12, a number of cars that rode past their home. Around 11:30p.m. Mrs. De Laine, who was up grading papers, peeked out the window to see barrels sticking out the windows of two cars. Then she saw a flash of light and heard what sounded like firecrackers. She rushed to wake up her husband. He was in the middle of reassuring her that she was overreacting when he heard the sound of gunfire. He immediately became alert, turned out the lights and grabbed his gun. He went outside and saw a man near his garage. He initially thought it was the shooter, but it was his neighbor, Mr. Web Eaddy. Eaddy agreed to take Mrs. De Laine to his home and about ten minutes later a car came back and shot into the De Laines’ home again. Following Chief Hines’ directive, De Laine returned two shots and “marked” the car. Mrs. De Laine wanted to go check on her husband when she heard him shoot back, but the Eaddys insisted she stay put. The car drove off, disappearing into the street. One of the bullets De Laine shot hit the car and shattered into pieces that hit the two riders, Harry

²⁰⁹ “Lake City Pastor Threatened; Bishop Sends Him Back to Post,” *The State*, October 10, 1955.

²¹⁰ *Dawn of Desegregation*, 169-179; “The Word Made Flesh,” 132-135.

²¹¹ *Ibid.*, 181-189; *Ibid.*, 132-136.

Gause and Donald Graham. De Laine later expressed regret that Gause and Graham were hit, but maintained that he was aiming at the car, not its occupants.²¹²

De Laine was initially going to wait the night out.²¹³ He had marked the car. A policeman was supposed to drive by his home every fifteen minutes for his protection. But the policeman that came by was Mr. Gray, a black man who had to tow the line between ingratiating himself to his white employers and keeping peace with his black community members. That night Mr. Gray told De Laine that he needed to leave immediately. His life depended on it. De Laine had been looking for a sign that he needed to leave and this was it. With his wife safely ensconced in the Eaddy's home, he grabbed his bag and his gun and got in his car to leave town.²¹⁴

On his way out of town another group of riders saw him and a high-speed chase ensued. He floored the accelerator as fast as he could. He lost his pursuers when he finally had to stop for gas.²¹⁵ An arrest warrant was issued the next day against Rev. De Laine for "assault and battery with a deadly weapon."²¹⁶ The two nightriders, Gause and Graham, were reportedly "painfully but not seriously injured."²¹⁷

The next morning, Mattie De Laine's mother sent Mattie's two brothers to Lake City to pick her up and bring her home to Columbia. At this point both Rev. and Mrs. De

²¹² "Quest for Civil Rights: Mrs. Mattie De Laine," Moving Image Research Collections, University of South Carolina; Gona, *Dawn of Desegregation*, 181-189. "Minister Involved in School Suite Still Sought," *The State*, October 13, 1955; "DeLaine in NJ; to Address Brooklyn Mass Rally," *The State*, October 19, 1955; "The Word Made Flesh," 132-136.

²¹³ J. A. De Laine, Confidential, 1955, Joseph A. De Laine Papers.

²¹⁴ Ibid.

²¹⁵ J. A. De Laine, Confidential, 1955, Joseph A. De Laine Papers; Quest for Civil Rights: Mrs. Mattie De Laine," Moving Image Research Collections; Gona, *Dawn of Desegregation*, 181-189; Lochbaum, "The Word Made Flesh," 132-136.

²¹⁶ "Delaine is Sought After Fired On," *The State*, October 12, 1955.

²¹⁷ "Minister Involved in School Suit Still Sought," *The State*, October 13, 1955.

Laine had presumably gone missing. Authorities knew Mrs. De Laine was in Columbia. Florence County Deputy H. S. Myers said he spoke with her the day after the shooting, but he did not know where she was staying.²¹⁸ Bishop Reid, who had reappointed De Laine to the Lake City church, told the newspaper that De Laine's life was in danger and "he had to run for his life."²¹⁹ By October 14, their belongings were being moved out of their Lake City home. Law officials contacted some of De Laine's family members, but no one knew where he was. Her husband's absence gave Mrs. De Laine anxiety. She was reportedly "in a terrible condition" and in a physician's care. But law enforcement had an inkling that he had gone North. His relatives were ignorant of his whereabouts but seemedunworried about his safety; and several northern congregations had invited Rev. De Laine to join them.²²⁰

From here, their movements become even more convoluted. The De Laines wanted to see their daughter, Ophelia, who was in school in Charlotte. So they had a family dinner with her there. Their next stop was New York and they arrived separately. Mrs. De Laine went by train.²²¹ Rev. De Laine went by plane, first arriving in D.C., then

²¹⁸ "Bishop Says Delaine's Appointment 'Experiment,'" *The State*, October 14, 1955; "Delaine's Wife Believed in Columbia," *The State*, October 15, 1955; "The Word Made Flesh," 136-138; "Quest for Civil Rights: Mrs. Mattie De Laine."

²¹⁹ "Bishop Says Delaine's Appointment 'Experiment,'" *The State*, October 14, 1955.

²²⁰ "Search for Delaine Continues in Vain," *The State*, October 15, 1955; "Relatives Checked in Delaine Case," *The State*, October 16, 1955; "DeLaine in NJ; to Address Brooklyn Mass Rally," *The State*, October 19, 1955; "DeLaine's Wife to Return to Job," *The State*, October 22, 1955.

²²¹ "Quest for Civil Rights: Mrs. Mattie De Laine," Moving Image Research Collections; "The Word Made Flesh," 136-138.

rode to Trenton, and finally arrived in New York.²²² De Laine said he felt “the hand of God guiding me.”²²³

Over the next year, the De Laines made numerous public appearances through John Sivera, a public relations specialist the Bishop assigned to work with them. The money they raised through these appearances was supposed to help the family get back on their feet, with a portion also going to help the movement. But the De Laines noticed that Sivera gave them a flat fee of \$50 to \$75. The amount did not seem to correlate with how much was raised. The fundraising effort seemed to foretell what their life in New York would be like and the type of relationship they would have with the AME church hierarchy.²²⁴

But the AME hierarchy did not place him there. Instead they gave him an open appointment in Buffalo, with a promise that financial assistance would be forthcoming once he established a new congregation. He did, in fact, establish a new church in Buffalo. Always cognizant of the struggle and thankful for its few white allies, he named the new church the De Laine-Waring AME Church, in honor of federal district judge Waties Waring. Although he did not receive financial backing from the AME hierarchy, De Laine was able to successfully mobilize his South Carolina connections to get the church started. Fellow minister and activist Rev. E. E. Richburgh sent him some money from himself and dozens of other Liberty Hill members including Mazie Solomon and Annie Gipson. He encouraged De Laine, “don’t become discourage[d], God will

²²² “The Word Made Flesh,” 136-138.

²²³ “DeLaine in NJ; to Address Brooklyn Mass Rally,” *The State*, October 19, 1955.

²²⁴ Rev. J. A. De Laine to Clarendon County Branch NAACP, n.d., Joseph A. De Laine Papers; *Dawn of Desegregation*, 190; “The Word Made Flesh,” 139-142.

provide.”²²⁵ De Laine felt that the church hierarchy’s treatment of him during this time was no different than the economic reprisals he faced in South Carolina.²²⁶

On top of all these issues was the threat of De Laine’s extradition.²²⁷ But De Laine had some of the AME’s machinery advocating on his behalf. New York AME Bishop D. Ward Nichols told the press that the South Carolina authorities would have get an extradition order because De Laine was a refugee. He was giving “him asylum in the same way we give refugees from Europe asylum.”²²⁸ He also helped De Laine retain a lawyer. South Carolina officials inquired with the Justice Department regarding a federal fugitive warrant, which would enable federal authorities to arrest De Laine.²²⁹ But a U.S. District Attorney said that De Laine was living openly in New York. He was not on the run and therefore it was unnecessary to grant a federal fugitive warrant. Gov. Timmerman charged the department with “discriminating in the administration of justice.”²³⁰ According to Timmerman, De Laine was a “fugitive from justice” and the attorney general was using his office to promote integration and the Republican agenda. De Laine did surrender to the police in New York on November 25, 1955. He was booked as a fugitive from justice, but paroled in felony court. Timmerman then called on President Eisenhower to explain the Justice Department’s refusal to grant a federal

²²⁵ E. E. Richburg to Rev. J. A. DeLaine, 15 October 1956, Joseph A. De Laine Papers.

²²⁶ “Quest for Civil Rights: Mrs. Mattie De Laine,” Moving Image Research Collections; Rev. J. A. DeLaine to Louis DeLaine 8 April 1957, Joseph A. De Laine Papers; Gona, *Dawn of Desegregation*, 190; “The Word Made Flesh,” 139-142.

²²⁷ “1,000 Hear DeLaine,” *The State*, October 21, 1955.

²²⁸ “Officers Plan to Take Issue with Minister in Report on Incident,” *The State*, October 21, 1955.

²²⁹ “1,000 Hear DeLaine,” *The State*, October 21, 1955; “Bid for DeLaine Warrant is Referred to Washington,” *The State*, November 3, 1955.

²³⁰ “Governor Raps Justice for Refusing DeLaine Warrant,” *The State*, November 4, 1955.

extradition warrant. But De Laine's supporters were already petitioning New York governor Averell Harriman not to sign an extradition order. They asked him to consider not only the legal issues, but the human cost—the certainty that De Laine would be sentence to the chain gang and likely be killed at the hands of the Klan.²³¹

All of Timmerman's outrage must have been bluster because his office failed to take any action to secure De Laine's extradition and his parole was continued.²³² Instead Timmerman changed his tune. The Palmetto State was "well rid of this professional agitator"—a title De Laine took as "a great tribute."²³³ The state did not pursue De Laine's extradition. Although he was unable to return to his home state, De Laine became a free man in 1956 when a New York felony court magistrate dismissed the fugitive charge against De Laine due to South Carolina's failure to come through with a warrant.²³⁴ He missed home but his escape from South Carolina was cause to "rejoice in God's deliverance of me, to a place where I can wage a greater battle for the cause of JUSTICE."²³⁵

In 1958 Rev. De Laine was finally assigned to Calvary AME Church in Brooklyn, NY. The De Laines purchased a home in Queens where they lived until retirement. In 1971 Rev. De Laine submitted his resignation letter and asked to be transferred to the

²³¹ "Governor Raps Justice for Refusing DeLaine Warrant"; "DeLaine Asks NY to Refuse Extradition," *The State*, November 26, 1955; "Governor Protests Justice's Refusal to Enforce the Law," *The State*, November 26, 1955.

²³² "DeLaine Continued on Parole in NY," *The State*, December 29, 1955; "J. A. De Laine, "The Decision of May 17, 1954" (speech, 1957) De Laine Papers.

²³³ J. A. De Laine, untitled essay, 3 December 1955; Martha W. Griffin to Governor Averell Harriman, 27 December 1955, Joseph A. De Laine Papers; "Governor May Not Ask Extradition of DeLaine," *The State*, December 30, 1955.

²³⁴ "Governor May Not Ask Extradition of DeLaine," *The State*, December 30, 1955; "DeLaine Wins Dismissal in Fugitive Case," *The State*, January 17, 1956.

²³⁵ Rev. J. A. DeLaine to Clarendon County Branch NAACP, n.d., Joseph A. De Laine Papers.

Western North Carolina Conference where he would connect with local church folk, but did not want to be appointed to a pastorate. He moved to Charlotte, North Carolina, in 1971. Mrs. De Laine remained in New York until she retired from her teaching position in 1973 and joined her husband.²³⁶

Rev. De Laine died on August 3, 1974. Mrs. De Laine lived twenty-five more years, passing away in 1999. She had been a schoolteacher in New York for seventeen years. With so little support from the church, Mattie De Laine's income was essential to their survival. It gave them a certain amount of financial security. Mrs. De Lane's career not only demonstrates how important women's work was to black families, it reiterates the fact that black women not only provided emotional support for their families; they were often an important source of financial security.²³⁷

The De Laines were never able to return home to live in Clarendon County, or anywhere else in South Carolina. He still had an outstanding warrant for his arrest and authorities refused to dismiss it.²³⁸ The move to New York certainly caused economic problems, but the biggest sacrifice was being away from their family. Despite the fact that South Carolina had become "a land of terror and violence," the De Laines were "homesick and lonesome" for their family.²³⁹ They were never able to truly reunite their family unit. As Mrs. De Laine remembered:

Our feeling was not good. And we did not feel welcome
back in the state. We knew we weren't welcome. He

²³⁶ *Dawn of Desegregation*, 190; Rev. J. A. DeLaine to Bishop John D. Bright, 2 November 1971; John Douglas Bright, Sr. to Reverend J. A. DeLaine, 4 November 1971, Joseph A. De Laine Papers.

²³⁷ *Dawn of Desegregation*, 190.

²³⁸ *Dawn of Desegregation*, 190; "The Word Made Flesh," 149.

²³⁹ J. A. De Laine, Sermon to Bethel AME Church, 17 October 1955, Joseph A. De Laine Papers.

wasn't welcome and I felt if he wasn't welcome then I wasn't welcome. Yet all of our people—most of our close relatives—were in the state. And everybody wants to visit their relatives.²⁴⁰

In 1968 some of his South Carolina friends began efforts to safely bring him back to home. They reached out to noted Charleston activist J. Arthur Brown and South Carolina governors Robert E. McNair and John West.²⁴¹ De Laine was getting older and “wanted to spend the remainder of his life in his home state.”²⁴² John Bolt Culbertson, one of South Carolina's most liberal attorneys, even offered to represent De Laine pro bono in the event he chose to return to South Carolina and face the charges.²⁴³ But De Laine was unwilling to return if it meant being “humiliated...arrested and mistreated by race haters.”²⁴⁴ In 1971 Rev. De Laine wrote the newly formed South Carolina Governor's Advisory Council on Human Relations and asked to be allowed to return home.²⁴⁵ De Laine pointed to irony of his predicament—he had been prevented from returning home while the “night riding criminals” who shot into his home “enjoyed the protection of the state.”²⁴⁶ The Council did appoint someone to investigate the matter, but they quickly ended their efforts on behalf of De Laine after they were unable to get the charges against

²⁴⁰ “Quest for Civil Rights: Mrs. Mattie De Laine,” Moving Image Research Collections, University of South Carolina.

²⁴¹ Rev. G. A. Thomas to J. A. DeLaine, 24 May 1968; Rev. G. A. Thomas to Rev. J. A. DeLaine, 8 June 1968; John L. Chisolm to Robert E. McNair, 25 June 1968, J. A. De Laine, “Information Leading to Lake City Experience,” 29 February 1971; Fred James to The Reverend J. A. DeLaine, 12 March 1971; F. C. James to The Honorable Governor John West, 12 March 1971; Herman M. Ridgill to Rev. J. A. DeLaine 13 April 1971, Joseph A. De Laine Papers.

²⁴² John L. Chisolm to Robert E. McNair, 25 June 1968, Joseph A. De Laine Papers.

²⁴³ John B. Culbertson to Rev. J. A. DeLaine, 18 March 1971, Joseph A. De Laine Papers.

²⁴⁴ Rev. J. A. DeLaine to Mr. John Bolt Culbertson, 3 April 1971, Joseph A. De Laine Papers.

²⁴⁵ “Hiring Practices Probe Revealed,” *The State*, April 3, 1971; William Saunders to J. A. DeLaine 17 March 1971, Joseph A. De Laine Papers.

²⁴⁶ “Hiring Practices Probe Revealed,” *The State*, April 3, 1971.

him dropped. As one reporter put it, De Laine's Lake City accusers were still "determined to punish" him. In 1994—twenty years after his death—when a sympathizer requested the warrant be removed, South Carolina authorities refused with the pitiful excuse that in the event he applied for a job, employers deserved to know his history.²⁴⁷

Rev. De Laine finally received some recognition for his activism posthumously. Mrs. De Laine received several invitations to commemorate the twenty-fifth anniversary of *Brown v. Board of Education*. She was invited to the South Carolina NAACP Conference of Branches' program in Columbia, South Carolina; the NAACP Legal Defense and Educational Fund's commencement in Washington, D.C., and a reception at the White House with President Carter. The NAACP Legal Defense Fund invited her again for the thirtieth anniversary of the historic decision. On September 9, 2004, Rev. De Laine was posthumously awarded the Congressional Gold Medal—that body's highest award. Congressman Clyburn, the first African American to be elected to that position since 1897, was the one who pressed for the award. Ironically, Sen. Ernest F. Hollings, who had been unabashedly segregationist, first introduced the idea. De Laine was also posthumously awarded by the University of South Carolina's Museum of Education in 2006 when he was inducted into their Hall of Honor.²⁴⁸ His official papers are now housed at the South Caroliniana Library on that same university's campus—a school which did not desegregate until 1963, nearly a decade after the *Brown* decision.

²⁴⁷ Rev. Frazier to Rev. J.A. DeLaine, 8 April 1971, Joseph A. De Laine Papers; "Biracial Group Drops Efforts for DeLaine," *The State*, June 8, 1971; J. A. De Laine to My Dear Sirs, 8 January 1973, Joseph A. De Laine Papers; "Quest for Civil Rights: Mrs. Mattie De Laine"; *Dawn of Desegregation*, 190; "The Word Made Flesh," 149.

²⁴⁸ Isaac W. Williams, 1 May 1979; Louise Frillman to Mrs. J. A. DeLaine, 8 May 1979; Louis Martin to Mrs. J. A. DeLaine, 10 May 1979, Joseph A. De Laine Papers; Jack Greenberg to Mrs. Mattie DeLaine, 28 February 1984, Joseph A. De Laine Papers; *Dawn of Desegregation*, 195.

CHAPTER 4: “HELL IS POPPING HERE IN SOUTH CAROLINA:”
ORANGEBURG COUNTY BLACK TEACHERS AND THEIR COMMUNITY IN
THE IMMEDIATE POST-*BROWN* ERA

On the morning of May 15, 1956, Cecil Williams, a young photographer from Orangeburg, South Carolina, traveled to the Ellore Training School (ETS) to photograph twenty-one faculty members. The neatly dressed group of sixteen women and five men assembled in the front of the building, where the name of the school appeared above their heads on the brick facade. As she moved to the front of the group so that her petite frame would be visible Elizabeth Cleveland, a newlywed and recent South Carolina State College graduate, wore a polka dot dress, white shoes, and carried a matching white clutch. On the far right of the group stood the school's principal, Charles Davis, who arranged the photograph session. He had one arm wrapped around the shoulders of his wife, Rosa Delores Davis. Although many of the teachers smiled as Williams photographed them, the moment's seriousness weighed heavily upon them. Days earlier, when the ETS teachers received their contracts for the upcoming school term, they noticed new questions that asked if they were members of the National Association for the Advancement of Colored People (NAACP) and if they aspired to teach an integrated class. When the twenty-one African American teachers refused to distance themselves

from the leading civil rights organization and refused to endorse prevailing segregationist practices, white school officials refused to rehire them for the upcoming school year.¹

The collective defiance of those black teachers in the spring of 1956 was just one of a growing number of civil rights protests that aimed to challenge and dismantle social and racial inequity in the American South. Two years earlier, on May 17, 1954, the NAACP won its most historically significant legal victory when Chief Justice Earl Warren announced the United States Supreme Court's decision regarding *Brown v. Board of Education of Topeka, Kansas*. When the highest court in the land ruled that the South's long-held doctrine of "separate but equal" had no place in the public school system, it dealt a powerful blow to segregation's legal and intellectual defenses. In the immediate post-*Brown* years (1955-1956), South Carolina continued to be an influential battleground. Even as the courts deliberated, the state's champions of white supremacy worked in advance of the decision to circumvent desegregation and to shore up ideological, political, and intellectual support. For black Carolinians, those immediate post-*Brown* years were simultaneously full of promise and despair. The Supreme Court's vague instruction to implement desegregation with "all deliberate speed" gave South Carolina's segregationists the opportunity to avoid compliance with the ruling. In the face of a strong civil rights organization, powered by a mass of seemingly powerless

¹ Cecil Williams, *Freedom & Justice: Four Decades of the Civil Rights Struggle as Seen by a Black Photographer of the Deep South*. (Macon: Mercer University Press, 1995), 123-125. The school had a total of thirty-one faculty members; *Freedom & Justice*, 123-125; Adam Fairclough, *A Class of Their Own: Black Teachers in the Segregated South*. (Cambridge, Mass: Belknap Press of Harvard University Press, 2007), 51-52, 221-223; Elizabeth Cleveland, interview by author, 25 September 2010, Darlington, SC, digital recording; Cecil J. Williams, interview by author, 18 September 2010, Orangeburg, SC, digital recording.

people, South Carolina's segregationists would have to attack the NAACP, its members, and its supporters in order to evade the law.²

Roy Wilkins, Executive Secretary, argued that many white southerners, even "right here in South Carolina," not only wanted to follow the new law of the land, but that many were "ashamed of the injustices that have occurred under the separate but equal system. They know, deep down in their hearts, that never, never will there be equality until segregation is abolished."³ State NAACP president, Rev. James Hinton, seemed to agree with Marshall and Wilkins when he said, "Negroes foresee no trouble ahead, unless it is suggested, or led by those instructed with the administration of the law."⁴ In fact, while at a Georgia State NAACP Conference Rev. Hinton seemed confident that state officials would eventually comply with the *Brown* decision. He dismissed segregationists' claims that they would avoid desegregation. He argued that they had made similar claims regarding maintaining an all-white primary, but that after the court made its decision, and the judge made clear that he would uphold that decision, African Americans did, in fact, gain access to the ballot. According to Hinton, as long as

² Mark V. Tushnet, *The NAACP's Legal Strategy Against Segregated Education, 1925-1950*. (Chapel Hill and: The University of North Carolina Press, 1987), 26-27, 88-94; Patricia Sullivan, *Lift Every Voice: The NAACP and the Making of the Civil Rights Movement*. (New York: The New Press, 2009), 304-305; Sonya Ramsey, *Reading, Writing, and Segregation: A Century of Black Women Teachers in Nashville* (Urbana: University of Illinois Press, 2008), 46-47; Lau, Peter, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865*. (Lexington: University of Kentucky Press, 2006), 207.

³ Roy Wilkins, "NAACP Head Sees Ruling as Victory for Negro Youth," Papers of the NAACP, Part 3, Series C, Box A-245, June 12, 1955.

⁴ "Leaders Foresee No Trouble in Integration Plan," *Atlanta Daily World*, September 26, 1954.

African Americans had “the courage to stand up,” they would find that they had “all the necessary support” to make desegregation a reality.⁵

For their part, South Carolina’s black educators seemed in favor of the historic decision. The Palmetto State Teachers Association (PSTA) voiced their open approval, saying that it was consistent with their belief in democracy and pledged one thousand dollars to support the implementation of “universal public education within the framework of the recent ruling of the United States Supreme Court.”⁶ Local teachers also became desegregation activists. In Charleston, Septima Clark and Henry Hutchinson, already seasoned activists, helped lead the city’s desegregation campaign. Hutchinson was a history teacher at Burke Industrial School (whose teachers had been at the center of the Charleston teacher hiring campaign) and an advisor for the NAACP youth chapter. When Charleston NAACP president J. Arthur Brown submitted a desegregation petition, Hutchinson and Clark organized a number of workshops to help shore-up support.⁷

Only seven days after the initial *Brown* decision, SC NAACP leader James Hinton travelled to Atlanta to serve as chairman of a quickly organized conference that would draft a desegregation program. The conference urged all branches in the Jim Crow South to begin submitting desegregation petitions to their local school boards. The association projected confidence that desegregation would become a reality due to both

⁵ “S.C. NAACP Leader Says Supreme Court Will ‘Courageously Enforce’ School Rule,” *Atlanta Daily World*, December 7, 1954.

⁶ *Paradoxes of Desegregation*, 109.

⁷ *Ibid.*, 111.

the United States Supreme Court decision and a growing African American electorate.⁸

As NAACP executive secretary Walter White said:

Already our branches and state conferences are hard at work in a region-wide campaign to get 3,000,000 Negro voters registered by 1956 . . . with this vote plus that of enlightened white citizens we can look forward to elimination from political life of some of the present demagogues who plague the region.⁹

On the surface such rhetoric projected confidence reassured local activists, like the parents in Clarendon County who had put their lives on the line for the sake of bettering their children's education. But that the NAACP paired desegregation's success with the growth of the black vote may also demonstrate that its leaders foresaw a path that would be, at best, difficult to traverse.

Sensing the refusal of southern white leaders to implement desegregation, the NAACP drafted a resolution that asked Congress to make federal education aid available only to states that complied "fully with the spirit and purpose of the Constitution."¹⁰ The NAACP wanted Congress to ensure that any federal aid reserved for education contained protective measures, which would prevent such funds from being used in segregated schools. Furthermore, they requested that preexisting legislation be amended to include the same restrictive measures.¹¹

Unsurprisingly, many white Southerners saw desegregation as an impending doom. One federal judge in South Carolina, Ashton H. Williams, compared the NAACP

⁸ "Dixie NAACP Leaders Map Plans to Implement Court's Ruling," Papers of the NAACP, Part 3, Series C, Box A-625, May 23, 1954.

⁹ "Dixie NAACP Leaders Map Plans to Implement Court's Ruling," May 23, 1954.

¹⁰ "No Aid to Jim Crow Schools, NAACP Board Urges Congress," Papers of the NAACP, Part 3, Series C, Box A-625, February 17, 1955.

¹¹ Ibid.

to the KKK, implying that it was an extremist organization whose departure from the Palmetto State would only better race relations. Bob Jones, founder of the religiously conservative Bob Jones University in Greenville, South Carolina, wrote Roy Wilkins a lengthy letter condemning the NAACP and the Supreme Court.¹² According to Jones, both had irrevocably harmed southern race relations. He compared integration to the Tower of Babel:

He fixed those boundaries between races. After the flood, God told the people to go out and scatter and replenish the earth; and they went out and built the Tower of Babel and said they were going to have one world and one race. But God said that was not His will, and he scattered them.¹³

In short, desegregation was un-Christian, and cast African Americans out of favor with “conservative Christians” who had been “the best friends the colored people have” and were “doing everything in the world we could to help them.”¹⁴ Desegregation would be a failure because “the omnipotent God [was] against it.”¹⁵ But it was Jones’ assertion that African Americans should “teach their own children” which revealed that despite the fact that he was trying to make a biblical argument, his fears were the same as any other segregationists.¹⁶ If schools were truly desegregated, would white teachers be forced to teach black children? And, likely more important to someone like Jones, would black teachers be allowed to instruct white children?

¹² Editorial, *Sioux City Journal*, August 27, 1955; Bob Jones to Roy Wilkins, 11 September 1956, Papers of the NAACP, Part 3, Series D, Box A-105.

¹³ Bob Jones to Roy Wilkins, 11 September 1956, Papers of the NAACP, Part 3, Series D, Box A-105.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid.

Yet, it was not the integration of black teachers that provoked the greatest sense of anxiety among white segregationists, but the oft-employed fear of miscegenation and interracial marriage. Orangeburg segregationists declared that the NAACP's whole objective was "intermarriage and the mongrelization of the white races."¹⁷ Yet the NAACP made clear that it "was not a marriage bureau."¹⁸ Its primary concern was education, not marriage. To allay these fears they noted that even in states that had integrated schools, interracial marriage remained low.¹⁹ Moreover, the NAACP argued that the "if you let the Nigra do thus and so, he'll marry your daughter" argument was a discredit to white women, as if they would have to be "restrained by law from choosing Negro mates."²⁰ In fact, Roy Wilkins argued that the "social association between the races" simply was not part of the NAACP's program.²¹

Southern politicians used the *Brown* decision as a rallying cry. It became a central issue throughout the South, but especially in Georgia and South Carolina, where it became *the* issue as politicians, in an effort to prove that they were more devoted to segregation than their running mates, "maneuvered frantically to occupy the extreme segregationist position."²² In the 1954 gubernatorial primary, race and desegregation became a central factor in the South Carolina Democratic Party's factionalism. The race was between Lester Bates and Lt. Governor George Bell Timmerman, Jr. Both

¹⁷ "Intermarriage Is Ultimate NAACP Aim," *The Orangeburg Citizens Council*, April 2, 1956.

¹⁸ "The Cry for Freedom in South Carolina," 30 November 30 1955, Papers of the NAACP, Part 26, Series A, Box C-182.

¹⁹ "The Cry for Freedom in South Carolina," 30 November 30 1955.

²⁰ Ibid.

²¹ George Mintee, "Intermarriage Dispute Grows" *The Columbia Record*. September 1, 1955.

²² Numan V. Bartley, *The Rise of Massive Resistance: Race and Politics in the South During the 1950s* (Baton Rouge: Louisiana State University Press, 1969), 68.

candidates were decidedly against integration, with Timmerman proposing a three-school system—one for whites, one for blacks, and one for those seeking integration. Bates opposed Timmerman’s plan as well as any other that permitted any form of integration. However, Bates lost the election, partly because Timmerman charged him with being a NAACP member. The accusation, as ludicrous as it may have been, was enough to sink Bates’ campaign.²³ Timmerman turned out to be no less committed to segregation than Bates. In his inaugural address he stated that even gradual desegregation would be “cowardly because it seeks to minimize opposition by careful selection of a few victims from time to time.”²⁴ Yet in his farewell address to the state legislature, the soon to be former governor, James F. Byrnes, was certain that white Carolinians had nothing to worry about. He asserted that “the great majority” of black parents wanted their children to attend “modern schools for Negroes and be taught by Negro teachers.”²⁵ Such an assertion contradicted the NAACP’s belief that what black parents truly wanted were competent teachers, regardless of their race.²⁶

Even before the Supreme Court gave its *Brown* decision, an initial reaction to desegregation was a threat to close public schools. The NAACP tried to call segregationists’ bluff:

If, which is not likely, the public school system were abolished, who would educate the poor white child? He could not pay to attend private schools. Only professional and business classes and skilled laborers could afford an education for their children.²⁷

²³ *The Rise of Massive Resistance*, 70.

²⁴ *Ibid.*, 75.

²⁵ South Carolina’s Negro Parents Want Bi-Racial Teaching Staffs, January 20, 1955, Papers of the NAACP, Part 3, Series D, Box A-99.

²⁶ *Ibid.*

²⁷ “The Cry for Freedom in South Carolina.”

Southern states could not close down public schools without losing their investment—a valid point in South Carolina where, in an effort to avoid desegregation, the state had increased its education budget by millions of dollars.²⁸ Yet, southern segregationists' assumption that the *Brown* decision was a ruling in their favor was not without merit. Even Roy Wilkins acknowledged that when southern political leaders heard the Supreme Court's language of "with all deliberate speed," they were "hollering happy," viewing the ruling as a victory for the South. The decision of when (or if) to desegregate schools would be left up to the local courts, who would be sympathetic to the segregationist's plight.²⁹ When *Brown* was argued for the third time in 1955, NAACP lawyers stressed to the court the need for definite methods and time limit to institute the court's decision. However six states (Arkansas, Florida, Maryland, North Carolina, Oklahoma, and Texas) submitted recommendations that stressed that desegregation should be implemented gradually and with as little interference from the federal government as possible.³⁰ So, while the second *Brown* decision said that desegregation should happen "with all deliberate speed," the Supreme Court basically sided with the southern position. The court acknowledged that desegregation could look very different from one school district to another. They could not "easily venture beyond the executive department's position in a case involving such complex enforcement problems."³¹ The court chose to recognize the "varied school problems" and gave no specific time limit for desegregating schools.³²

²⁸ "Warns South on School Closing," *New York Herald Tribune*, January 5, 1954.

²⁹ "NAACP Head Sees Ruling as Victory for Negro Youth," 12 June 1955. Papers of the NAACP, Part 3, Series C, Box A-245.

³⁰ *The Rise of Massive Resistance*, 59.

³¹ *Ibid.*

³² *Ibid.*, 60.

South Carolina's segregationists had a distinct advantage over their counterparts in other southern states because they laid the groundwork for resistance years before *Brown*. Argued in 1951, the *Briggs v. Elliott* case put the state in the spotlight and made both black and white citizens aware that changes in the public education system were a legal imperative. Adamant that these changes would not result in school desegregation, Governor James Byrnes turned to the state legislature to start "preparedness measures."³³ In 1951 he appointed a fifteen-member committee comprised of five state senators, five state representatives, and five laymen representing the state at-large. The purpose of the committee was "to study and report on the advisable course to be pursued" in the event federal courts mandated desegregation.³⁴ Yet, despite the fact that the committee was formed to study an issue that would directly impact the lives of black children, "not one Negro (not even one of the favorite Uncle Toms...)" was asked to serve.³⁵ L. Marion Gressette, a state Senator from Orangeburg County, was the chairman of the newly established committee, which became known by his name—the Gressette Committee.³⁶ The Gressette Committee's solutions offered "as much of a threat to the public schools in general as it did to desegregation."³⁷ So when the Supreme Court announced its decision, South Carolina was ready. It had a well-established, state-mandated agency explicitly designed to protect racial segregation. Two months after *Brown*, the Committee began

³³ *The Rise of Massive Resistance*, 45.

³⁴ Interim Report, 28 July 1954, Workman Papers, Box 32; Ramsey, *Reading, Writing, and Segregation*, 76-77; Bartley, *The Rise of Massive Resistance*, 78. In Nashville, TN, the school board began allocating more money towards the construction and maintenance of black schools after *Brown*. Like Byrnes, North Carolina governor William B. Umstead established a legislative committee to prevent school desegregation, but it was after *Brown*.

³⁵ "The Cry for Freedom in South Carolina."

³⁶ Workman Papers, Box 32. File: Integration/Civil Rights, Gressette Committee.

³⁷ *The Rise of Massive Resistance*, 75.

holding special sessions.³⁸ During those meetings, committee members concluded that the Supreme Court's decision did not apply to the state of South Carolina:

Time has brought some clarification of just what the United States Supreme Court did decide. It is becoming plain that the Court did not intend to force integration on an unwilling people. It is the considered opinion of your Committee that there is nothing in the Constitution or the decision which compels the State of South Carolina to deliberately mix the races in the public schools.³⁹

At the start of the 1954-55 school year, the Committee recommended that schools open “according to the present pattern of pupil classification and assignments in keeping with previously established policy.”⁴⁰ They argued that the Supreme Court had purposely not made “any order or decree which might have the effect of forcing an immediate change in local school policy or procedure.”⁴¹ Governor George Bell Timmerman agreed with this assertion. During a 1955 statewide radio-television address, he stated:

There is one current misunderstanding about the Supreme Court opinion that we should clarify in our minds. The Court did not say that school children must attend racially mixed schools. It did not say that all public schools must be racially mixed. . . What the Court has said, and all that it has said, in this respect, is that no child can be denied admittance to a school of his choice because of his race.⁴²

³⁸ Katherine Mellen Charron, *Freedom's Teacher: The Life of Septima Clark*, (Chapel Hill: University of North Carolina Press, 2009), 209-220; News Statement by Senator L. Marion Gressette, 12 June 1954, Workman Papers, Box 32.

³⁹ Interim Report of South Carolina School Committee, 14 December 1955, Gressette Papers, Box 5.

⁴⁰ Interim Report of South Carolina School Committee, 18 July 1954, Workman Papers, Box 32.

⁴¹ Ibid.

⁴² Address of Governor George Bell Timmerman, Jr., 3 November 1955, Box 2, George Bell Timmerman Papers, South Carolina Political Collections, University of South Carolina, Columbia.

Timmerman and the Gressette committee's rhetoric was clear. The Supreme Court's decision was merely an "opinion," not a ruling. By the time the Elloree teachers made their stand, the Gressette Committee had already established intimate relationships with local school boards. Parroting the "separate but equal" doctrine, the committee also employed a rhetoric of equality. They reported that their goal was to provide better educational opportunities for all South Carolina children.⁴³ The Committee downplayed black Carolinians' efforts to desegregate schools, saying that both blacks and whites were "to be commended for their attitude of calmness" in the aftermath of the 1954 decision.⁴⁴ They claimed that this calmness was proof that "sentiment in favor of separate schools and against integrated schools has crystallized in recent months."⁴⁵ According to them, African Americans were not attempting to integrate schools.⁴⁶ Therefore public opinion was clear. The people of South Carolina wanted "better schools, but separate schools."⁴⁷ Even as the 1950s came to a close, when there had been vibrant integration efforts across the state and the whole South, the committee continued to assert that South Carolinians were—and would continue to be—happy with segregated schools.⁴⁸

An act was approved on March 27, 1956 that extended the committee's existence and scope. They would not only study the public school system, but also higher

⁴³ Statement of Senator L.M. Gressette, 6 January 1956; Statement of Sen. L. Marion Gressette, 25 June 1955, Workman Papers, Box 32. The committee met with several school districts' board of trustees; Interim Report of South Carolina School Committee, 14 December 1955, Gressette Papers, Box 5.

⁴⁴ Interim Report of South Carolina School Committee, 14 December 1955, Gressette Papers, Box 5.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Sixth Interim Report of South Carolina School Committee, 31 March 1959, Gressette Papers, Box 5.

education and “all phases of segregation affecting the state government and the citizens of South Carolina.”⁴⁹ That year the Gressette Committee had been especially busy, and persuaded the General Assembly to pass fourteen new laws. These included permitting local school boards to sell or lease school property, the repeal of the compulsory-education law, and—most importantly to this study—a series of anti-NAACP statutes designed to stymie the organization’s progress.⁵⁰ So even as *Brown* provided the groundwork for black Carolinians to challenge segregation, it also mobilized southern leaders to protect the South’s racial mores.

Although many African Americans were vocal and unwavering in their support of desegregation, African American teachers conveyed varied, and sometimes contrasting, outlooks about the goals and timetables of racial integration. Many of them had significant and well-grounded doubts about the merits of ending segregated schools. Only months after the 1954 *Brown* decision was handed down, U.S. News and World Report published an article predicting that desegregation would cause thousands of black teachers to lose their positions. According to the article, displaced southern teachers who hoped to find employment opportunities in the North would be disappointed. A black teacher was statistically more likely to be employed in the South, where one out five teachers were black, than in the northern and western states where one out of seventy-three teachers were black. According to this article, one of the lessons of northern

⁴⁹ Statement of Senator L.M. Gressette, 2 May 1956, Workman Papers, Box 32.

⁵⁰ *Paradoxes of Desegregation*, 113.

desegregation was that if white parents objected to black teachers in the classroom, the result would be black teachers' wholesale dismissals.⁵¹

Such reports undoubtedly created concerns among southern black educators. Those concerns were skillfully explored in a 1955 study of 150 black South Carolinian schoolteachers—104 women and 56 men—published by the *Journal of Negro Education*. Howard University professors Hurley Doddy and G. Franklin Edwards conducted the study and found that one-fourth of the respondents expressed “some apprehension” regarding desegregation.⁵² The teachers voiced three pressing concerns surrounding job security. First, they believed that they would be saddled with more requirements and certifications to maintain their professional positions. Second, they feared that integration would make it more difficult for married couples to continue working together in the same school. Finally, many expressed concerns that the desegregation campaign would exacerbate racial inequities in the salaries and benefits afforded black and white teachers. Indeed, seventy-three percent of respondents felt that desegregation would result in large-scale job displacement.⁵³

Even African American educators who endorsed desegregation strongly feared that increased antagonisms would emerge between themselves and white superintendents, teachers, and students. Some principals raised concerns about the possible administrative problems they would likely encounter if they supervised white teachers and staff. Since

⁵¹ *Paradoxes of Desegregation*, 109; Modjeska Monteith Simkins Papers, Subseries: Journal and Guide [Norfolk, VA] Newspaper Column 1947-1948; “Negro Teachers for the North?: First Big Test in Lifting Racial Bars,” *U.S. News and World Report*, August 8, 1954.

⁵² Hurley H. Doddy and G. Franklin Edwards, “Apprehensions of Negro Teachers Concerning Desegregation in South Carolina,” *The Journal of Negro Education* 24, no. 1 (1955): 28.

⁵³ *Ibid.*, 26-29.

desegregation plans could lead to temporary or long term financial hardship, black teachers did not take possible job dismissals lightly. Unlike their white counterparts who could pursue other professional positions, educated blacks had few career options outside of the school system.⁵⁴ Southern, college educated African Americans regarded teaching as a very attractive occupation. It was even more appealing for black women because there was “no prestige ful [sic] vocational area other than teaching.”⁵⁵ Educated black men had the option of “other white collar jobs such as in insurance, as salesmen, and in self-employment.”⁵⁶ Consider Cecil Williams’ parents. His mother was a teacher, but his father maintained his own successful tailoring business.⁵⁷

Confounded by a potential loss of income and status and by the perceived tensions of working with white colleagues and students, half of Doddy and Edwards’ respondents preferred teaching in segregated schools. Despite those reservations, the PEA and NAACP continued to push for desegregation.⁵⁸ The PEA acknowledged that job loss among black teachers was possible, but the group’s leaders argued that desegregation could serve as a weeding out process in which “unprepared teachers” were removed while “teachers who are prepared” would have no problem maintaining their positions in the public schools.⁵⁹

The NAACP sought to allay teachers’ fears. During that NAACP conference James Hinton attended only days after the May 17 *Brown* decision, the association gave

⁵⁴ “Apprehensions of Negro Teachers Concerning Desegregation in South Carolina,” 29-34; Adam Fairclough, *Teaching Equality: Black Schools in the Age of Jim Crow*. (Athens: University of Georgia Press, 2001), 63.

⁵⁵ “Apprehensions of Negro Teachers,” 6.

⁵⁶ *Ibid.*, 36.

⁵⁷ Cecil Williams Interview.

⁵⁸ “Apprehensions of Negro Teachers,” 37.

⁵⁹ *Ibid.*, 39.

its assurance that the full power of its educational specialist, legal, and research staff would be used to “insure that there will be no discrimination against Negro teachers as a result of integration.”⁶⁰ The organization made a similar promise the following year during a conference for southern branches. They would protect current and future African American teachers and “offset any program on the part of those school agencies which seek to frighten Negro teachers and principals.”⁶¹ In a statement to the NAACP Legal Defense and Education Fund’s Board of Directors Dr. John W. Davis, the West Virginia State College president, admitted that there was “a growing sentiment in the South and in other parts of the country not to permit Negro teachers to teach white children.”⁶² Black teachers’ fears were growing, and that fear was well grounded as more and more of them were losing their jobs. The NAACP received several reports confirming these dismissals. Fifteen black teachers in West Virginia’s small towns were reportedly dismissed. Twenty-six teachers in Missouri did not have their contracts renewed. And in a move reminiscent of what would happen in Elloree, Virginia introduced new contracts which included a possible 30-day termination notice and assignments to work in specific schools. And whereas teachers had always pledged their allegiance to the Federal Constitution, they now also had to pledge their allegiance to the Virginia State Constitution.⁶³

⁶⁰ “Dixie NAACP Leaders Map Plans to Implement Court’s Ruling,” 23 May 1954, Papers of the NAACP, Part 3, Series C, Box A-625.

⁶¹ “NAACP In the South Will Press for Full School Integration by Fall,” 3 March 1955, Part 3, Series C, Box A-625.

⁶² Threats Against Negro Teachers, 11 May 1955, Papers of the NAACP, Part 3, Series C, Box A-229.

⁶³ Ibid.; Roy Wilkins, Prepared for the *Herald Tribune*, 12 May 1955, Papers of the NAACP, Part 3, Series C, Boxes A-230-A-231.

Roy Wilkins may have represented African American teachers as having more confidence than they really did. According to him, black teachers had “a measure of assurance stemming from” a shortage in black teachers and that, furthermore, black teachers had a certain amount of job security based on the fact that they often had more experience and training than white teachers.⁶⁴ Perhaps most incongruous with teachers’ fears, Wilkins asserted that they knew that because white women had once left their infants in the care of black women, white mothers would eventually be willing to allow black women to teach their now older children.⁶⁵ A section in the 1955 SC NAACP Conference program seemed to echo this assertion:

Throughout the South there has been widespread bemoaning of the fate of the Negro teacher who is expected to pass out with the end of the segregated Negro school. The colored teacher’s new “friends” are now extending profuse and premature condolences, unmindful of the traditional practice of southern whites of entrusting their children to the care and training of Negro women.⁶⁶

As evidence that these fears were unrealistic, the author noted that black teachers in Arizona, Delaware, Kansas, Missouri, New Mexico, and West Virginia were instructing white pupils. Moreover, the author used New Jersey—where the number of black teachers rose from 479 before desegregation to 645 after desegregation—as evidence that not only would desegregation not bring about the black teacher’s demise, it would bring increased employment opportunities. There was a general shortage of teachers, after all,

⁶⁴ Roy Wilkins, Prepared for the *Herald Tribune*, 12 May 1955.

⁶⁵ Ibid.

⁶⁶ Fifteenth Annual Meeting Souvenir Program, 25-27 November, 1955, Papers of the NAACP, Part 26, Series A, Box C-182).

and not enough white teachers to fill all the positions. In such circumstances, black teachers were to become a necessity, not disposable.⁶⁷

But despite Wilkins' seeming nonchalance, there is evidence that the NAACP took these concerns seriously. Gloster B. Current, the Director of Branches, sent NAACP officers questionnaires asking if any teachers in the local school districts had lost their positions, or if any had been reassigned. Current announced that the NAACP had hired Dr. John W. Davis as Special Director of their Department of Teacher Information.⁶⁸ The new department was part of a longer, pre-*Brown* struggle to protect black teachers from "discriminatory loss of employment."⁶⁹ The department's explicit purpose was to protect qualified African American teachers who lost their positions as a result of southern school desegregation.⁷⁰ In a 1955 memo, Davis aptly described why it was so difficult to convince African American teachers to fight for desegregation:

Dispelling fear among Negro teachers is not an easy task. Fear is an emotional and psychological factor yet a very real one when food for the family, the loss of a job, economic pressures and ugly threats constantly haunt the teacher every minute in the "place called home" and when away from home.⁷¹

Indeed, as the Ellore community and its teachers would soon find out, threats of economic reprisals were not empty, and could have long term negative effects. Even as Davis contended that there had not been widespread teacher dismissals, he admitted that

⁶⁷ Fifteenth Annual Meeting Souvenir Program.

⁶⁸ Gloster B. Current to NAACP Officer, 18 May, 1955, Papers of the NAACP, Part 3, Series C, Box A-245.

⁶⁹ NAACP Legal Defense and Education Fund, Inc. to Marion H. Bluit, 17 October, 1955, Papers of the NAACP, Part 3, Series C, Box A-247. The letter's author(s) asserted that the legal defense fund began preparing for this issue in 1950.

⁷⁰ Ibid.

⁷¹ John W. Davis to Anna C. Frank, 2 January, 1955, Papers of the NAACP, Part 3, Series C, Box A-229.

those numbers would likely rise in the future.⁷² While the NAACP had tried to allay black teachers' fears, the formation of John W. Davis' department suggested that those concerns were, in fact, valid.

Despite teachers' anxieties regarding how desegregation would affect their jobs, they continued to join the NAACP in large numbers. Even as the fate of *Brown* hung in the balance, thirty-two teachers joined the Richmond, Virginia branch. The 110 teachers in Brunswick County, Virginia branch comprised over fifty percent of the membership. The entire faculty at a Tallahassee high school joined.⁷³ In South Carolina, where the battle for southern school desegregation started, the NAACP had been receiving "a steady flow" of teacher memberships. According to membership secretary Lucille Black,

This would seem to indicate that Negro teachers in the South have not been taken in by the scare propaganda that they will lose their jobs if the NAACP wins its fight to ban segregation in education.⁷⁴

In the small town of Elloree African Americans were, perhaps unknowingly, gearing up so that they would be able to take a stand against the severe economic reprisals that came after they pursued school desegregation. Four new members—two adults and two youth—joined and one person renewed their membership during its regular monthly meeting in April 1954.⁷⁵ Those numbers may seem small compared to the previously

⁷² John W. Davis to Anna C. Frank, 2 January, 1955.

⁷³ Report that Southern Teachers Joining NAACP in Large Numbers, 29 April 1954, Papers of the NAACP, Part 3, Series C, Box A-625; Memo from E. Geyer to Lucille Black, 10 March 1955, Papers of the NAACP, Part 3, Series C, Box A-247.

⁷⁴ Report that Southern Teachers Joining NAACP in Large Numbers.

⁷⁵ "Elloree NAACP Hears Claflin Faculty Member," *New Journal and Guide*, April 19, 1954.

mentioned reports but under L.A. Blackman, who intended to increase the branch's membership to 200, the branch had been "very active."⁷⁶

Throughout South Carolina African Americans filed school desegregation petitions, therefore contesting the segregationist notion that they were satisfied with the racial status quo. And although urban centers such as Columbia and Charleston continued to play an important role in the Palmetto State's black freedom struggle, the Clarendon County example of a small rural area coming to the forefront of education politics continued to be emblematic. The small town of Cheraw had plans to submit a desegregation petition as of August 1954. The Florence branch submitted its desegregation petition in June 1955. Black Carolinians in Georgetown drafted a petition as of July 1955. African Americans in Orangeburg and Ellore also joined the school desegregation effort. The Ellore NAACP sent their school petition to each member of the school board of trustees on August 31, 1955. It was a petition to desegregate the Ellore Training School, the same school which would later be at the center of the state's anti-NAACP efforts.⁷⁷

In reaction to the slew of school desegregation petitions, Governor Timmerman announced that the State Law Enforcement Division (SLED) was investigating the NAACP.⁷⁸ It was not entirely clear what SLED was allegedly investigating, but Timmerman asserted that the investigation's purpose was to establish "the manner" in

⁷⁶ "Ellore NAACP Hears Claflin Faculty Member."

⁷⁷ Levi G. Byrd to Gloster B. Current, 11 August 1954; Mr. Current to Miss Black, 11 July 1955, Papers of the NAACP, Part 3, Series D, Box A-99; L.A. Blackman, interview by Myles Horton, August 1956, audio tape, Highlander Folk School Audio Collection, Tennessee State Library and Archives, Nashville, TN; John McCray, "2 Men Lose Jobs in Ellore for Signing School Petition," *Afro-American*, August 20, 1955.

⁷⁸ "SLED Investigating School Petitions," *The State*, September 24, 1955.

which the names were secured.⁷⁹ However state and local governments were not the only, or even the most powerful, organized efforts to silence desegregation petitioners. On July 11, 1954 the first chapter of the White Citizens Council (WCC) was founded in Mississippi, and quickly spread across the South.⁸⁰ In South Carolina county seats such as Orangeburg, Charleston, and Sumter became “bastions of Council strength.”⁸¹ They experienced significant growth during the summers of 1955 and 1956. These growth spurts were triggered by school desegregation petitions, and at its height, there were as many as 40,000 members in the South Carolina Councils. The WCC made no secret that their main purpose was to protect segregation in schools and all matters of public life.⁸²

Desegregation petitions triggered the establishment of local Council chapters. The first two South Carolina chapters were founded in the summer of 1955 in Elloree and Orangeburg after African Americans in Orangeburg County School Districts 5 and 7 filed school desegregation petitions.⁸³ Yet while the desegregation petitions were certainly central to the WCC’s decision to begin their operations in Orangeburg County, the choice could most likely also be attributed to the fact that the county was the home of a black community so committed to racial uplift that *Jet* magazine once referred to it as “the home of the militant Negro intelligentsia.”⁸⁴

⁷⁹ “SLED Investigating School Petitions.”

⁸⁰ *Freedom’s Teacher*, 236; John W. White, “The White Citizens’ Councils of Orangeburg County, South Carolina,” 261.

⁸¹ *The Rise of Massive Resistance*, 93.

⁸² *Ibid.*, 93-94; Elizabeth Geyer, “The ‘New’ Ku Klux Klan,” *The Crisis*, March 1956.

⁸³ John W. White, “The White Citizens’ Councils of Orangeburg County, South Carolina,” 261.

⁸⁴ “South Carolina’s Plot to Starve Negroes,” *Jet*, October 20, 1955.

The WCC did not officially employ physical racial violence. Instead, they recommended “the application of economic pressure to ‘trouble-makers.’”⁸⁵ A Mississippi Council leader’s comments illustrated how these economic repercussions could have long-term effects on black activists:

If I had a Negro working for me and he belonged to the NAACP . . . I’d do the same thing I’d do to any Negro working for me who wanted to cause trouble. . . I’d just let him go. When the Negro tried to obtain work elsewhere in the region, he would find no jobs available.⁸⁶

Signing your name on a desegregation petition not only meant that you were risking temporary financial hardships. The decision to assert your child’s right to equal educational opportunities could mean financial ruin, and little chance of fully recovering.

Still, to long time activist like J. A. DeLaine, the WCC was cut from the same cloth as other white supremacist terrorist organizations:

There is little doubt but that the Ku Klux Klan has been born again—the use of a new name and the dropping of the hood is only a sham. The White Citizens Councils and the K.K.K. have a common objective. . . Their methods are different and have been modernized to the extent that television, radio and daily newspapers are regularly used to recruit members and to put white against Negroes.⁸⁷

Thurgood Marshall expressed similar sentiments:

They intend to use every means, lawful and unlawful, to prevent the inevitable. . . They will also give aid and comfort, as well as support to the un-American organizations dedicated to white supremacy who are no more or no less than revised, revamped and renamed groups of the old Ku Klux Klan. These groups with the

⁸⁵ “The ‘New’ Ku Klux Klan,” *The Crisis*, March 1956 The article quoted a form that the Mississippi Councils sent to prospective members.

⁸⁶ “The ‘New’ Ku Klux Klan.”

⁸⁷ J.A. DeLaine, sermon, 17 October 1955, Rev. Joseph A. DeLaine Papers

support of state officials will use every economic pressure possible against Negroes who insist on being full Americans. They will use this pressure against laboring men as well as the professional men such as doctors, businessmen and lawyers.⁸⁸

One southern newspaper referred to the Councils as “a ‘manicured’ Ku Klux Klan” and another as “an ‘uptown’ KKK.”⁸⁹ And although the Councils feigned non-violence, even its own members admitted that violence was an essential to maintaining segregation. As one Mississippi Council member said, they would make sure that “no Negro who believes in equality has a job, gets credit, or is able to exist in our community. ‘Is able to exist’—that means agree and knuckle under, or flee, or die.”⁹⁰

South Carolina’s black intellectuals knew that the WCC coordinated its efforts with state officials. One such intellectual was Walker E. Solomon, Executive Secretary of the PEA. As an ally of both teachers and the NAACP, Solomon used national black media outlets to bring attention to local blacks’ struggles for equal rights. He believed the Councils were “[c]ooperating with the legislature for a last ditch stand against desegregation.”⁹¹ For example, a principal founder of the WCC was S. Emory Rogers, who served as the state’s lead attorney in the *Briggs v. Elliot* case.⁹² In yet another example, in January 1956 the Gressette Committee held a conference with the executive committee of the state association of WCC to discuss the their program. And it appeared

⁸⁸ Thurgood Marshall, Towards the Final Phase of the Anti-Segregation Struggle, 24 July 1956, Papers of the NAACP, Part 3, Series C, Box A-625.

⁸⁹ “The ‘New’ Ku Klux Klan,” 147.

⁹⁰ Ibid., 141.

⁹¹ W. E. Solomon, “The Problem of Desegregation in South Carolina,” *The Journal of Negro Education*, 25 no. 3 (1956): 320.

⁹² *The Rise of Massive Resistance*, 93.

that the idea to have SLED investigate the NAACP originated with the WCC.⁹³ For their part, the NAACP attempted to turn the SLED investigation on its head when they asked that the Governor have the same agency “investigate the pressure that may have been used on signers of petitions to withdraw their names or to make contrary statements.”⁹⁴

It is important to note that, at least in the short term, the WCC’s efforts were often successful. The number of NAACP branches fell from eighty-four to thirty-one between 1955 and 1957.⁹⁵ It was the largest dip in branches “since the organization began its rapid expansion in 1943.” The pressure on the NAACP was so concentrated that, most likely out of fear that their mail was being tampered with, the Orangeburg and Bethesda chapters asked that the national office refrain from sending communications to them.⁹⁶ One person suggested that, if and when it was absolutely necessary to send correspondence via mail, the national NAACP office should use plain rather than letterhead envelopes.⁹⁷

Orangeburg and the neighboring small town of Elloree serve as apt examples of how white segregationists were able to leverage their political and economic power to squelch the local school desegregation movement. Both political and business leaders in the area did all within their power to target the desegregation petition signers and those

⁹³Statement of Sen. L. M. Gressette, 6 January 1956, Workman Papers, Box 32; “SLED Investigating School Petitions,” *The State*, September 24, 1955. Council leaders had been calling for an investigation into the NAACP’s methods of obtaining petition signers.

⁹⁴ James M. Hinton to Honorable George Bell Timmerman, Jr., 24 September 1955, Papers of the NAACP, Part 3, Series D, Box A-99.

⁹⁵ Peter Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865*, (Lexington: University of Kentucky Press, 2006), 210.

⁹⁶ Memo from Gloster B. Current, 20 September 1955, Papers of the NAACP, Part 3, Series D, Box A-99.

⁹⁷ Ed G. to Roy Wilkins, 19 April 1956, Papers of the NAACP, Part 3, Series D, Box A-288.

who were identified as movement leaders. At the forefront of the white reactionary movement were the Citizens Councils, who had “thrown a boycott so effectively that few Negro businesses in the two progressive counties [Clarendon and Orangeburg] get as much as a shoe lace.”⁹⁸

Two people who epitomized the WCC’s ability to leverage economic and political power were businessmen Robert Jennings and W.J. Deer. Jennings was the Orangeburg mayor and was credited with organizing the boycott. He was also the president of the local Coca-Cola Company and the owner of several businesses including Orangeburg Ice and Fuel (Paradise Ice Cream) and Palmetto Bakery (Sunbeam). Mayor Jennings was at the forefront of targeting black businesses. He stopped Coca-Cola deliveries to businesses if the owner or one of its personnel had signed a desegregation petition. For example, deliveries had been discontinued to a barbershop, even though the owner himself had not signed a petition. One of the barbers who worked there had. He circulated a list containing the names and addresses of African Americans who the Council selected as its economic reprisal targets. All the Orangeburg branch officers were on the list.⁹⁹

H.O. Harvey, who owned a successful Shell station located on a busy highway, found that his gasoline was not delivered in time for him to take advantage of Labor Day’s busy traffic. Approximately 2,000 African Americans, some of whom were merely suspected of being NAACP members, found their credit withdrawn at all the downtown

⁹⁸ “South Carolina’s Plot to Starve Negroes.”

⁹⁹ A.M. Rivera, Jr., “Big Corporations Exerting Pressure: Courier Exposes Carolina ‘Squeeze,’ ” *Pittsburgh Courier*, September 19, 1955; “South Carolina’s Plot to Starve Negroes”; Miss Black to Mr. Wilkins, memorandum, 26 October 1956, Papers of the NAACP, Part 20, Box A-279.

stores. The Council provided a list of African Americans to white business leaders and essentially forced them to fire or evict everyone on the list.¹⁰⁰ As one newspaper correspondent noted, the local Council practiced little restraint in “forc[ing] Negroes into economic submission.”¹⁰¹ Instead, they sometimes became “suicidal maniacs in their fanatic zeal to ‘squeeze’ Negroes.”¹⁰²

W. J. Deer was the mayor of Elloree, and seemed to be largely responsible for organizing the town’s boycott of black businesses. Mayor Deer openly declared that the Council would “fight the leaders of the NAACP from ditches to fence posts to keep the Negroes out of white schools.”¹⁰³ Not only were black businesses targeted, but also schoolteachers. Orangeburg NAACP branch president Rev. McCollum, whose activism resulted in the revoke of his credit and threats against him, remembered that the desegregation petitions put schoolteachers and their families in an awkward position:¹⁰⁴

There were some members of the NAACP who could not participate because their wives were school teachers [sic]. My wife, who was an assistant to the principal at Bowman Elementary School, was fired in the spring of 1956 for no stated reason. We remained in Orangeburg until the summer of 1962, but no principal in the county called on her for as much as a day’s substitute work during those six years.¹⁰⁵

¹⁰⁰ “Big Corporations Exerting Pressure,” *Pittsburgh Courier*, September 19, 1955; “South Carolina’s Plot to Starve Negroes.”

¹⁰¹ “The ‘New’ Ku Klux Klan,” *The Crisis*, March 1956.

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ Cecil J. Williams, *Freedom and Justice: Four Decades of the Civil Rights Struggle as Seen by a Black Photographer of the Deep South* (Macon: Mercer University Press, 1995), 78; “South Carolina’s Plot to Starve Negroes,” *Jet*, October 20, 1955.

¹⁰⁵ Williams, *Freedom and Justice*, 78.

Job loss was a very real possibility for black teachers who openly supported desegregation. As Mrs. McCollom's experiences demonstrate, being dismissed from your job because of your activism did not represent a temporary loss of income. That loss could be long-term. Yet, income was only one part of their loss. For schoolteachers, and black teachers especially, teaching offered accessible, professional, respectable work that helped cement their status in the community.

Of course, teachers were not the only ones who faced repercussions for their activism. A Charleston newspaper published the school petitioners' names, and one editorial told white citizens that they should study the list of names carefully.¹⁰⁶ In one instance, a segregationist used a certain amount of creativity in his/her efforts to extract information from the NAACP. S/he tried to impersonate an uneducated African American, and wrote a letter to Walter White asking for a list of NAACP members so he would know "who is my friens" and "who is i supposed to buy from."¹⁰⁷ John Morsell informed him that poor, uneducated blacks did not, in fact, speak "in that bad imitation of Uncle Remus."¹⁰⁸ The bad imitation, combined with their line of questioning only proved that "no one knows less about southern Negroes than the southern whites who claim they know most."¹⁰⁹

¹⁰⁶ Dixie Catholic Bishop Denounces Economic Reprisals as "Sinful," Papers of the NAACP, Part 3, Series D, Box A-99.

¹⁰⁷ J.W. Ballenger, Sr. to Walter White, 9 July 1956, Papers of the NAACP, Part 20, Box A-279. Ballenger is most likely a fictional name.

¹⁰⁸ John A. Morsell to J.W. Ballenger, July 24, 1956, Papers of the NAACP, Part 20, Box A-279.

¹⁰⁹ Morsell to Ballenger.

A number of other Orangeburg County African Americans faced job dismissals.¹¹⁰ In the small town of Elloree, the school desegregation effort brought about such a coordinated and concerted effort on the part of local white supremacists that one state NAACP leader, A.C. Redd, was prompted to announce, “Hell is popping here in South Carolina.”¹¹¹ In response to Ruby Hurley’s inquiries regarding the conditions of Elloree’s black community, L.A. Blackman told her, “I don’t see how these poor people are going to make it.”¹¹² At least fourteen people lost their jobs for signing the desegregation petition, most of whom were domestics, laborers, and sharecroppers. Mrs. Roselee Easterling wrote the NAACP desperate for help because, as a result of the economic squeeze, she and her sons were finding it impossible to find employment. A law firm sent John Hagler a letter demanding that he pay his mortgage in ten days or face foreclosure.¹¹³ In fact, calling in someone’s mortgage became common practice, even though as Blackman noted, “[i]t wasn’t like that before this thing (economic campaign) started.”¹¹⁴ Mrs. Helen Thompson was dismissed from laundry job in Orangeburg, leaving her unable to support her ill husband. Two municipal employees were dismissed: a ten year employee named James Shivers, and a twelve year employee named Andrew

¹¹⁰ Dixie Catholic Bishop Denounces Economic Reprisals as “Sinful,” Papers of the NAACP, Part 3, Series D, Box A-99.

¹¹¹ A.C. Redd to Miss Lucille Black, 25 August 1955, Papers of the NAACP, Part 26, Series A, Box C-182.

¹¹² L.A. Blackman to Ruby Hurley, 26 November 1956, Papers of the NAACP, Part 20, Box A-279.

¹¹³ Ed G. to Roy Wilkins, 19 April 1956, Papers of the NAACP, Part 3, Series D, Box A-288; John A. Morsell to Roselee Easterling, 8 November 1956; John A. Morsell to A.W. Simkins, 8 November 1956, Papers of the NAACP, Part 20, Box A-279; A.M. Rivera, Jr., “Big Corporations Exerting Pressure: Courier Exposes Carolina ‘Squeeze,’” *Pittsburgh Courier*, September 19, 1955.

¹¹⁴ John H. McCray, “Council ‘Pressure’ Unites Elloree Squeeze Victims,” *The Afro-American*, December 15, 1956.

Glover. Their dismissals likely felt like a slap in the face as Mayor Deer, who had received the black community's electoral support, not only fired Shivers and Glover, but forced Shivers out the house he was renting from the mayor. For the previous eight years, Shivers had been paying \$8 month to live in the home. Suddenly, in addition to losing his job, the mayor raised the rent to \$10 a week. Bennie Brown was fired from his city job with the public utilities department allegedly because fifty cents had gone missing and a wall was not clean. He was the father of five small children.¹¹⁵

Deer did offer Shivers a way out of his predicament. All he had to do to get his job back and have his rent reduced was take his name off the school desegregation petition. But Shivers refused, "I want to stand up for my rights. I don't want to take my name off."¹¹⁶ With limited educational and employment opportunities, activism may have offered men like Shivers an opportunity to grasp what had been, for them, an inaccessible form of manhood. Someone like Shivers may have seen this as an opportunity to lift his children out of the working-class. Perhaps more importantly to his sense of manhood, this school desegregation campaign provided a way for him to grasp the manhood that eluded him due to his economic dependence on whites.¹¹⁷

What local blacks likely found most horrific was Coble Dairy's refusal to deliver milk to the homes of people who signed the petitions.¹¹⁸ "[T]he vicious 'squeeze'" was

¹¹⁵ "South Carolina's Plot to Starve Negroes;" John McCray, "2 Men Lose Jobs in Elloree for Signing School Petition," *Afro-American*, August 20, 1955; A.M. Rivera, Jr., "Big Corporations Exerting Pressure

¹¹⁶ "2 Men Lose Jobs in Elloree for Signing School Petition."

¹¹⁷ "South Carolina's Plot to Starve Negroes."

¹¹⁸ "Big Corporations Exerting Pressure."

“denying milk and bread to countless children.”¹¹⁹ African Americans in the counties of Orangeburg and Clarendon were forced to leave their area to purchase essentials like milk and bread. For the Lewis family, whose son required regular blood supplements, this act had the potential to be especially detrimental. Milk was an essential part of their son’s high protein diet. Mr. Lewis confirmed that they were able to purchase the milk elsewhere, but that his real concern was whether or not his son’s specialist would refuse to continue treatments.¹²⁰ Lewis’ physician assured him that “my first obligation is to my God and my second is to my profession.”¹²¹ The Lewis’ were fortunate that their son’s doctor had high ethical standards. For, as the continued economic squeeze would prove, many segregationists did not.

The lack of a healthy, complete diet was clear to black teachers. As Elizabeth Cleveland recalled:

In Ellore we had to do so much for them. . . you know a child cannot learn anything if they have not had something to eat. And so oftentimes, we would take food. . . You would ask them if they had anything to eat and they would say they didn’t have anything . . . You wanted them to be alert to be able to learn. . . I don’t think people realize how much money teachers spent of their own, not making anything, to help their children be able to succeed in class because the parents didn’t really have anything . . . Years ago, you did whatever you had to do to help your students and to help the school.¹²²

Cleveland would have found herself facing these challenges teaching a rural, working-class group of students regardless of whether or not there was a boycott, but since some

¹¹⁹ “South Carolina’s Plot to Starve Negroes.”

¹²⁰ Ibid.; “Big Corporations Exerting Pressure.”

¹²¹ “Big Corporations Exerting Pressure.”

¹²² Cleveland Interview.

of the parents who signed the desegregation petition had children at ETS, it is certain that their financial straits were exacerbated. Cleveland's comments reflect that she understood the community in which she worked. Like many other African American teachers Cleveland acquired middle-class status through her profession, yet empathized with her constituency because of her own working-class background.¹²³

Even Christmas was not off limits to the economic squeeze. Customarily during the annual Christmas parade, Santa gave all the children little bags of candy, fruit, and nuts. But during 1955's Christmas parade, the Santa handed out gift bags to the white children, but ignored the little black boys and girls.¹²⁴ Blackman said, "they ran our children off the street."¹²⁵ Yet even in this, Blackman and Simkins were able to work together to soften the blow. Simkins used NAACP funds to buy oranges and tangerines; and Blackman had two hundred pounds of candy that a northern church donated in response to the economic squeeze. Blackman gathered a group of Elloree women to put together the children's Christmas bags.¹²⁶ They turned out so well that when a little white boy saw a little black boy's bag, he ran up to his mother and told her, "the colored people had a better Christmas than we had."¹²⁷

¹²³ Vanessa Siddle Walker, "African American Teaching in the South: 1940-1960," *American Educational Research Journal* 38, no. 4 (2001): 769-771. Walker uses a set of oral histories with Georgia teachers to argue that black teachers understood the communities they worked in because they were from those or similar communities.

¹²⁴ John H. McCray, "Council 'Pressure' Unites Elloree Squeeze Victims," *The Afro-American*, December 15, 1956.

¹²⁵ McCray, "Council 'Pressure' Unites Elloree Squeeze Victims."

¹²⁶ Modjeska Simkins, interview by Jacquelyn and Bob Hall, July 28, 1976, transcript, Documenting the American South, University Library at the University of North Carolina, Chapel Hill, North Carolina.

¹²⁷ Modjeska Simkins interview.

Most local African Americans demonstrated a serious commitment to seeing the school desegregation through to the end, but the Councils, who James Hinton pronounced were “acting like jackasses,” were sometimes successful.¹²⁸ For instance, one Elloree man asked that his name be removed from the petition after his white employer threatened him. In Orangeburg, twenty of the original fifty-eight desegregation petitioners asked that their names be withdrawn. A Standard Oil Esso representative instructed brothers James and Roy Sulton, who owned a gas station and mechanic shop, to remove their names from the desegregation petition. The Standard Oil representative told them to claim that they did not understand what they were signing. Mr. Sulton asserted that to say he did not know what he was doing would amount to claiming to be illiterate. He argued that not only did he know what he was doing, but every person who signed the petition knew what they were signing.¹²⁹

Roy Wilkins expressed similar sentiments, asserting that such ignorance was impossible. According to him, any literate man had to know what was going on. Several of these school petitions had been signed at public meetings wherein the petitions’ purpose had been adequately explained. Wilkins was confident that names were not being removed due to a misunderstanding. African Americans removed their names because of economic pressure.¹³⁰ But, removing their names would not guarantee that they got their jobs back. The *Pittsburgh Courier* reported that there was “no record of a Negro getting

¹²⁸ Negroes Can’t Be Held Back, Hinton Warns White South, 27 October 1955, Papers of the NAACP, Part 3, Series C, Box A-625. “SLED Investigating School Petitions,” *The State*, September 24, 1955.

¹²⁹ John McCray, “2 Men Lose Jobs in Elloree for Signing School Petition,” *Afro-American*, August 20, 1955; “South Carolina’s Plot to Starve Negroes”; “Big Corporations Exerting Pressure.”

¹³⁰ “Intermarriage Dispute Grows,” *The Columbia Record*, September 1, 1955.

his job back after taking his name off a petition.”¹³¹ Even worse, taking such an action would ruin a person’s standing in their community. Not only did they remain unemployed, but they were “looked upon with contempt by both whites and Negroes.”¹³²

But the economic squeeze taught Orangeburg County’s African Americans some valuable lessons that had been in practice since the early activism of the 1910s and would become signature characteristics of the burgeoning 1960s movement:

(1) no one should be permitted to sign petitions who can be pressurized; (2) quality, not quantity, of petitioners is most valuable, and (3) you can’t do business with Citizens’ Councils.¹³³

Indeed, the WCC’s victims were just as likely to be the petitioners’ family members as they were to be the individuals who actually signed the petition. But it was the last point—not supporting WCC owned businesses—that turned the Elloree and Orangeburg struggle on its head.

African Americans began “planning boycotts of merchants known to be members of the Citizens’ Councils.”¹³⁴ As James Hinton argued, “‘economic reprisals’ can be two-way streets as well as sharp two-edged swords.”¹³⁵ He called for not only a local boycott, but a national boycott against the companies local WCC members represented.¹³⁶ And at least some African Americans seemed to heed his advice. The March 1956 issue of *The Crisis* magazine featured a full-page photo of a medical center

¹³¹ “Big Corporations Exerting Pressure.”

¹³² Ibid.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ James M. Hinton to State NAACP Membership and Other Concerned Citizens, 18 October 1955, Modjeska Monteith Simkins Papers.

¹³⁶ “South Carolina’s Plot to Starve Negroes.”

in New York City having its Coca-Cola machine removed from the facilities after reports surfaced that “a Coca Cola distributor in South Carolina is spearheading the White Citizens Council boycotts of Negroes who signed desegregation public school petitions.”¹³⁷ “The white folks,” said long time activist and NAACP member John Felder, “want to run us out but we’re trying to hold our land.”¹³⁸ If such a boycott meant that they had no local merchants to buy from, African Americans were willing to purchase all their goods via mail order catalog. In Orangeburg, black college students at Claflin and South Carolina State College were encouraged to ask their parents to send clothing from home rather than shopping in the local stores. The students readily agreed to boycott Mayor Jennings’ products (Coca Cola, Sunbeam Bread, and Paradise Ice Cream) and to stop shopping at the WCC-owned downtown stores. Women teachers and other prominent community women closed their accounts at Beckers Department Store, and used their status to encourage other black women to do the same.¹³⁹

The Beckers store example helps demonstrates that, in their quest to punish African Americans, Council leaders also hurt white merchants. When one of the women called the owner and told him why she and other women would not be doing business with him anymore, he expressed remorse and said that he had been pressured into joining the whites’ boycott.¹⁴⁰ White businessmen who did not join the WCC’s boycott “face[d] the threat of being called ‘scalawags’ as well as being cut from the list themselves.”¹⁴¹ It mattered little if he wanted to join. Every white man in the Elloree/Orangeburg area

¹³⁷ “Moving Day,” *The Crisis*, March 1956.

¹³⁸ “South Carolina’s Plot to Starve Negroes.”

¹³⁹ “Big Corporations Exerting Pressure.”

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

“was pressured into joining the WCC or face a WCC led boycott of his business, as well as social isolation.”¹⁴² One white farmer, who dismissed his black farm hands at the Council’s behest, was left with only he and his wife to do the farm-work. When he went to the bank for a loan to help remedy his problem, the loan officer denied his loan and told him that he should present his problem to the Council.¹⁴³

Indeed, although the economic squeeze was directed mostly against African Americans, it is important to acknowledge that being white did not automatically protect one from the Council’s wrath. White Carolinians who had the audacity to support desegregation were also subjected to threats and economic reprisals. One Orangeburg County Methodist minister, Rev. J.B. Murray, found himself transferred to a different church after members of his flock found out that he co-authored a resolution denouncing the use of economic reprisals to maintain segregation. A Camden man was attacked for reasons that remained unclear. A Mr. Guy Hutchins was beaten and accused of advocating desegregation before a Lions Club group and a women’s group. Hutchins denied these accusations, and said that the only thing he could think of that would incite such violence towards him was that he helped some of the students at Mather Academy, a black school, with their music lessons.¹⁴⁴

The person often operating in a social space somewhere in between the black and white southerner was the southern Jew who felt “their economic and social status

¹⁴² John H. McCray, “Council ‘Pressure’ Unites Elloree Squeeze Victims,” *The Afro-American*, December 15, 1956.

¹⁴³ “Council ‘Pressure’ Unites Elloree Squeeze Victims,” *The Afro-American*, December 15, 1956.

¹⁴⁴ “The ‘New’ Ku Klux Klan”; South Carolina Council on Human Relations Report of the Associate Director, January 1957, L. Marion Gressette Papers, Box 5, South Carolina Political Collections, Columbia, South Carolina.

threatened by the segregation controversy.”¹⁴⁵ Like the owner of Beckers, Jewish merchants fell between a rock and a hard place as they were pressured by the Council and would lose the business of the black patrons. One third of South Carolina’s Jewish congregations were Council members, so there were certainly some who sincerely believed in the stated goal of preserving racial segregation. But others were simply wary of becoming the Council’s next victim.¹⁴⁶

The boycott of WCC owned businesses proved to be effective. In Elloree, the absence of African American patronage left Main Street, normally bustling with business on Saturdays, “ominously barren.”¹⁴⁷ As one unnamed Elloree man said, “The NAACP’s done put the white man out of business around here.”¹⁴⁸ One company (most likely Sunbeam) had been forced to return almost 800 bread loaves from a white store. Most African Americans were buying their groceries from one of three black-owned stores in the area, who were pooling their resources to stock their shelves with food purchased in towns as far as fifty to seventy miles away. They traveled to the neighboring towns of Holly Hill, Orangeburg, St. Matthews, and even as far as Columbia.¹⁴⁹ After all, black grocery store owners were also victims of the economic reprisals. They “found it difficult, if not impossible, to get supplies from wholesalers.”¹⁵⁰ One of the most

¹⁴⁵ “Looking and Listening,” *The Crisis*, December 1957.

¹⁴⁶ Ibid.

¹⁴⁷ “Big Corporations Exerting Pressure.”

¹⁴⁸ John H. McCray, “Council ‘Pressure’ Unites Elloree Squeeze Victims,” *The Afro-American*, December 15, 1956.

¹⁴⁹ “South Carolina’s Plot to Starve Negroes”; “Big Corporations Exerting Pressure”; “Council ‘Pressure’ Unites Elloree Squeeze Victims.”

¹⁵⁰ “All ‘Squeeze’ Victims in Two S.C. Counties Have Been Aided,” 28 January 1956, Papers of the NAACP, Part 20, Box A-279.

successful signs of the boycott was that it did cause some white merchants to close up shop.¹⁵¹

A likely unforeseen consequence of the economic squeeze was that it positioned the NAACP—the very organization Carolina’s segregationists endeavored to destroy—“in the role of savior.”¹⁵² Indeed, it mobilized the black community to action. When Rev. Hinton attended an Orangeburg NAACP meeting at a local church, he found a packed house.¹⁵³ Levi Byrd told Thurgood Marshall that the Council’s persecution of him increased his status in the community and made “more Negroes [sic] stick with The N.A.A.C.P.”¹⁵⁴ One Elloree man said, “T’hell with the white man now.” Another argued, “we are closer together here now then ever before. In one way I think the White Citizens Council’s economic pressure campaign was the best thing for unifying us.”¹⁵⁵

Epitomizing the long-held black tradition of self-help, the Palmetto State’s black community and the NAACP took special measures to assist those in need. After the Shivers and Butler families were kicked out of their homes, they were able to secure housing in black-owned homes. When John Hagler’s mortgage was called in, the state’s successful black-owned bank, Victory Savings Bank, took up his mortgage. In fact, the Victory Savings Bank proved to be an essential part of the movement’s success. When

¹⁵¹ “Friction in Deep South is Spreading,” *Pittsburgh Courier*, July 28, 1956.

¹⁵² “Big Corporations Exerting Pressure.”

¹⁵³ J.M. Hinton to Mr. Wilkins, 26 September 1955, Papers of the NAACP, Part 26, Series A, Box C-182.

¹⁵⁴ Levy G. Byrd to Thurgood Marshall, 7 June 1956, Papers of the NAACP, Part 22, Group V, Series B, Box 17.

¹⁵⁵ “Council ‘Pressure’ Unites Elloree Squeeze Victims.”

the WCC targeted the Sulton brothers, the men transferred their bank account to Victory Savings.¹⁵⁶

The bank provided a safe space where local and national entities could provide funds for local use. The national NAACP deposited \$1,000 into the bank for the local relief fund, and had \$20,000 total on deposit there. But the needs of local blacks were so great, and the economic reprisals they faced so harsh, that they soon had to deposit another \$10,000 to help farmers in Clarendon and Orangeburg counties. Two years later, the NAACP was sending funds directly to Blackman to be dispersed to those in need. Victory Savings Bank itself made loans to several reprisal victims, sometimes beyond what was good collateral.¹⁵⁷

Ellore's seventy-four year old branch president, L.A. Blackman, used his skill as a building contractor to build homes and provide work for those facing economic reprisals. Snack bar owner George Mack kept "a stream of chickens headed for distressed families."¹⁵⁸ Decisions on how to help reprisal victims were made on a case-by-case basis. Some people received outright gifts, and others received loans. James Hinton later boasted that through monetary donations and loans, the SC NAACP had been able to take care of each individual who faced reprisals as a result of the desegregation petitions in

¹⁵⁶ "Big Corporations Exerting Pressure."

¹⁵⁷ Roy Wilkins to A. W. Simkins, 26 January 1956; Roy Wilkins to Rev. James M. Hinton, 10 February 1956; James M. Hinton to Roy Wilkins, 12 February 1956; H. D. Monteith to Roy Wilkins, 18 February 1956; Roy Wilkins to L.A. Blackman, 28 May 1958; James Hinton to Roy Wilkins, 3 February 1956, Papers of the NAACP, Part 20, Box A-289.

¹⁵⁸ "South Carolina's Plot to Starve Negroes."

Clarendon and Orangeburg counties.¹⁵⁹ He declared, “people are very happy and satisfied over the entire matter.”¹⁶⁰

According to one unnamed NAACP official, there were several black and white national organizations “just waiting” for the signal to place funds in the Victory Savings Bank.¹⁶¹ Such a willingness to help would prove to be fortuitous since, according to NAACP assistant John A. Morsell, “[t]he greatest need for clothing, food, etc., appears to be in South Carolina.”¹⁶² At least part of the reason the official’s statements turned out to be true was because of the work of long-term SC NAACP secretary, Modjeska Simkins. Simkins and well-known black journalist Simeon Booker came up with a genius idea. They put a small add in *Jet* magazine encouraging people to send assistance to South Carolina.¹⁶³ In less than two weeks clothing, money, and canned goods began to arrive “by the ton.”¹⁶⁴ Fifteen churches in Wilmington, North Carolina pooled their resources to make a contribution. William H. Boone of the Portland Urban League told Wilkins that his colleague could secure at least \$1,500. The Denver NAACP branch sent in \$20 to be applied to the South Carolina Fund, and expressed interest in sending food and clothing.¹⁶⁵ The Berkshire County, Massachusetts NAACP branch donated \$10 and were

¹⁵⁹ “NAACP Funds Aiding Victims of Reprisals,” *Pittsburgh Courier*, February 4, 1956; James M. Hinton to Roy Wilkins, 23 January 1956, Papers of the NAACP, Part 20, Box A-289.

¹⁶⁰ James M. Hinton to Roy Wilkins, 23 January 1956.

¹⁶¹ A.J. Fisher to Gloster Current, 9 December 1955, Papers of the NAACP, Part 20, Box A-289.

¹⁶² John A. Morsell to Evelyn R. Manetti, 19 March 1956, Papers of the NAACP, Part 20, Box A-275.

¹⁶³ Modjeska Simkins interview.

¹⁶⁴ Ibid.

¹⁶⁵ Lyman W. Lowe to Roy Wilkins, 2 March 1956; William H. Boone to Roy Wilkins, 1 October 1956; A.J. Fisher to Gloster Current, 9 December 1955, Papers of the NAACP, Part 20, Box A-289.

“very anxious” to know if they could donate clothing.¹⁶⁶ The Public School No. 2’s PTA in the Bronx contributed shoes and clothing. Despite the outpouring of support from people across the nation, the economic reprisals placed insurmountable hardships for some local blacks. Some in Elloree’s black community were forced to leave the area to find work.¹⁶⁷

The events also emphasized a pre-existing sense of distrust between the national NAACP office and the local branches. When Roy Wilkins found out how successful Simkins had been in recruiting outside assistance for the squeeze victims, he informed her that the NAACP was not a relief organization.¹⁶⁸ He told her to return any funds she received to the people and organizations who sent them. Simkins was incensed. She told him that she would do no such thing:

Now Roy, I am not going to send back a damned cent to anybody. These people are under pressure. You all asked us to get these petitions signed, and that’s what we’re doing. We have an obligation to these people. . . Now, you all sit up there and drink all the Bloody Marys and eat all your big sirloin steaks and drink your scotch and milk, but we are down here under pressure. And we’ve got the load on us, and we’re going to handle it.¹⁶⁹

So largely under Simkins’ leadership, the SC Conference continued its assistance campaign.

¹⁶⁶ Sinclair Gunn to Roy Wilkins, 7 January 1956, Papers of the NAACP, Part 20, Box A-289.

¹⁶⁷ “NAACP Funds Aiding Victims of Reprisals,” *Pittsburgh Courier*, February 4, 1956; Ed G. to Roy Wilkins, 19 April 1956, Papers of the NAACP, Part 3, Series D, Box A-288.

¹⁶⁸ Modjeska Simkins interview. Wilkins had made these comments during other occasions when people asked for financial assistance.

¹⁶⁹ *Ibid.*

Still, the Council's economic squeeze may have helped build a sense of trust between the NAACP and the local black community who learned to rely on the civil rights organization for help rather than trying to find the assistance of sympathetic whites.

If we need money now, we go to the NAACP to help us borrow it. If we need food and clothes, the NAACP gives them to us, and we don't have to say 'yowsuh' for it. I tell you, that NAACP is the best thing that's ever come to colored folks. I ain't never heard of no white man around here treating us like the NAACP is doing. T'hell with the white man now!¹⁷⁰

The NAACP's financial assistance helped blacks in Ellorete/Orangeburg reclaim a sense of ownership of their community. It prevented them from feeling as if they had to disgrace themselves in order to provide for their families. Therefore, the school desegregation petitions, the WCC's boycott, and the black community's counter-boycott, proved to be an empowering experience for a disfranchised community.

It is possible that no one in all of Orangeburg County received more severe reprisals than L.A. Blackman who was targeted for his zealous, and often successful, efforts to organize the black community against the segregationist's status quo. He was known as "the most hated man" in Ellorete and "the most feared by whites and most loved by his own people."¹⁷¹ On Saturday, December 10, 1955, Blackman was in Orangeburg visiting his bed-ridden wife in the hospital. Yet back home in Ellorete, he became the center of attention for the sixty people "in full regalia" attending a local Klan rally.¹⁷² It was announced over the loudspeakers that Blackman's fellow African Americans should

¹⁷⁰ "Council 'Pressure' Unites Ellorete Squeeze Victims," *The Afro-American*, December 15, 1956.

¹⁷¹ Ibid.

¹⁷² "One Told to Leave S.C., Another NAACP Leader Is Slain," *New Journal and Guide*, December 10, 1955.

see to it that he leave town.¹⁷³ Blackman actually went to the rally and said he drove as close to the speakers as possible to hear what was going on. It was almost over but he remembers the speaker asking him if he would like to say anything. Blackman said that he would, and announced, “I’m here in Elloree. I’ve been here for seventeen years. And I have no idea of leaving here. I want to stay here.”¹⁷⁴ Blackman joked that after that, “then I had my own people to face.”¹⁷⁵ Regardless of his positive attitude, he knew to take the Klan’s threats against his life seriously. He was aware of the violence faced by other South Carolina activists. When a reporter asked Elloree’s mayor, W.J. Deer about the rally, he claimed to know nothing about it. His ignorance, however, was quite unlikely in light of the fact that the rally attendees staged a parade through town.¹⁷⁶

Blackman was also a victim of the WCC’s malicious economic reprisals. The Holly Hill Building Supply Company wrote the successful contractor—who had largely come out of retirement for the express purpose of helping other people in his community—to let him know that they would no longer sell him the goods he needed to build homes:

¹⁷³ “One Told to Leave S.C.”; “S.C. Leader Defies Klan Threats,” *The Chicago Defender*, December 17, 1955.

¹⁷⁴ L. A. Blackman interview, Highlander Folk School Audio Collection, 1953-1963, 12B-2; “SC Leader Defies Klan Threats.” Note: According to the newspaper article Blackman said he did not arrive at the rally until after the speaking was finished and was told later by friends of the threats made against him.

¹⁷⁵ L. A. Blackman interview.

¹⁷⁶ Ibid. Blackman mentions that James Hinton’s home, and the hotel Modjeska Simkins worked at were both shot into; Peter F. Lau, *Democracy Rising: South Carolina and the Fight for Black Equality Since 1865*. (Lexington: University Press of Kentucky, 2006), 202-209. J.A. DeLaine’s was ran out of the state after being threatened by the Klan, and his house and church were burned down ; “One Told to Leave S.C.,” *New Journal and Guide*, December 10, 1955.

We do not want to carry on business transaction[s] with people that support the advancement of colored people. So do not ask for any more materials.¹⁷⁷

Likewise Burgess Butler, the father of three children and an Elloree resident, was instructed by his white landlord to leave the home he had been renting. In 1955 he was also charged with assault to kill for an incident that happened a year prior. His friend, Rev. McCollum, believed that he never would have been charged if he had not signed the school desegregation petition. Butler did shoot a white man in the leg, but only after the man knocked him down, and threatened him and his family.¹⁷⁸

The events at South Carolina State College most directly foreshadowed the 1960s student-led movement. The students had already been participating in the black boycott of WCC owned businesses when the South Carolina legislature targeted them. In March 1956, a committee was established to investigate the NAACP's activity at the university. Governor Timmerman signed a joint resolution which asserted that: 1) the NAACP's main objective was to create "a bitter feeling of unrest, unhappiness and resentment" among African Americans, 2) the NAACP ruined the "amicable and friendly relations" between black and whites that had been "so common in the past," and 3) the NAACP had "mislead" the faculty and staff into becoming active members.¹⁷⁹ The newly established committee would investigate the NAACP's on-campus activity, discover who was a

¹⁷⁷ T.W. Westbury to L.A. Blackman, nd; Memorandum by Miss Black, 28 February 1956, Papers of the NAACP, Part 20, Box A-279. The letter from Westbury does not include a date but Black refers to it in her memo.

¹⁷⁸ "Big Corporations Exerting Pressure," *Pittsburgh Courier*, September 19, 1955; Georgette Noble to Roy Wilkins, 8 January 1956, Papers of the NAACP, Part 20, Box A-279.

¹⁷⁹ Joint Resolution, 16 March 1956, Papers of the NAACP, Part 20, Box A-279.

member and/or sympathizer, and whether said activities were “detrimental” to the college and its students.¹⁸⁰

The university faculty and staff were among the first to react to the General Assembly’s actions. They released a resolution of their own in order to “save the General Assembly any undue expense or difficulty in securing” their viewpoints. The faculty/staff: 1) affirmed their belief in academic freedom, 2) proclaimed that education was intended for the good of all, not to “further the interests of any individual or group,” 3) asserted that pressure and intimidation negatively effected their ability to teach, 4) asked that the Assembly provide any information from the U.S. attorney’s office which suggested that any organization subversive, and 5) suggested that if the legislature was so convinced that South Carolina State faculty/staff were not working in their students’ best interest, they should dismiss the entire faculty/staff and admit the entire student body into the state’s other institutions of higher education.¹⁸¹

The students, however, engaged in direct-action protests. They went on strike from their classes. Using skills he learned under Principal William H. Grayson’s tutelage while a student at Burke Industrial High School in Charleston, Fred Moore, now the student council president, helped organize the strike. Moore, reported that he suspected most students would stay away from campus as long as the school was under surveillance.¹⁸² One newspaper reported that in a “quiet, 20-minute demonstration”

¹⁸⁰ Joint Resolution, 16 March 1956, Papers of the NAACP, Part 20, Box A-279.

¹⁸¹ Resolution, 23 March 1956, Papers of the NAACP, Part 20, Box A-289.

¹⁸² R. Scott Baker, “Pedagogies of Protest,” 2794; “Students Hit Surveillance,” *The State*, April 12, 1956.

students hung the governor in effigy.¹⁸³ And although the timing suggest that their activism was in direct response to the legislature's resolution, the college students linked their activism to the economic squeeze which was having such a devastating effect on the surrounding community. As one student, S. E. Gamarekian, noted in a letter to the *New York Times'* editor, the persecution of SC State was only one of several factors. They were concerned about the plight of teachers at colleges, universities, and public schools. They were also concerned about African Americans "at the lower economic levels, such as laborers, and maintenance and service personnel" who had already been dismissed from their jobs because of their relationship with the NAACP.¹⁸⁴ In reaction to their protest and strike, the college's president, Dr. Benner C. Turner notified some of the students by mail that they should not return to school for the next semester. Such an action had the potential to cause irreversible damage to a group of students who did not always have the financial opportunity to attend another school. Charleston's most well-known teacher-activist, Septima Clark, wrote Roy Wilkins regarding four Charleston natives who Turner kicked out of school. The students, two boys and two girls, were bright and had earned four-year scholarships from the County. They now needed the NAACP's legal and financial assistance.¹⁸⁵

Orangeburg's segregationists expressed confidence that the college students had been "duped" into "supporting the Red-sponsored NAACP" and were now aware that

¹⁸³ "SC Governor Hanged in Effigy as Student Strike Continues," News Clipping, Papers of the NAACP, Part 20, Box A-279.

¹⁸⁴ S.E. Gamarekian to Editor, 19 April 1956, Papers of the NAACP, Part 3, Series D, Box A-288.

¹⁸⁵ Septima Clark to Roy Wilkins, 6 June 1956; Roy Wilkins to Septima Clark, 19 June 1956, Papers of the NAACP, Part 20, Box A-279. Wilkins responded that, as far as he knew, the four students had all been accepted at other universities and their scholarships would continue.

“the organization was not benefiting the Negro race.”¹⁸⁶ But South Carolina’s black college students would continue to prove that they knew exactly what they were doing, and that they were just as dedicated to desegregation as their adult counterparts. In Columbia, Fred Moore, who South Carolina State College expelled for his activism, was now attending Allen University where he and other students decided to test the city’s segregated bus system.¹⁸⁷

As African Americans engaged in protests, boycotts, and petitions, state authorities and agencies renewed their effort to ensure state-sponsored segregation remained in tact. *The Crisis* magazine reported, “State after state is using its legislature or its court, or both, in efforts to bar the NAACP from operation.”¹⁸⁸ Demonstrating that the fight to preserve segregation was not only a multi-state fight, but that southern segregationists leaders were willing to work together in this fight, four southern governors met in Richmond, Virginia in January, 1956 to formulate a cooperative plan. Governors J. P. Coleman (Mississippi), Marvin Griffin (Georgia), Thomas Stanley (Virginia), and George Bell Timmerman (South Carolina) agreed to ask their legislatures to: 1) adopt a resolution asserting that school desegregation was a violation of their states’ rights, 2) ask U.S. Congress step in to protect the state’s from the federal government’s “encroachment”, and 3) establish new laws to protect state sovereignty. The southern governors were clearly employing the oft-used states’ rights argument. And the NAACP did not hesitate in questioning the legitimacy of their claims. Roy Wilkins wrote the

¹⁸⁶ “Letter Tells of Activity of Student Organizations,” *The Orangeburg Citizens Council*, April 2, 1956.

¹⁸⁷ “Students Continue Tests of Bus JC,” *The Afro-American*, December 15, 1956.

¹⁸⁸ “Forty-Seventh Annual NAACP Convention,” *The Crisis*, August-September 1956, 420.

governors soon after their meeting and argued that the U.S. Constitution did not grant the states any right to violate people's civil rights. Moreover, while the segregationist governors asserted that they were protecting their citizenry, they certainly did not represent African Americans' interest. Nonetheless, South Carolina's legislators proceeded to draft and pass a joint resolution the following month, and Timmerman signed it. In addition to the demands the four governors originally made, Timmerman and the South Carolina General Assembly also requested that the U.S. Attorney General place the NAACP on the subversive list.¹⁸⁹ Such an action would enable the state to essentially outlaw the active civil rights organization and guarantee that it would be consumed with defending itself before Senator Joseph McCarthy's House Un-American Activities Commission.

As black Carolinians increased their protest efforts, it was in this political environment that anti-NAACP legislation gained increased support. Indeed, it was the WCC's inability to effectively and decidedly stymie the black community's desegregation efforts that led the state legislature to enact a law that would result in the removal of professors, teachers, and students who had the audacity to support desegregation and/or the NAACP.¹⁹⁰ As the national NAACP office acknowledged, there was "a mounting crescendo of legal efforts to stem NAACP activities."¹⁹¹ In order to deal with the integration issue, an act was approved on March 17, 1956, which

¹⁸⁹ Press Release, 26 January 1956; Roy Wilkins to J.P. Coleman, Marvin Griffin, Thomas Stanley, and George Bell Timmerman, 25 January 1956; James C. Thomas to Honorable Sirs, 25 April 1956; P.B. Young to Channing H. Tobias, Papers of the NAACP, Part 20, Box A-279.

¹⁹⁰ Richard Reid, "Ellore 21: Teachers Changed the Course of History in South Carolina's Civil Rights Movement," *Times & Democrat*, February 4, 2014.

¹⁹¹ Anti-NAACP Measures Momentum in South, 23 February 1956, Papers of the NAACP, Part 20, Box A-275.

extended both the Gressette Committee's existence and its reach. Moving beyond the public school system, the committee turned its attention to higher education and "all phases of segregation affecting the state government and the citizens of South Carolina."¹⁹² That year the Gressette Committee had been especially busy, and persuaded the General Assembly to pass fourteen new laws. These included permitting local school boards to sell or lease school property, the repeal of the compulsory-education law, and—most importantly to this study—a series of anti-NAACP statutes designed to stymie the organization's progress.¹⁹³ The meaning of the legislation was not lost on attentive educators like PEA leader Walker E. Solomon. He wrote that the Gressette committee's life had been extended in order to prove the state's "determination to defy the court."¹⁹⁴

The new legislation that most directly affected black teachers was H-1998, which became known as the anti-NAACP oath. Passed on March 17, 1956, this law made it illegal for local, county, or state government employees to be NAACP members and required them to disclose said membership, whether personal or through family ties.¹⁹⁵ Employing the same rhetoric white segregationist leaders had been using for generations, the new law accused the NAACP of disrupting "the peace and tranquility which has long existed between the White and Negro races."¹⁹⁶ And in a line that would play a vital role in the Ellore case, the legislators not only established that NAACP members would be dismissed from their jobs, but also that anyone "refusing to submit a statement as

¹⁹² Statement of Senator L. M. Gressette. 2 May 1956, W.D. Workman Papers, Box 32.

¹⁹³ *Paradoxes of Desegregation*, 113.

¹⁹⁴ Solomon, "The Problem of Desegregation in South Carolina," 318.

¹⁹⁵ *Democracy Rising*, 208.

¹⁹⁶ Act Related to NAACP, 17 March 1956, *Ola L. Bryan, et al. v. M.G. Austin, Jr.*

provided herein, shall be summarily dismissed.”¹⁹⁷ So even if someone was not a NAACP member, if they refused to make a statement one way or the other, they would lose their job. In the event local white officials felt inclined to be sympathetic, repercussions could also fall on them. If they did not report these cases, they were subject to pay a \$100 fine for each violation.¹⁹⁸

African American leaders were sure that black educators were the anti-NAACP oath’s real targets. Georgia passed a similar law the previous year that explicitly named teachers as its sole target. Any teacher there found to be a NAACP member would have their teaching license revoked in perpetuity unless they renounced their membership and pledged an oath to the same effect.¹⁹⁹ According to Solomon, the South Carolina legislation was passed in order to “make sure no teachers join [the] NAACP.”²⁰⁰ He observed that the oath stemmed largely from the legislature’s incorrect assumption that “most, if not all, of the 7,500 teachers” in black schools were NAACP members.²⁰¹ Soon after the law’s passage, Roy Wilkins and Reverend Hinton denounced the new law as an effort to “intimidate teachers as they are the only large group of public employees from which the NAACP membership is recruited.”²⁰² The anti-NAACP oath was not just a vague swipe at the organization. It was meant to hit them hard. As one editorial noted, the new law was “simply another in a series of moves by the White South to break up the

¹⁹⁷ Ibid Act Related to NAACP, 17 March 1956, *Ola L. Bryan, et al. v. M.G. Austin, Jr.*

¹⁹⁸ Act Related to NAACP, 17 March 1956, *Ola L. Bryan, et al. v. M.G. Austin, Jr.*; Solomon, “The Problem of Desegregation in South Carolina,” 321.

¹⁹⁹ “Negro Teachers Told to Choose,” *The Asheville Citizen*, August 2, 1955.

²⁰⁰ Solomon, “The Problem of Desegregation in South Carolina,” 321.

²⁰¹ Ibid.

²⁰² Press Release, 22 March 1956, Papers of the NAACP, Part 20, Box A-279.

NAACP.”²⁰³ Cheraw branch leader Levi G Byrd agreed when he said that the state was doing all it could to “kill off” the NAACP.²⁰⁴ Black Carolinians would need to “stand firm and fast.”²⁰⁵

Ten days after the new law was passed Byrd wrote Lucille Black in the national office to update her of the situation in South Carolina. He told her he received word that white officials in the area planned to ask him for the chapter’s membership roster in order to find out how many teachers were in their NAACP branch. He was giving Black his word that he would not give them the information. He wrote, “I Am telling you if thay [sic] do I will not tell them, I will go to Jail before I tell them any thing [sic].”²⁰⁶ Likewise, when he heard a rumor that the Governor would force NAACP officials to disclose their membership, he promised Simkins, “I will never do so.”²⁰⁷ Instead, he planned on referring them to Black. Requests for membership were not only being made of the NAACP, but also of the PEA. The PEA gave responses like Byrd’s and local NAACP branches replied that they did not keep track of their members’ occupations. Solomon attributed these requests to white officials’ and reporters’ desire to find out how many teachers were NAACP members.²⁰⁸

While it would be easy to assume that all African American teachers would stand in support of the NAACP, or at least oppose the anti-NAACP oath, P.B. Mdoana, an

²⁰³ Press Release, 22 March 1956, Papers of the NAACP, Part 20, Box A-279.

²⁰⁴ Levi Byrd to Gloster B. Current, 18 July 1956, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁰⁵ Press Release, 22 March 1956, Papers of the NAACP, Part 20, Box A-279.

²⁰⁶ Levi Byrd to Lucille Black, 27 March 1956. Papers of the NAACP, Part 20, Box A-289.

²⁰⁷ Levi Byrd to Mrs. Andrew W. Simkins, 29 March 1956, Papers of the NAACP, Part 22, Box A-282.

²⁰⁸ Levi Byrd to Lucille Black, 27 March 1956; Solomon, “The Problem of Desegregation in South Carolina,” 321.

A.M.E. minister, principal of Chesterfield County's Pine Forest High School, and former teacher at Camden's Jackson High School, demonstrates that black Carolinians were far from being a monolithic group. Mdogana may initially appear to be a proponent of equal rights. A short *Jet* Magazine article said that the South African born educator believed black teachers should "appreciate equal facilities and oppose integration."²⁰⁹ But a deeper look into Mdogana's past reveals a more nuanced understanding of race and the meaning of equality. In April, 1956, the PEA refused to permit Mdogana to introduce a resolution at a PEA conference in Columbia that strongly criticized the group's support of integration. While accused of racial disloyalty by some members for his purported defense of segregation, the language of Mdogana's resolution and its accompanying letter reveal a different and largely understudied motivation for his support of separate black institutions.²¹⁰ Reminding readers that African Americans were "proud of our heritage and God-given racial distinctions," Mdogana wrote:

I, for one, am proud of my Negro heritage and wear my God-given color with dignity and display my racial traits without shame. I envy no man who has been endowed by our Creator with characteristics differing from my own.²¹¹

With a direct nod to black nationalism, Mdogana encouraged the PEA to go on record as "declaring our racial pride."²¹² He resented the assertion that black education—and educators—were inferior.²¹³ Mdogana did not dispute the fact that blacks had substandard resources, but he did not see integration as the cure. His hesitancy mirrored the uncertainties of other black Carolinians. Indeed, the case that sparked the

²⁰⁹ "South Carolina Negro Principal Praises Anti-NAACP Law," *Jet*, April 19, 1956.

²¹⁰ *Ibid.*

²¹¹ P.B. Mdogana to My Dear Fellow Educator, 10 April 1956, Papers of Modjeska Monteith Simkins Papers, Box 1.

²¹² *Ibid.*; "S.C. Negro Principal Praises Anti-NAACP Law," *Jet*, April 19, 1956.

²¹³ P.B. Mdogana to My Dear Fellow Educator.

desegregation battle in South Carolina, *Briggs v. Elliott*, began as a fight for improved and equal educational resources. It was changed at the behest of the national NAACP office. As Mmodana asserted, maintaining “separate but fully equal public school facilities” was the “well known desire” of most African Americans.²¹⁴ For individuals like Mmodana, civil liberties could be better acquired through equalization, than with integration.

The new legislation was effective in persuading some teachers to distance themselves from the NAACP. Levi Byrd and the Cheraw Branch, understanding that teachers who did not quit the civil rights organizations would most likely be losing their livelihood, responded to these resignations with official letters acknowledging teachers’ resignations. Still, he hoped that the teachers would continue to offer financial support.²¹⁵ Lucille Black understood that the deadline for teachers in the NAACP to either leave the organization or lose their jobs was fast approaching. But she was confident that “a number of test cases” would arise, and the matter would eventually have to be settled in the courts.²¹⁶ Roy Wilkins must have been equally confident because he telegraphed the South Carolina conference to offer the NAACP’s legal assistance should they wish to challenge the new law.²¹⁷

The opportunity to take advantage of this offer soon presented itself. On May 11, 1956, Elloree school district superintendent M. G. Austin, gave Principal Davis a set of

²¹⁴ P.B. Mmodana to My Dear Fellow Educator.

²¹⁵ Levi Byrd to Thurgood Marshall, 6 April 1956, Papers of the NAACP, Part 22, Box A-282; Levi Byrd to Gloster B. Current, 18 July 1956, Papers of the NAACP, Part 27, Series A, Box C-143.

²¹⁶ Lucille Black to Levi G. Byrd, 12 April 1956, Papers of the NAACP, Part 20, Box A-289.

²¹⁷ James M. Hinton to unknown, nd, Papers of the NAACP, Part 20, Box A-279.

applications to distribute to each teacher.²¹⁸ Their employment contracts for the 1956-1957 school year were significantly different from their past contracts. This time school superintendent M. G. Austin included the following questions:

Do you belong to the NAACP? Do you support the NAACP in any way (money or attendance at meetings)? Do you favor integration of races in schools? Are you satisfied with your work and the schools as they are now maintained? Do you feel that you would be happy in an integrated school system, knowing that parents and students do not favor this system? Do you feel that an integrated school system would better fit the colored race for their life's work? Do you think that you are qualified to teach an integrated class in a satisfactory manner? Do you feel that parents of your school know that no public schools will be operated if they are integrated? Do you believe in the aims of the NAACP? If you should join the NAACP while employed in this school, please notify the Superintendent and Chairman of the Board of Trustees. Do you desire a position in the Ellore Training School for the 1956-1957 session?²¹⁹

The teachers were required to complete and submit the applications in order to have their contracts renewed for the following school term. When the teachers met with Superintendent Austin a few days later most of the dissenting teachers informed him that they would not be completing the new application. Austin told them that they would have to sign a resignation form. But three teachers—Bee A. Fogan, Essie M. David, Rutha Ingram, and Frazier Kitt—also refused to sign the resignation forms Austin supplied them with. Two of the dissenting teachers, Leila M. Summers and Robert D. Carmichael filled out the application, but refused to answer the questions regarding NAACP membership and school integration. In short, they completed the information

²¹⁸ Complaint, 19 September 1956, *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*.

²¹⁹ *Ibid.*

regarding their qualifications, but only answered the questions regarding their desire to teach at ETS. On May 17, 1956, the national office sent out a press release that was intended to bring attention to the twenty-one Elloree teachers who effectively lost their positions as a direct result of the anti-NAACP oath. Eighteen resigned and three refused to sign. Ultimately, only seven of the Elloree Training School's thirty-one teachers submitted applications on May 11.²²⁰

The questionnaire set the small, rural town of Elloree apart from the rest of the state. All South Carolina school districts required black teachers to reveal or terminate their NAACP membership, but only superintendent Austin included what one African American commentator described as "none-of-their-business" questions that "no self-respecting, truthful, 100% American Negro" could answer.²²¹ With Elloree as a model for other South Carolina school districts, similar questionnaires were executed in Charleston and Jasper counties where active WCC chapters operated.²²²

The ETS teachers' stance may have looked like a staged protest, but there was no planned collective action in place. Before superintendent Austin arrived at the school on May 11 to have the new contracts signed, Charles Davis met with each teacher to review the stipulations of the new questions.²²³ With as much objectivity as he could muster, he told each teacher to "only do what you think you have to do. . . You do what you feel that

²²⁰ Complaint, 19 September 1956, *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*; "Elloree 21," *Times & Democrat*, February 4, 2014.

²²¹ "News in Review," *Pittsburgh Courier*, August 18, 1956.

²²² John H. McCray, "25 Fired S.C. Teachers to Test Anti-NAACP Law," *Afro-American*, May 26, 1956.

²²³ "Elloree 21," *Times & Democrat*, February 4, 2014; John McCray "S.C. Teachers Sue To Kill NAACP Ban," *Afro-American*, September 22, 1956. The article says Austin arrived "on or about" May 1, 1956.

you want to do in your heart.”²²⁴ That advice meant something different to each teacher. For some teachers, it meant not answering the questions at all, for others it meant resigning from their positions, and for certain teachers it meant answering the questions honestly and openly. To someone like Elizabeth Cleveland, it was simply a matter of standing up for herself. She said, “I felt like I had gone to school and felt I could teach any child.”²²⁵ Some of the ETS teachers answered the questionnaire in a satisfactory manner and their contracts were renewed for the next school year. Cleveland remembers being surprised that her roommate signed the contract. But she also understood the reasons why others went ahead with signing it: “The others, I knew—it was a mother and daughter—but they lived there and so I could understand why they weren’t gonna leave, you know.”²²⁶

Despite expected repercussions, some black teachers continued their affiliation with the NAACP. Orangeburg County’s Dantzler School principal Reverend E.E. Richburg, who played a vital role in the Clarendon movement, seemed ready for the inevitable battle when he told a reporter with the *New York Post*, “I hope they fire me then. I’d like to meet them in court.”²²⁷ Out of fourteen teachers at his school, he was the only one who admitted to being in the NAACP. But this current battle was nothing new to him.²²⁸ He was already firmly entrenched in the movement. In 1955 the KKK kidnapped him and threatened to “horse-whip” him and was dismissed from a teaching

²²⁴ Cleveland interview.

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ Press Release, 17 May 1956, Papers of the NAACP, Part 20, Box A-280.

²²⁸ John H. McCray, “25 Fired S.C. Teachers to Test Anti-NAACP Law,” *Afro-American*, May 26, 1956.

job because of his role in the *Briggs* case in Clarendon County.²²⁹ Richburg serves as an excellent example of the far-reaching implications of one individual's activism. Not only was he dismissed from his teaching position, but so were his daughter, his son, and their spouses.²³⁰

Other teachers around the state also lost their positions. At least five teachers in Charleston did not have their contracts renewed because of their NAACP affiliation. Among them were Henry Hutchinson and Septima Clark who were dismissed after helping to shore-up support for a desegregation petition. Hutchinson taught at Burke Industrial School, and Clark taught at Henry Archer School. Both refused to renounce their NAACP membership.²³¹ Clark remembered, "I refused to overlook my membership in the NAACP, as some of the teachers had done, and listed it."²³² Teachers like Clark were well aware of the fact that their activism would have repercussions and consequently many did not feel comfortable following her example. As Cecil Williams recalled regarding black teachers, "It was rare for teachers to really take any anti-establishment kind of attitude or any activity."²³³ For her part, Clark tried to mobilize black teachers in Charleston to fight the anti-NAACP oath, which she saw as a blatantly unjust law.²³⁴ She was largely unsuccessful in this endeavor and regarded it as one of her greatest failures. She remembered:

[T]here were such a few jobs that they didn't see how they
could work against the law. . . I signed my name to 726

²²⁹ "S.C. Minister Forced to Use Shotgun," 7; Baker, *Paradoxes of Desegregation*, 110.

²³⁰ *Paradoxes of Desegregation*, 110.

²³¹ Memorandum by Lucille Black, 3 August 1956, Papers of the NAACP, Part 20, Box A-289; Baker, *Paradoxes of Desegregation*, 113-114.

²³² Septima Poinsette Clark, *Echo in My Soul*, (New York: Dutton, 1962), 111-2.

²³³ Williams Interview.

²³⁴ Clark, *Ready from Within*, 37-38.

letters to black teachers asking them to tell the state of South Carolina that it [the anti-NAACP oath] was unjust . . . I don't know why I felt that black teachers would stand up for their rights. But they wouldn't. Most of them were afraid and became hostile.²³⁵

Clark did get a response from twenty-six teachers. Eleven of them agreed to go with her to talk to the superintendent, but only six of them showed up for the meeting. The superintendent did not say much to them, only that they were living far ahead of their time.²³⁶

The wholesale dismissal of black teachers and hyper-focused negativity towards the NAACP was by no means exclusive to South Carolina. In 1956 North Carolina threw out its state tenure law and requested that all teachers reapply to their positions. Teachers who were known to support integration were unlikely to be rehired.²³⁷ A few years later, 1959, Little Rock, Arkansas not only threatened to close its public schools but also to fire forty-four teachers, most of whom were black, for their "mild support of school integration."²³⁸ And in one of the most troubling incidents of massive white resistance, every teacher in Prince Edward County, Virginia lost their job when the county closed its public schools rather than comply with the law.²³⁹ Clearly, the ETS teachers, and anyone else who was unwilling to bow to the demands of powerful white segregationists could find themselves unemployed.

All of these dismissals for breach of contract had the potential to culminate into a court case. The NAACP and the PEA stood by various teachers around the state, but they

²³⁵ Clark, *Ready from Within*, 37-38.

²³⁶ *Ibid.* This occurred after Clark received her letter of dismissal in May, 1956.

²³⁷ Michael John Schultz, Jr., *The National Education Association and the Black Teacher*, (Coral Gables: University of Miami Press, 1970), 78.

²³⁸ *Ibid.*, 93.

²³⁹ *Ibid.*

homed in on the Elloree case because their lawyers thought the circumstances presented a better opportunity to challenge the anti-NAACP legislation.²⁴⁰ Correspondence from the national office shows that it had a deep interest in the Elloree case. Indeed, it was their “moral obligation” to offer whatever help they could.²⁴¹ Roy Wilkins and Thurgood Marshall exchanged memos about the case between each other.²⁴² The NAACP made strategic efforts to ensure that the teachers would stay the course by offering legal and financial assistance. Roy Wilkins wrote to Reverend Hinton that the national office was “very anxious” to offer the Elloree teachers as much support as it could muster.²⁴³ Even as Wilkins acknowledged that his organization’s “financial resources are not inexhaustible,” he pledged to help the teachers find other jobs and “to give assistance in these outstanding cases.”²⁴⁴ The NAACP also endeavored to help the teachers in their path towards financial recovery by helping them go to graduate school, find immediate employment, or in taking the New York City teachers exam. They sent \$2400 to the South Carolina conference to assist the interested Elloree teachers with their graduate studies.²⁴⁵

As the NAACP and black newspapers publicized the plight of Orangeburg County’s black teachers other organizations lent financial and logistical support. Charles Davis was invited to attend a citizen’s organization in Minneapolis called the Campaign

²⁴⁰ *Paradoxes of Desegregation*, 113-114.

²⁴¹ Roy Wilkins to James Hinton, 19 July 1956, Papers of the NAACP, Part 20, Box A-289.

²⁴² Memo, 21 August 1956; Memo, 6 September 1956, Papers of the NAACP, Part 20, Box A-280.

²⁴³ Roy Wilkins to James Hinton, 19 July 1956, Papers of the NAACP, Part 20, Box A-289.

²⁴⁴ *Ibid.*

²⁴⁵ W.E. Solomon to Roy Wilkins, 23 August 1956; Memo from Roy Wilkins, 25 September 1956, Papers of the NAACP, Part 20, Box A-289.

for Courage where he received a five hundred dollar award on behalf of the Elloree teachers. They agreed to turn the sum over to the NAACP.²⁴⁶ Similarly when Thurgood Marshall contacted Fred Fuges, the Director of the Rights of Conscience Program of the American Friends Service Committee (AFSC), he said they had some money set aside to provide “relief of conscience victims” and that the teachers could qualify for aid.²⁴⁷ The aid was intended to help its recipients pay court costs and legal fees, demonstrating that Marshall and the NAACP were laying the groundwork for its next legal battle. The AFSC also helped pay for Ms. Floyd’s graduate work as well as Robert Carmichael’s. The NAACP also offered to help people relocate. Such assistance was not their usual method of assistance, but they were willing to do so in this case.²⁴⁸

With growing funding, NAACP leaders believed that the Elloree case presented great possibilities for their legal efforts to undermine segregation and racial inequity. The release of twenty-one teachers by the same school board and the unique questionnaire made it blatantly clear that the teachers’ dismissals and forced resignations had nothing to do with their performance and everything to do with their affiliation with the NAACP. By July 1956, the national NAACP office communicated with the local chapter and

²⁴⁶ W.E. Solomon to Roy Wilkins, 21 July 1956, Papers of the NAACP, Part 20, Box A-289; “New Citizens Group Cites S.C. Teachers, Gives NAACP \$500,” *Afro-American*, September 8, 1956.

²⁴⁷ Fred Fuges to Thurgood Marshall, 24 July 1956, Papers of the NAACP, Part 20, Box A-289.

²⁴⁸ *Ibid.*; John A. Morsell to Alan Howe, 4 February 1957; John A. Morsell to Vivian Floyd, 4 February 1957; Roy Wilkins to W.E. Solomon, 24 July 1956, Papers of the NAACP, Part 20, Box A-289.

Columbia attorney Lincoln Jenkins regarding the most effective legal strategy on behalf of the Elloree defendants.²⁴⁹

The Elloree teachers' legal case began in the Federal District Court in August of 1956. In a bit of irony, John J. Parker and George Bell Timmerman, who ruled on the *Briggs* case alongside J. Waites Waring would hear the case: *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*. The plaintiffs, all ETS teachers, were: Ola L. Bryan, Robert D. Carmichael, Essie M. David, Charles E. Davis, Rosa D. Davis, Vivian V. Floyd, Bee A. Fogan, Hattie M. Fulton, Rutha M. Ingran, Mary E. Jackson, Frazier H. Keitt, Luther Lucas, James B. Mays, Laura Pickett, Howard W. Shefton, Betty Smith, Leila M. Summers, and Clarence V. Tobin. In their initial complaint, the plaintiffs repeatedly pointed out that they had refused to answer the questions that appeared on the new application because the questions were unconstitutional and violated their rights as American citizens. The NAACP attorneys took on the anti-NAACP oath directly, asserting that it not only violated the Fourteenth Amendment, but also their constitutional rights to freedom of speech, freedom of association, and the right to petition. Jenkins and Marshall asked the Court to instruct the defense that it could not use personal beliefs or associations as a condition of employment, and likewise to instruct the defense that it could not refuse to hire/rehire someone because they refused to answer these intrusive questions.²⁵⁰

The defense asked for more time to review and prepare for the case, so it was postponed until mid-October. When the defense submitted its answer to the plaintiffs'

²⁴⁹ Roy Wilkins to W.E. Solomon, 24 July 1956, Papers of the NAACP, Part 20, Box A-289.

²⁵⁰ Complaint, 19 September 1956, *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*.

complaint their attorney argued that the federal court had no jurisdiction in the case, an argument segregationist attorneys had been making since the teacher salary equalization cases. The defendants also tried to argue that the plaintiffs had not completed their duties in a satisfactory manner, but this was easily disproved by the fact that the school district had re-hired some of these teachers over and over again. They also noted that the teachers who refused to sign the new applications did not give a reason for their refusal. Moreover, they argued that none of the teachers, save Luther Lucas, expressed an interest in being rehired. But since Lucas did not fill out the application, they alleged that they could not hire him. And while the NAACP's attorneys attacked the anti-NAACP legislation, the defense used it as evidence that they were within their rights to require the teachers to complete the new application. The defense' sixth defense—that the *Briggs* case did not outlaw racially segregated schools—revealed South Carolina segregationists true fears. After all, the plaintiffs were not making a desegregation argument. They had not even brought the issue up.²⁵¹

During the trial, the Attorney General's office submitted a brief for the defense. The attorney general used arguments that mimicked those used during the teacher salary equalization cases to prevent the defense from being held responsible for their actions. For example, the attorneys stated that the case was not really the court's prerogative because the plaintiffs failed to exhaust all the administrative remedies that the General Assembly laid out. Ignoring precisely why the ETS teachers' lost their positions, the attorney general also argued that the case was null and void because the plaintiffs were

²⁵¹ Petition, 20 September 1956; Ernest L. Allen to Lincoln Jenkins, Thurgood Marshall, and A.J. Hydrick, 27 September 1956; Answer, September 1956, *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*.

no longer employed, had been replaced, and waited months to file the case. And although they claimed that the teachers had not been dismissed because they were NAACP members—after all, none of the teachers volunteered whether or not they were members—they positioned the NAACP as the source of the state’s racial woes and defended the legislature’s attack on the organization.²⁵²

In its decision, the court largely chose to avoid the issues most central to the NAACP’s case. The judges chose not to rule on whether or not the anti-NAACP statute was unconstitutional. Instead, they posited that a state court had to make a ruling before the U.S. district court could render a decision. The case was not dismissed outright, but remained pending until and if the plaintiffs had “a reasonable time for the exhaustion of state administrative and judicial remedies.” On the surface (and perhaps in the judges’ perspective) this was a non-ruling. But their assertion that the teachers should exhaust the administrative options was, in fact, a ruling in the defendants’ favor.²⁵³

It was Judge Parker, whose opinion in the *Briggs* case had been decidedly against the NAACP, who issued an opinion dissenting parts of the court’s order. He disagreed that the three-judge panel needed a lower court’s ruling in order to make an appropriate decision. He also disagreed that the teachers needed to exhaust their administrative remedies because such remedies did not address the issue of unconstitutionality. Most important to the NAACP’s case, Judge Parker asserted that the association was not a

²⁵² Brief Amicus Curia of the Attorney General of South Carolina, *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*.

²⁵³ On Application for Injunction, 22 January 1957, *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*.

subversive organization engaged with overthrowing the government.²⁵⁴ The NAACP was unpopular, but that was not a justifiable reason to deny its members their constitutional rights:

The right to join organizations which seek by lawful means to support and further what their members regard as in the public interest or in the interest of a particular part of the public, is protected by the constitutional guarantees of the free speech and freedom of assembly; and such right is one of the bulwarks of liberty and of social progress. The fact that organizations may render themselves unpopular with the majority in a community is no reason why the majority may use its power to enact legislation denying to their members the fundamental rights of constitutional liberty.²⁵⁵

Judge Parker believed that court should declare the anti-NAACP oath unconstitutional and enjoin the defense from enforcing it as it was “unambiguous and clearly unconstitutional.”²⁵⁶ The National Education Association agreed with Judge Parker. They released a joint resolution with the Palmetto Education Association which stated that although applications were an appropriate prerequisite to hiring teachers, if those applications asked questions that “can be answered only in a manner that prejudices the teacher’s professional integrity and unjustly eliminated the teacher from further consideration for employment,” it was imperative for “professional organizations and individual citizens alike” to “oppose the use of the forms.”²⁵⁷ Unfortunately, the state’s white teachers’ association, the South Carolina Education Association, refused to stand

²⁵⁴ Parker, Circuit Judge, Concurring in Part and Dissenting in Part, *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*.

²⁵⁵ *Ibid.*

²⁵⁶ *Ibid.*

²⁵⁷ Report, “White Teachers Association Refused to Endorse Resolution (SCEA),” 11 January 1957, Gressette Papers, Box 5.

with the NEA and PEA.²⁵⁸ The Palmetto State's black teachers found that, once again, they could only depend on their own professional association and the NAACP.

The NAACP did not go to a lower court as the three-judge panel recommended and instead filed an appeal to the U.S. Supreme Court.²⁵⁹ But they would not get their day in court. South Carolina, realizing that it was unlikely to win the case if it went before the U.S. Supreme Court, repealed the statute.²⁶⁰ The case was remanded back to the U.S. District Court where it was dismissed.

But the anti-NAACP oath's repeal did not mean that the South Carolina General Assembly was abandoning its effort to dismantle the organization, or that it would stand idly by while schools were desegregated. In its stead were two new anti-NAACP laws. Governor Bell Timmerman signed what was known as the barratry law. The law, which was intended to prevent the NAACP from starting and filing school desegregation petitions, was quickly condemned by James Hinton who argued that it would "have little or no effect" on black Carolinians' effort to acquire full citizenship. Furthermore, even if the law managed to hurt the organization, the NAACP would "move right on."²⁶¹ The second law required teachers to list all of their organizational associations. Having learned a valuable lesson from the Elloree case, state segregationist lawmakers did not make it illegal to employ a NAACP member, but gave state agencies the option to not hire someone on the basis of their organizational affiliations. The new law bore the

²⁵⁸ "White Teachers Association Refused to Endorse Resolution (SCEA)."

²⁵⁹ Notice of Appeal to the Supreme Court of the United States, 20 February 1957, *Ola L. Bryan et al. v. M. G. Austin, Jr., as Superintendent of School District No. 7*.

²⁶⁰ Ibid; "Elloree 21," *Times & Democrat*, February 4, 2014; "Teachers Changed the Course of History in South Carolina's Civil Rights Movement," *Times & Democrat*, February 4, 2014.

²⁶¹ James M. Hinton, 9 February 1957, Papers of the NAACP, Part 20, Box A-279.

appearance of being less overtly unconstitutional, but its supporters were not secretive about its intent to stymie the NAACP's progress. These new laws were in some ways worse than the anti-NAACP oath. Not only did they accomplish the same goal, but amidst the Red Scare's oppressive atmosphere they bore the appearance of being legally defensible.²⁶²

The fact that the NAACP had become a target for the state legislature and other elected officials was quite blatant. Additionally, black Carolinians' heightened activism reinvigorated the reactionary white resistance movement. The Citizens Councils, which had already grown to nearly sixty local councils, launched a new membership drive at the start of 1957.²⁶³ They had been so effective in their methods, that Senator Englehardt of Birmingham, Alabama made a pilgrimage to the state so that he could "swap ideas" with the state's council leaders. He heard how well-organized the South Carolina councils were and believed that his campaign, which he asserted was "based on white supremacy," could learn from South Carolina's well-organized Councils.²⁶⁴

Under these circumstances, it is less surprising that Clark had such a difficult time rallying Charleston's black teachers. The Ellore situation was a bit of an aberration. Perhaps in that moment, they did not truly realize what they were risking. Elizabeth Cleveland recalled that she was not worried about the risk of not being able to find another job.

²⁶² *Paradoxes of Desegregation*, 114 ; "Teachers to Test Latest S.C. Law," *Afro-American*, May 25, 1957.

²⁶³ Report, 17 January 1957, Gressette Papers, Box 5, South Carolina Political Collections, Columbia, South Carolina.

²⁶⁴ Report, "Segregation Leaders Visit Sumter," 18 January 1957, Gressette Papers, Box 5, South Carolina Political Collections, Columbia, South Carolina.

I guess some people were afraid that they weren't ever going to work again or something like that, but I didn't. . . that didn't dawn on me. That didn't bother me. I felt like all of us would be able to work wherever we applied, even if they found out that we did do that.²⁶⁵

But unfortunately, while Cleveland's confidence in her and her colleagues' abilities was more than justifiable, her confidence in their capacity to find work in a post-*Brown* political environment proved to be misplaced. Cleveland was able to find work. But that was largely due to the fact that her husband was in the military, and they moved away soon after this incident. For the majority of the ETS teachers, their audacity to pose a direct challenge to the anti-NAACP oath earned them a place on the state's black list.²⁶⁶ And as Cecil Williams recalled, the ETS teachers simultaneously risked their livelihoods and their community status:

The bravery these people had to give up their livelihood. And jobs are hard to come by during those days. So, this meant everything. This meant that if they owned a house and had a bank loan, they had no income coming. . . Many of them, when they did that, they were ostracized by the rest of the educational community. Not many of them were able to find jobs in the state. Many of them traveled out of state. . . There was an effort by the NAACP to get employment and also to have fund drives to give them money to pay them and that went on for a while. But, many of them never regained gainful employment and lived a life of poverty for the rest of their lives.²⁶⁷

Black teachers received widespread support among local community members in their goals of educating black youth.²⁶⁸ This strong backing was readily apparent among the ETS parents. After word of the teachers' dismissals got around town, some of the parents

²⁶⁵ Cleveland interview.

²⁶⁶ Ibid.; W.E. Solomon to Roy Wilkins, 17 July 1956, Papers of the NAACP, Part 20, Box A-231.

²⁶⁷ Williams interview.

²⁶⁸ Walker, "African American Teaching in the South," 769-771.

released a statement that characterized the teachers as “sympathetic, admirable, and respected” community members.²⁶⁹ In local black citizens’ eyes, the teachers’ activism only heightened their professionalism.²⁷⁰ Segregationists were correct to fear the possible implications of black teacher activism. If they became activists in large numbers, their efforts, in concert with the unceasing work of the NAACP, could bring about their worst fears. It could completely break down the architecture of Jim Crow segregation.

And the Elloree teachers did not necessarily receive an unqualified support. After the ETS teachers’ contracts were revoked, the school trustees received fifty-four applications, including some from out of state. Blackman said community members would refuse the new teachers because they did not feel the new teachers “should have taken the jobs of other teachers who had taken a noble stand.”²⁷¹ He quoted one trustee as saying that “anything can teach a nigger.”²⁷²

The reprisals local NAACP members faced were so pronounced that tensions between local and national leadership rose, as local residents did not feel the national office did enough to support them and compensate them for their struggles. Blackman most likely felt forgotten by the very organization he risked so much for and which he worked so hard to mobilize the community’s support. When Blackman wrote the state NAACP leader James Hinton in February of 1957, asking for additional support for Elloree’s black farmers, Hinton told him that they did not have any funds available that

²⁶⁹ Solomon, “The Problem of Desegregation in South Carolina,” 322.

²⁷⁰ Ibid.

²⁷¹ John McCray, “S.C. Teachers Sue to Kill NAACP Ban,” *Afro-American*, September 22, 1956.

²⁷² Ibid.

year and that the NAACP “cannot become a relief agency.”²⁷³ Likewise when Rev. H.C. Demore who noted that he had been unable to borrow money because he was the president of his NAACP branch, and an “ardent worker” for the organization, John Morsell advised him that they had no funds to help him, and told him to go to Victory Savings Bank for a loan.²⁷⁴ But Demore had gone to the bank the previous year. And while they furnished him with a \$200 loan, the amount was insufficient to run his farm.

Wilkins assured Blackman and Simkins that the NAACP would try to help with specific cases immediately connected to NAACP activism, and noted that he recognized that Ellore had become a “punishment area.”²⁷⁵ But he also repeated the assertion that they were not a “general relief agency.”²⁷⁶ Simkins remained one of Blackman’s most ardent supporters. In February 1958, she wrote him, seemingly heartbroken about the continued hardships he and the people of Ellore were facing. She wanted him to stay in the small, rural town and maintain his leadership role.

Now, I do not want you to leave Ellore. You have been the patriarch there, the leaven that has held the lump together. I know that more attention could have been given to you in your struggle there, and God knows I have tried to walk with you every step of the way—as well as it was possible without being there constantly as you are. Now, I want you to stick a little longer. Where would the people be without you. What semblance of branch activity would there be without you. You have gone on a thankless job, apparently. But your influence is there—your immortality

²⁷³ James Hinton to L.A. Blackman, 8 February 1957, Papers of the NAACP, Part 20, Box A-279.

²⁷⁴ H.C. Demore to Roy Wilkins, 28 March 1957; John A. Morsell to Rev. H.C. Demore, 9 April 1957; H.C. Demore to John A. Morsell, Papers of the NAACP, Part 20, Box A-279.

²⁷⁵ Roy Wilkins to Mrs. Andrew W. Simkins, 31 March 1958, Papers of the NAACP, Part 20, Box A-289.

²⁷⁶ Ibid.

is there. You will never die as long as there are Negroes who have lived in Ellore and in South Carolina.²⁷⁷

Enclosed in the letter was “a little cash for you to use personally and to show you that I care and to inspire and hearten you.”²⁷⁸ She advised him to get a truck and come to Columbia. There were still some food and clothing donations remaining that he could take back to Ellore. Simkins later sent his letters to Roy Wilkins in the hopes that he could help her find children’s clothing to send to Ellore. The NAACP did continue to offer some aid, but Ellore’s black citizens remained financially devastated.²⁷⁹

In truth, the state’s and White Citizens Council’s laser-focused efforts to diminish the NAACP may not have been completely successful, but they certainly made an impact. The NAACP did experience a decline. The number of branches dropped drastically between 1954 and 1957 from eighty-five to thirty-seven. The membership dropped from 7,889 to 2,202.²⁸⁰ Yet while the state legislature and the Council were certainly to blame for much of this decline, people on the local level and in the national office believed that it was also “indicative of the weak organization which has resulted from absentee leadership and incidentally about program and activities to be effected.”²⁸¹ After all, the Ellore NAACP branch—which suffered a loss of membership but continued to have active participants—proved that repercussions alone were not enough

²⁷⁷ Modjeska Simkins to L.A. Blackman, 14 February 1958, Papers of the NAACP, Part 20, Box A-289.

²⁷⁸ Ibid.

²⁷⁹ Ibid.; Modjeska Simkins to Roy Wilkins; Roy Wilkins to L.A. Blackman, 31 March 1958; Mr. Wilkins to Reverend Odom, 25 April 1958; Roy Wilkins to L.A. Blackman, 25 April 1958; Mr. Wilkins to Mr. McClain, 28 May 1958, Papers of the NAACP, Part 20, Box A-289. Blackman was sent \$100 check in March, 1958 and \$300 in May, 1958 to assist various locals.

²⁸⁰ *Democracy Rising*, 211; Memo, 9 May 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁸¹ Memo, May 9, 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

to completely destroy a local movement. Internal discord among its leaders worked to worsen the leadership problem.²⁸² It was “imperative that something be done.”²⁸³

The person at the center of this dissatisfaction with “the South Carolina situation” was James Hinton.²⁸⁴ During the last years of his leadership, the state organization remained in a state of disarray as, by all accounts, he all but abandoned his duties as president.²⁸⁵ One NAACP member, clearly irate regarding his most recent interaction with Hinton, wrote Ruby Hurley in February of 1958. Hinton, who the author referred to as “His Highness,” had already been spending most of his time out of the state when he arrived a half hour late to their meeting.²⁸⁶ The group was meeting with Hinton to speak about recent activism among students at Allen University. The author and his delegation believed that the NAACP should offer the students legal assistance. Hinton provided what most likely seemed like a series of excuses about why he and the NAACP could not offer their support: 1) the students’ academic standing was unknown, 2) their moral character was unknown, 3) none of the students had attempted to meet with him beforehand. But the author and his delegation felt that if the NAACP did not offer the students legal assistance, they would lose their standing throughout the state’s black

²⁸² Ruby Hurley to Gloster B. Current, 23 May 1958, Papers of the NAACP. Hurley noted that the Elloree branch lost a comparatively low number of members—fifty-five, and that Savannah Grove surpassed its membership goal; Memo from Mr. Current to Mr. Carter, 21 May 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁸³ Memo, May 9, 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁸⁴ Memo from Mr. Current to Mr. Carter, May 13, 1958; Gloster B. Current to Rev. J.M. Hinton, May 13, 1958; Gloster B. Current to Mrs. Ruby Hurley, 20 May 1958, Papers of the NAACP, Part 27, Series A, Box C-143. In communications with other NAACP staff, Gloster B. Current consistently referred to the states leadership and membership problem as “the South Carolina situation”

²⁸⁵ Ruby Hurley to Gloster B. Current, 23 May 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁸⁶ Joe to Ruby [Hurley], 4 February 1958, Papers of the NAACP, Part 3, Series D, Box A-105,

community. Hinton did finally support the students, but his hesitancy revealed a man that may have grown out of touch with his community and the ever changing black civil rights movement.²⁸⁷

It was growing more and more apparent that Hinton's time as leader of the SC NAACP was coming to a close. Hurley said that she received complaints regarding his lack of leadership during her visits to Greer, Oconee County, Rock Hill, Spartanburg, Sumter, and Union. She admitted that the situation caused her to avoid visiting the state more than absolutely necessary.²⁸⁸ Things got so bad that people began to wonder why he would not simply "retire gracefully."²⁸⁹ On the one hand Hinton was not doing the NAACP's work, but on the other hand it was difficult for other leaders within the state organization to move the NAACP's agenda forward without Hinton because he had a close relationship with the national office. On March 28, 1958, a meeting was called in Columbia wherein some thirty-five to forty branch leaders met to discuss the issue. Hinton, in a move that seemed to demonstrate growing disinterest in the NAACP, did not attend.²⁹⁰

As the South Carolina NAACP approached its annual Conference of Branches, Hinton expressed that he was ready to formally retire from the position he had held since 1940.²⁹¹ The NAACP gave the outgoing president a proper banquet in his honor where

²⁸⁷ Joe to Ruby [Hurley], 4 February 1958.

²⁸⁸ Ruby Hurley to Gloster B. Current, 23 May 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁸⁹ Ibid.

²⁹⁰ Ibid.

²⁹¹ James M. Hinton to Dear President, 12 September 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

Current praised him as a “tough, courageous, resourceful and brilliant” state president.²⁹² During his farewell speech, Hinton reviewed the SC NAACP’s major accomplishments of the previous nineteen years. He acknowledged that reprisals/repercussions had impacted membership numbers, but encouraged members to actively campaign for increased membership and to purchase life memberships. He dismissed the organization’s internal problems and instead argued that “the fight and the organization are greater than any of us.”²⁹³ The state NAACP “must not become divided, but must move ahead in unison.”²⁹⁴ They had accomplished much, but those accomplishments were not enough. He, like so many others, maintained the belief that in the end, they would win. They were “ON GOD’S SIDE, and HE cannot fail, so we cannot fail.”²⁹⁵

The ouster of one of its most stalwart and dedicated leaders perhaps best exemplified the NAACP’s decline. Simkins, whose lifelong activism reflected a commitment to her community rather than to any particular organization, ruffled feathers when she served as the South Carolina delegate at the Conference on Voting Restrictions in Southern States and several newspapers identified her as being a NAACP representative. The NAACP had not sent her. And the assertion that it had upset both Hinton and Wilkins.²⁹⁶ Wilkins was further upset that an *Amsterdam News* article on black leadership criticized him and the NAACP Board for its “alleged failure to carry on

²⁹² Press Release, “Hinton Praised for 18 Years Service to NAACP,” Papers of the NAACP, Part 27, Series A, Box C-143.

²⁹³ “Backward Glance of Past (19) Years, 17 October 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁹⁴ Ibid.

²⁹⁵ Ibid.

²⁹⁶ “NAACP Sends Mrs. Simpkins to D.C. Parley,” *Columbia Record*, April 26, 1958; J.M. Hinton to Mr. Wilkins, 28 April 1958; Roy Wilkins to Rev. J.M. Hinton, 23 May 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

a vigorous fight for students” who wanted to desegregate the University of South Carolina. He was convinced the information came from Simkins.²⁹⁷

By the time Edwin G. Washington wrote the South Carolina NAACP in July, 1958—asking Simkins if she supported the NAACP, how the community felt about her leadership, and if they would endorse something she co-sponsored—she was no longer serving as the SC NAACP secretary.²⁹⁸ Hinton informed Williams that Simkins was “very efficient and militant.”²⁹⁹ He noted that although he did not know of her participation in any subversive organizations, she was currently under investigation by the House UnAmerican Activities committee. Regarding her leadership Hinton said, “I do not care to state any portion.”³⁰⁰

NAACP leadership tried to make Simkins’ ouster appear to be her idea. She found out that she had allegedly declined reelection as secretary in a newspaper article. Simkins wrote a letter to all the officers and local branch members assuring them that she had not “turned my back on my people and our cause in this needy time.”³⁰¹ She expressed confidence that her fellow South Carolinians knew her well enough to know that she would never “be bought and that I WILL NOT be sold.”³⁰² Her willingness to take the state NAACP to task proved her assertion. She argued that the NAACP still had much work to do; and that it was important for the organization to not look backwards

²⁹⁷ Roy Wilkins to Rev. J.M. Hinton, 23 May 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁹⁸ J.M. Hinton to Edwin G. Washington, Jr., 23 July 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

²⁹⁹ Ibid.

³⁰⁰ J.M. Hinton to Edwin G. Washington, Jr., 23 July 1958.

³⁰¹ Mrs. Andrew W. Simkins to Officers and Members of Local Branches of NAACP, 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

³⁰² Ibid.

and “bask in reflected glory.”³⁰³ Adding to her inability to serve as a leader in the organization was a recent bout with influenza that had left her debilitated, and the death of her mother. Longtime NAACP member and dedicated civil rights activist Rev. I. DeQuincy Newman replaced Simkins.³⁰⁴

The NAACP continued to actively engage teachers. In March of 1959, the South Carolina NAACP received a \$400.00 loan to help fund their “Teacher Mailing campaign” which they hoped would help with membership and funding.³⁰⁵ They mailed 8,000 letter to South Carolina’s black teachers ahead of the Palmetto Education Association’s annual convention, asking teachers to support the NAACP. The Field Secretary followed up these letters during the convention with an art exhibit, a booth where they handed out free literature, and welcome signs at nine public locations where teachers were known to visit.³⁰⁶

As the nation entered into a new decade that brought about some of the most striking moments of social unrest, the SC NAACP Conference of Branch’s new president, I. DeQuincy Newman, wrote John Morsell in the national office regarding the continued hardships Elloree’s black citizens faced due to a “systematic program of economic pressure foisted against Negroes who have been a part of school desegregation

³⁰³ Mrs. Andrew W. Simkins to Officers and Members of Local Branches of NAACP.

³⁰⁴ Modjeska Simkins to Roy Wilkins, 24 February 1958, Part 20, Box A-289; Memo from Mr. Current to Mr. Carter, 21 May 1958, Papers of the NAACP, Part 27, Series A, Box C-143.

³⁰⁵ I. DeQuincey Newman to Dr. John A. Morsell, 20 March 1959, Papers of the NAACP, Part 27, Series A, Box C-143.

³⁰⁶ Field Secretary Monthly Report, 23 March 1959, Papers of the NAACP, Part 27, Series A, Box C-143.

and NAACP activity” in the area.³⁰⁷ To make matters worse, a recent hurricane had devastated the largely agricultural economy. The combination of no crops because of the hurricane, and the inability to receive credit due to economic reprisals meant that “hunger and general want” was a more than likely outcome.³⁰⁸ In this case, the national NAACP responded by calling an emergency conference in their office and sending \$1,000 to South Carolina. Morsell told Newman that the NAACP had a similar fund in Mississippi, and advised Newman to model this South Carolina fund the same way their Mississippi administrator, Medgar Evers, did.³⁰⁹

Ultimately, the plight of Elloree and its teachers proved that the subjects of Doddy & Edwards study were right to fear that integration could negatively impact black teachers. The mere threat of integration turned out to be enough to displace them.

³⁰⁷ I. DeQuincey Newman to Dr. John A. Morsell, 4 December 1959, Papers of the NAACP, Part 20, Box A-289.

³⁰⁸ Ibid.

³⁰⁹ Ibid.

CHAPTER 5: “WE FIGURED YOU’D CAUSE TROUBLE:” GLORIA RACKLEY AND THE 1960S CIVIL RIGHTS MOVEMENT

On August 5, 1956, almost three months after the Ellore Training School’s teachers were effectively dismissed from their positions, educator Gloria Rackley received her Master of Science degree during South Carolina State University’s summer convocation. Speaking on the subject of “The Responsibility of the Individual in a Democracy,” Dr. R. B. Atwood, Kentucky State University at Frankfort’s president and the day’s commencement speaker, congratulated the 101 degree candidates, and told them that their contemporaries were in great need of responsible leadership.¹ Rackley, already a young wife and mother, seemed to take Dr. Atwood’s words to heart. Over the next decade she emerged as one of the most committed and prominent members of the Orangeburg civil rights movement. Her roles as mother, teacher, and NAACP member converged to make her a charismatic leader and sympathetic activist. Drawing upon the NAACP papers, court documents, oral histories, and newspaper and magazine articles, this chapter uses Rackley’s life as a lens to examine the 1960s black civil rights movement on the local and national level.

Born in the “comfortable town” of Little Rock, South Carolina, on March 11, 1927, Gloria Blackwell Rackley became one of Orangeburg’s most prominent civil rights

¹ “101 Receive Degrees at SC State,” *The State*, August 6, 1956.

activists during the early 1960s.² That activism was largely framed by her family's background. She inherited a deep relationship to the church from her grandfather, a Methodist minister. Rackley took on leadership roles within the church from an early age; she attended national and international Methodist youth meetings, and she served as president of the Methodist Youth Fellowship for South Carolina. That spirituality carried into her adulthood when she obtained her bachelor's degree in 1953 from Claflin, a Methodist college, and joined Trinity United Methodist Church—which served as the local movement's unofficial headquarters—in Orangeburg.³

Rackley's mother, Lurline Olivia Thomas Blackwell, and father, Benjamin Harrison Blackwell, played pivotal roles in their small town community.⁴ Benjamin Blackwell was the only barber in the area, and Mrs. Blackwell was "the teacher, with a capital T-H-E."⁵ Rackley's father, an active NAACP member, began taking her to meetings in Columbia where she became familiar with the state's most well-known civil rights leaders—people such as Modjeska Simkins, James Hinton, Levi Byrd, and S. J. McDonald. She even began collecting NAACP memberships as a child. But she based

² Gloria Rackley Blackwell interview, "South Carolina Civil Rights Movement: Local People Telling Their Stories," African American Studies Program, University of South Carolina, November 3, 2006.

³ Barbara Woods, "Working in the Shadows: Southern Women and Civil Rights," in *Southern Women at the Millennium: A Historical Perspective*, eds. Melissa Walker, Jeanette R. Dunn, and Joe P. Dunn, 103.

⁴ "Orangeburg Civil Rights Icon Dies," *The State*, December 10, 2010.

⁵ Gloria Blackwell and Lurma Rackley, interview by Kent Germany, Oral Recollections, African American Studies Program 35th Anniversary, University of South Carolina; Gloria Rackley Blackwell interview. Rackley recalled that most of the town's teachers were not permanent residents.

her transition from teacher, mother, and wife to full-fledged activist on her mother's example.⁶ She remembered,

You know, there was really no big transition. My mother was always a community serving person. She was a teacher. And she was the teacher in the community. People came to her for all kinds of things.⁷

Although Mrs. Blackwell did not engage in the same type of activism as she did, Rackley's words demonstrated that for her, the connection between teaching and activism was not particularly exceptional. For Rackley and other teacher-activists activism served as another type of community work—an extension of their daily work in the classroom. This perspective would become pivotal as Gloria Rackley became increasingly active in Orangeburg's 1960s civil rights movement.

The 1960s civil rights movement's birth is typically tied to February 1, 1960, when four Greensboro, North Carolina, college students sat down at an all-white Woolworth's lunch counter, asked for service, and were denied. This moment of direct-action protest then sparked a youth-led movement that spread across the South. But in South Carolina, this youth-led movement began in 1950s Orangeburg, and was marked by a protest on New Year's Day in 1960. The incidents surrounding that January 1st protest began in October 1959, in Greenville, South Carolina, where baseball legend Jackie Robinson was a speaker at the annual NAACP State Conference. Gloster B. Current, who also attended the conference, and a few other locals, arrived at the Greenville airport on Sunday morning, October 18 and sat down in the whites-only waiting room while they waited for Robinson's plane to arrive. They were told to leave.

⁶ Gloria Rackley Blackwell interview; Gloria Blackwell and Lurma Rackley interview.

⁷ Blackwell and Rackley interview.

They refused and were threatened with arrest. Current and the others insisted that they had every right to be there. Robinson's flight arrived, and they left without further incident. When Robinson came back to that same airport for his departure the following Sunday, October 25, they received the same treatment. Current and a few others sat down in the whites only waiting room. The manager arrived and told all of them, Robinson included, that they could not sit in that area. He told an officer to arrest the group if they refused to move. Current and Robinson reminded the manager that they were interstate travellers, and therefore under the protection of the Fourteenth Amendment. Current also told them that he had no problem going to jail. But he later noted that they "made no attempt to prolong the discussion," and "remained standing in that area which was forbidden to colored passengers." Current and Robinson were able to board the plane and leave.⁸

As of November, neither the airport nor the airline had made any effort to rectify the situation. Responding to comments from Herbert Harris, Eastern Air Line's public relations manager, that he had not heard of the incident, Robinson wrote that he was "amazed." It was "inconceivable" that the company's public relations department had no information. Robinson was further unsatisfied with Harris' assertion that he was merely the airport's "tenant." To Robinson, it was Harris' job to ensure all the airline's passengers received fair treatment.⁹

By the end of the year, local black residents wanted full desegregation of the airport's waiting rooms. On January 1, 1960, African Americans gathered at Springfield

⁸ Gloster B. Current to Robert L. Carter, 28 October 1959. Papers of the NAACP, Part 27, Series A, Box C-143.

⁹ Jackie Robinson to Herbert Harris, 19 November 1959, Papers of the NAACP, Part 27, Series A, Box C-143.

Baptist in Greenville where they prayed, and listened to over a dozen speakers. Three hundred African Americans proceeded to the Greenville airport through the “chilling rain, snow and sleet.”¹⁰ Traditionally observed as Emancipation Day, it was the ideal day to stage their “protest pilgrimage.” Once there, 265 people entered the facilities, but the manager cited fire safety regulations and prevented any more protestors entrance. The protestors proceeded to gather in front of the building and sing hymns, while a fifteen person delegation went inside and presented a resolution calling for the end of racial discrimination and segregation in South Carolina.¹¹ Rev. M. D. McCollum—the Orangeburg NAACP branch president whose 1950s activism resulted in severe reprisals, including his wife’s dismissal as an elementary school principal—was the one who read the resolution.¹² McCollum’s presence demonstrates that Orangeburg activists were leaders both on the local and state level, and that they believed their well-being was interconnected with all black Carolinians’ plight.

The following two years placed Orangeburg’s college and high school students at the forefront of the youth-led 1960s movement. Gloria Rackley, a schoolteacher, mother to two teenage daughters, and NAACP Youth chapter organizer, would find that the many hats she wore often placed her at the center of these struggles.

The early 1960s witnessed a seemingly unstoppable student movement. The home of two black colleges, several black public schools, and a historically politically engaged black population, Orangeburg turned into a hotbed of activism. Students from South Carolina State and Claflin colleges began consistently staging direct-action protests

¹⁰ 300 March on Airport to Protest S.C. Bias, *Daily Defender*, January 5, 1960.

¹¹ Ibid.

¹² Rap S.C. Airport Segregation, *Chicago Defender*, January 9, 1960. This article refers to him as “Rev. M. O. McClough.”

in March 1960. On March 2, approximately 400 students marched through downtown Orangeburg.¹³ Their walk was slow and silent, but their signs with slogans such as “Segregation is Dead,” and “We Want Liberty,” voiced their discontent.¹⁴

Of course, South Carolina’s student movement was not an exclusively Orangeburg phenomenon. In Columbia, Benedict College and Allen University students were planning a march to the State House when Governor Hollings went out of his way to thwart their plans. He announced that their protest, which would include saying a prayer and singing freedom songs, would not be tolerated. The attorney general’s office backed up Hollings’ threat when it confirmed that law enforcement had the authority to arrest demonstrators.¹⁵ Although these threats were directed towards the Benedict and Allen students, it set the tone for how state and law enforcement officials would react to the direct-action protests of the coming years. Mass demonstrations were now guaranteed to result in mass arrests.

On March 15, 1960, between 350 and 450 students were arrested in Orangeburg. The arrest came after 1,000 college students from nearby South Carolina State and Claflin colleges marched to downtown. Local authorities were somehow alerted to the students’ plans because state police, sheriff’s deputies, and the fire department were there to boost the local police force. They used fire hoses and tear gas to break up the demonstration. The sheer number of young men and women meant that Orangeburg’s jail, with a capacity of fifty-eight, was insufficient. So the students were herded, like animals, into a nearby stockade where they waited in forty degree weather and sang

¹³ “400 Protest in Carolina,” *New York Times*, March 2, 1960.

¹⁴ “Minister Leads ‘Sit-In’ Protest,” *Chicago Defender*, March 2, 1960. This article places the number of students at 600.

¹⁵ “Governor Warns Negro Marchers Face Arrest,” *The State*, March 11, 1960.

songs—like “God Bless America” and “The Star Spangled Banner”—that simultaneously demonstrated a love for their country and asserted their right to full citizenship. After waiting in the stockade for hours, the students were released on \$10 surety bonds posted by local black businessmen and NAACP members.¹⁶

March 15 witnessed protests activities across the state. In Rock Hill seventy black college students from nearby Friendship Junior College were arrested after picketing at City Hall against segregated lunch counters. Five to nine students from Benedict and Allen colleges were arrested in Columbia. In Sumter, Morris College students were able to avoid arrest after singing on the steps of the Sumter County Courthouse.¹⁷

The March 15 protests and subsequent arrest were part of a much larger collaborative effort across the South to confront racial segregation. March also witnessed seventy-seven African Americans arrested in Atlanta, seventy FAMU students arrested in Tallahassee, three out of seventy protesting Savannah State College students were arrested in Savannah, and one hundred twenty Wake Forrest College faculty members signed a petition asking the local Woolworth’s to serve all customers regardless of race after the manager signed trespass warrants against twenty-two in-store demonstrators.¹⁸

¹⁶ Memorandum by Gloster B. Current, 15 March 1960, Papers of the NAACP, Part 20, Reel 10; “350 Negro Student Demonstrators Held in South Carolina Stockade,” *New York Times*, 16 March 1960; “Arrest 400 in S.C. Protest,” *Daily Defender*, 16 March 1960. There are conflicting accounts on how many students were arrested. Newspapers reported 350-400, but Current’s memo put the number at 450; “Warning Is Followed by Wholesale Arrests,” *The State*, 16 March 1960.

¹⁷ “Warning is Followed by Wholesale Arrests”; “350 Negro Student Demonstrators Held in South Carolina Stockade.”

¹⁸ “Arrest 400 in S.C. Protest”; “Mass Arrests Carried Out in Dixie,” *Pittsburgh Courier*, 26 March 1960.

But, the largest number of arrests took place in Orangeburg, demonstrating the important role local activists played in the national movement.

Orangeburg's African American college students continued to engage in direct-action protests that coincided with protests across the state and the South. On July 21, 1960 sit-ins were staged in Columbia, Greenville, and Orangeburg. On February 11, 1961 ten people in Orangeburg were arrested and jailed during a lunch counter sit-in while African Americans in Sumter passed out handbills encouraging people to boycott city buses.¹⁹

The youth-centered movement of the 1960s was mostly comprised of black students, but there were a few white students who also got involved. Orangeburg police detained two young men from Wofford College's (located in Spartanburg, South Carolina) all white student body in May of 1961. The two students, Daniel Reed Lewis and Scott Barnes Goeway travelled to Orangeburg and participated in anti-segregation protests alongside local blacks. Their plight demonstrated that the audacity to so blatantly disregard the South's long-held social mores came with consequences and that whiteness could not protect you. For after their detainment they returned to college to find a student body enraged by their actions. Clearly inspired by the Ku Klux Klan, a group of 200 Wofford students dressed themselves in white bed sheets, burned Lewis and Goeway in effigy, and then set fire to a wooden cross.²⁰ Despite their obvious visual references to the KKK, one student insisted that they were not "protesting against their beliefs."

¹⁹ "Whites and Negroes Brawl After Sit-In," *New York Times*, 22 July 1960; "Students Launch Drive to End Dixie Theatre Bias," and "Theatres New Sit-In Target," *The Chicago Defender*, 11 February 1961.

²⁰ "White Students Released," *New York Times*, 22 May 1961; "Cross Burned on Wooden College Campus," *The State*, 22 May 1961.

Instead they “just don’t like the way they’re dragging down the name of Wofford College with them.”²¹ And while the college’s administration declined to say exactly what happened, it was pretty clear that they did not support the students. Within days, Lewis and Goeway were no longer enrolled in school.²²

The seemingly non-stop student activism of the early 1960s positioned South Carolina’s black civil rights attorneys to contest the arrests and imprisonment on a large scale. On August 5, 1961, the *Pittsburgh Courier* reported that a group of thirteen African American lawyers, with Matthew J. Perry at their helm, were preparing 900 civil rights cases to go before the State Supreme Court. The cases included people involved in protests throughout the state including Charleston (24 people), Columbia (209), Darlington (4), Greenville (52), Florence (59), Spartanburg (2), Rock Hill (105), and Sumter (26). But by far the largest number of cases came from Orangeburg, which boasted five hundred individual protestors. Indeed, by May the following year, nine of these cases were slated to go before the South Carolina Supreme Court. Considering the sheer number of Orangeburg activist, it was unsurprising that eight of the cases originated in the small urban town. The other case involved high school students from Florence. Perry and his committee of civil rights attorneys planned to argue that: the arrest warrants were vague, they did not have the opportunity to question jury members before they were chosen, prosecutors did not prove that the students broke any laws or intended to incite a riot, and police powers were used to deprive the students of their constitutional rights of

²¹ “Cross Burned on Wooden College Campus,” *The State*, 22 May 1961.

²² “Two Students Go Home: Effigies Burned After Racial Incident in Carolina,” *New York Times*, 23 May 1961.

freedom of speech and to petition government officials.²³ In one of the Orangeburg cases, the state Supreme Court reversed the lower court's decision, and remanded it back to the lower court for re-trial. Unfortunately for the young activists, the State Supreme Court upheld the lower court's decision in the seven other Orangeburg cases, arguing that because the previous demonstrations had resulted in "very high tension" the subsequent protests amounted to disturbing the peace and inciting violence.²⁴

As Perry's role in these court cases demonstrates, despite the fact that the 1960s boasted a decidedly youth-led social movement, the young activists were able to garner some of the old guard's support. In fact, many adults made unequivocally positive public statements regarding student activism. For instance, in response to the Rock Hill students' activism, local minister Rev. C. A. Ivory was quoted as saying, "We are 100 per cent in favor of the movement." He believed the students needed "adult assistance, morally, spiritually and perhaps financially."²⁵ Additionally, when over 400 Orangeburg student activists were arrested in March 1960, the NAACP quickly denounced the state's "storm trooper" actions. The NAACP asserted that instead of using state power to compromise students' freedoms of speech, peaceful assembly, and right to petition the government, Gov. Hollings and other leaders should be using the state's police power to persuade more businesses to serve all patrons regardless of race. In some ways, the state NAACP began to emulate the students' efforts. In December, 1960, Rev. I. DeQuincey Newman, NAACP field secretary, announced the NAACP's Christmas shopping campaign to boycott stores that did not serve African American patrons at their lunch

²³ "900 Suits in Civil Rights Set to Flood S.C. Courts," *Pittsburgh Courier*, 5 August 1961; "'Marchers' Cases Head Court Roster," *The State*, 19 May 1962.

²⁴ "Segregation Case Retrial Ordered," *The State*, 7 June 1962.

²⁵ "Race Views Are Aired; No Solution," *The State*, 27 February 1960.

counters. Indeed, Roy Wilkins said that the NAACP was proud of the students, and credited the 1960 Orangeburg mass arrests for sparking the association's boycott of stores that practiced racial discrimination. Perhaps hoping that the students' energetic activism would energize its own base, the NAACP even hired a Claflin student who had served as a leader in the well-known Orangeburg demonstrations.²⁶

But not all of South Carolina's old guard welcomed the students' tactics. As one North Carolina student, Laureiette Williams recalled, "Our adults are too worried about security to do anything. They are too afraid of their jobs. We've got to do it. And we're not afraid."²⁷ Rev. David H. Sims, a former Allen University president, seemed to agree with Williams when he praised student efforts to end segregation and criticized black adults for "selling out" and focusing too heavily on social life rather than political issues.²⁸ Yet, while Williams was correct in her assertion that many African Americans feared activism's economic repercussions, a closer look at what these adults said demonstrates that their disapproval was nuanced and grounded in their lived experiences. John McCray—African American intellectual, and the well-known editor of South Carolina's black newspaper, the *Lighthouse & Informer*—seemed to believe that while the students' protests were orderly and well-orchestrated, they were trampling on whites' rights when they "grab all available seats at a store counter for his race while decrying the same thing when it is reversed." McCray believed the students were "mostly sincere," but

²⁶ "NAACP Hits Orangeburg Storm Trooper Tactics," *Chicago Defender*, 26 March 1960; "Anti-Yule Shopping Move Adds Support," *Pittsburgh Courier*, 24 December 1960; "Wilkins Reviews Race Relations Trends in '60," *Chicago Daily Defender*, 16 January 1961; "NAACP Hires Two Sit-In Leaders," *Chicago Defender*, 28 January 1961.

²⁷ "Uprising for Freedom," *Daily Defender*, 22 March 1960.

²⁸ "Negro Said to Be Wanting Just a Chance to Be a Man," *The State*, 2 January 1963. Rev. Sims was Allen University's president from 1924-1932.

that they were being exploited by groups who claimed to raise money to assist the students in “a heartless and cold scheme,” to defraud African American adults of their money. McCray, who had been a voice for racial advancement since the 1940s, believed that the methods, which brought equal pay for teachers, and desegregation in the Democratic primary, had been “serviceable in the earlier years” and were still serviceable in the 1960s. According to McCray, the students “made their point and collected answers.”²⁹ It was time to let the “city officials, the store operators and the real and responsible community leaders within the two races” finish this conversation so that they could come to some sort of resolution.³⁰ Still, when news came that over twenty South Carolina State students would be expelled for their role in protests, McCray wrote Gov. Hollings and Bruce W. White, chairman of the college’s board of trustees, urging them not to punish the students for using their “constitutionally guaranteed rights of protest against customs and policies they believe illegal and inhumane.”³¹ Any punitive efforts taken against the students would be viewed as “vengeful and partisan and depriving one body of students . . . of the right to express themselves on the issue.” Furthermore, although McCray and other African Americans may not have agreed with the students’ tactics, they stood together in their opinion that racial segregation was wrong and had to end.³²

Particularly important for the purposes of this study were black teachers’

²⁹ “Negro Leader Urges Student End Further Demonstrations,” *The State*, 11 March 1960.

³⁰ Ibid.

³¹ “McCray Says Students to be Expelled,” *The State*, 30 March 1960.

³² Ibid.

reactions to student activism in the 1960s. The job loss teacher-activists had experienced over the previous decades prevented many black teachers from openly assuming the activist role of someone like Gloria Rackley. But that did not mean they saw themselves as having no role to play in the desegregation movement. As Dr. Stephen J. Wright, Fisk University president stated during a Palmetto Education Association (PEA) conference, it was the black teacher's job to "cleanse the mind of the Negro child of any vestige of inferiority."³³ Orangeburg's African American teachers seemed to agree with Wright's sentiments. In December of 1960, the Orangeburg County Teachers' Association drew up a resolution affirming their belief "in the fundamental rights of all men, in Christian brotherhood, and in the inalienable rights of all citizens as guaranteed by the Constitution of the United States of America."³⁴ The resolution went on to say:

...we as teachers, citizens of the United States of America, law-abiding citizens of the State of South Carolina, members of a learned profession, hold that our responsibility of guiding the learning processes of our youth toward optimum citizenship in a democratic society is inseparable to our responsibility as citizens in our community . . . We believe that the students of South Carolina State and Claflin Colleges are to be commended for their passive, orderly demonstrations for first class citizenship. We believe that the brutal attacks and incarcerations which have accompanied these peaceful demonstrations in Orangeburg are to be deplored.³⁵

The statement—both in open support of the college students and in defiance of state and city leaders who saw fit to arrest and jail them—was sent to local and national news

³³ "SC Negro Educators Told Responsibility to Students," *The State*, 2 April 1960.

³⁴ I. DeQuincey Newman to Roy Wilkins, 19 December 1960, Papers of the NAACP, Part 3, Series D, Reel 13. The resolution was included in the letter. Ibid.

outlets, the PEA, and the National Education Association.³⁶ Local segregationists challenged the resolution's authenticity. Richard Rhame, a local broadcaster, announced that the Orangeburg Teacher Association president, Lee M. Tyler, denied that the resolution had the teachers' unanimous approval. As evidence, he pointed to the fact that the resolution bore no signatures. It was only signed, "Members of the Orangeburg County Teachers' Association."³⁷ But Rhame's assertions may not have been entirely true. After all, it was quite likely that teachers chose not to sign their names out of a very realistic fear that they would be dismissed from their jobs. Nonetheless, two teachers requested and were given the opportunity to reply, on-air, to the Rhame-Tyler accusation. One person was Wilkinson High School teacher Napoleon Ford. The other person was Whittaker Elementary School teacher Gloria Rackley.³⁸ She recalled that being on the radio gave her "some kind of notoriety."³⁹ It contributed to her reputation as a vocal activist and made her a target.⁴⁰

But Rackley's vibrant activist career was only getting started. The events that occurred on, and followed, October 12, 1962, demonstrated how Rackley's activism intersected with motherhood and her teaching career. On that day Jamelle, her fourteen-year-old daughter, dislocated her finger during a playground accident and was taken to the Orangeburg Regional Hospital. Gloria Rackley was teaching her elementary school class when she was advised that her daughter was at the hospital and was hysterical. She

³⁶ I. DeQuincey Newman to Roy Wilkins, 19 December 1960.

³⁷ "Hot Battle Over 'Endorsement of Carolina Sit-Ins,'" *Pittsburg Courier*, 7 January 1961.

³⁸ Ibid.

³⁹ Gloria Rackley Blackwell interview.

⁴⁰ Ibid. Blackwell notes that although she was technically fired because she was arrested there were lots of contributing factors and this was one of them.

arrived at the emergency room right as hospital staff was finishing an X-ray.⁴¹ Told that Jamelle would receive anesthesia and go in for surgery, she was directed to a waiting room that was, at best, sub-par. Mrs. Rackley, concerned for her daughter's physical and emotional well being was distracted. She remembered:

When they took her away, a nice woman said, "Oh, she really was hurt" and said nice things. . . and this woman was white and she said, "now, you can wait over there." ...And over there was really some Coca Cola crates up against the wall. . . And so, you know how people get left and right mixed up? So I just assumed she had got, you know, her directions mixed up. So I just went on to the waiting room. And when I got there I was really still thinking about my daughter, who is so tender. And I was wondering if I had made a mistake in rearing her because she's so fragile and tender. And she was carrying on so about this finger . . . And I did take the moment, very seriously, to think about what I might need to do to prepare Jamelle for life. And I looked up and a man was there at the door. Well, I really thought it was still about Jamelle. So I jumped up and rushed to the door. He turned around and went ahead of me. So, I'm thinking it's very bad. So I almost run to keep up with him. And when we get to the end, to a turn in the corridor, he stops and says, "There's a waiting room for you down there." And that's the first time that I'm realizing that I'm being called out of the waiting room.⁴²

There were African Americans sitting on the crates, but Rackley chose to wait for her daughter in the main area. One nurse told her that there was a difference between the waiting rooms for blacks and whites, and was quoted as saying, "we figured you'd cause trouble."⁴³ Rackley was threatened with arrest when two policemen were called to the scene.⁴⁴ But Jamelle was soon discharged and the two were able to leave without

⁴¹ Gloria Rackley Blackwell interview; *Rackley and Rackley v. Board of Trustees* (1962).

⁴² Gloria Rackley Blackwell interview.

⁴³ "Hospital is Sued for Segregation," *New York Times*, 25 March 1962.

⁴⁴ Ibid.

incident.⁴⁵ Once they returned home and “had time to breath” she and the NAACP knew that they could finally build a viable desegregation case against Orangeburg Regional Hospital.⁴⁶ Of course, the NAACP had been committed to desegregation for a long time, but for Rackley and other local African Americans hospital desegregation was an essential part of gaining equal access to healthcare. For instance, Rackley recalled that when Orangeburg African Americans “needed an appendectomy or something, they got it out of town.” African Americans only went to Orangeburg Regional “if you got sick in the night.”⁴⁷ The NAACP had been interested in challenging the hospital’s segregation policy for some time, but Rackley also recalled that they were met with many problems:

. . . you know, it’s very difficult to get a sick person who’s still going under the knife, or going back for further treatment to bring a suit against the hospitals and the doctors serving them. So, we [the NAACP] couldn’t get any further than just kind of talking about it.⁴⁸

So, when the daughter of a staunch activist was taken to the hospital, the Orangeburg NAACP did, indeed, have a unique opportunity. When the mother and daughter duo returned two weeks later to have Jamelle’s finger cast removed, Gloria Rackley again chose to sit in the whites’ waiting room. A doctor told her that they were finished with Jamelle and she could go see her, but Mrs. Rackley replied that her daughter would be able to find her in the waiting room. Later, when Jamelle did join her, the Hospital Director asked why she had not left. Rackley replied that she was waiting for her car. Upon further refusal to go wait out on the street, a plain-clothes officer came to arrest her

⁴⁵ *Jamelle Rackley v. Board of Trustees of the Orangeburg Regional Hospital*, 310 F.2d 141 (4th Cir. 1952).

⁴⁶ Blackwell and Rackley interview.

⁴⁷ Ibid.

⁴⁸ Ibid.

for “disturbing the business of the hospital.”⁴⁹ She was taken to jail in the fashion of a violent criminal. There was a police car escort both in front and behind the plain car she rode in. She was charged with trespassing.⁵⁰

The trial that followed gained national media attention and resulted in the first and only time esteemed civil rights attorney, Matthew Perry, was arrested. On November 11, 1961, Perry was cross-examining Richard Roach, the Orangeburg Regional Hospital administrator. The presiding judge, Fred R. Fanning, believed that Perry’s line of questioning—an attempt to get the administrator to plainly state the hospital’s segregation policies—was too repetitive and told him to stop.⁵¹ Perry, who was trying to get the administrator to admit that Rackley’s race was the only reason she was accused of trespassing, insisted that he had a right to build his case around discrimination. Judge Fanning ordered him to jail for being “disrespectful to the court.”⁵² Fifteen minutes later, Perry apologized to Fanning, and in a surprising turn of events Fanning in-turn apologized for losing his temper and said he understood Perry’s position. He dropped the charges against Perry, and Rackley’s trespassing case was continued indefinitely. But, of course, the NAACP was not done with the case. On March 24, 1962, attorneys Matthew Perry and Lincoln Jenkins filed a suit on behalf of the NAACP Legal Defense and Educational Fund against Orangeburg Regional Hospital in Federal District Court. They

⁴⁹ *Rackley v. Board of Trustees*.

⁵⁰ Woods, “Working in the Shadows,” 104; “Attorney is Removed from Court,” *The State*, 2 November 1961.

⁵¹ “Attorney is Removed from Court,” *The State*, 2 November 1961.

⁵² “S.C. Lawyer Insists on Right, Cited for Contempt,” *Jet Magazine*, 11 November 1961; William Lewis Burke, *Matthew J. Perry: The Man, His Times, and His Legacy* (Columbia: University of South Carolina Press, 2004), 163.

asked the court to enjoin the hospital from practicing racial segregation in waiting rooms and wards.⁵³

The NAACP envisioned the *Rackley v. Board of Trustees* case as having a local-level impact, but also being part of a broader “all-out legal attack against segregated health facilities.”⁵⁴ The previous month, the organization filed a suit in Greensboro, North Carolina’s federal court that challenged racial segregation in hospitals that received federal funds. They would build the Orangeburg suit on similar grounds and argue that racial segregation in the hospital violated African Americans’ equal protection of the law guaranteed by the Fifth and Fourteenth Amendments because the hospital received both federal assistance and funds from local taxes.⁵⁵ The hospital’s counsel fired back by asking the court to remove this part of the plaintiffs’ complaint. The defense also wanted the plaintiffs to formally acknowledge that either the NAACP, or its legal defense wing was paying Perry and Jenkins’ fees. They further claimed that Gloria Rackley went to the hospital explicitly so she could be arrested and file a suit. They believed that they had been gracious by allowing Rackley to wait in the white-only waiting room while the doctor was seeing Jamelle. Therefore having her arrested was justified because she continued to sit in the waiting room after her daughter was discharged.⁵⁶ U.S. District Judge George Bell Timmerman seemed to agree. He said: “The complaint indicates that the adult plaintiff had in mind something other than concern of hospital care or treatment

⁵³ “Attorney is Removed from Court”; “S.C. Lawyer Insists on Right, Cited for Contempt,” *Jet Magazine*, 11 November 1961; “Hospital is Sued for Segregation,” *New York Times*, 25 March 1962.

⁵⁴ “Hospital is Sued for Segregation.”

⁵⁵ Ibid.

⁵⁶ “Hearing Sought in Integration Case,” *The State*, 24 May 1962; “Integration Suit Termed NAACP ‘front,’” *The State*, 12 June 1962.

for her daughter.”⁵⁷ He threw out the class action part of the case. Perry and Jenkins had asked that the case be made a class action suit so that the hospital would be prevented from practicing racial segregation in the future. But according to Timmerman, Gloria and Jamelle Rackley did not represent other African Americans, only themselves. He also refused the NAACP’s request for a temporary injunction. Finally, Timmerman threw out the section of the NAACP’s complaint that noted how much the hospital received in federal funds.⁵⁸ Without being able to argue that this was a class action suit and present evidence that the hospital received federal funds the NAACP would not be able to effectively argue that segregation violated African Americans’ civil liberties. Their case was decimated.

Those familiar with Timmerman’s judicial history did not find this decision surprising. In fact, John McCray positioned Timmerman’s decision within a broader recent history of South Carolina officials’ efforts to block integration. In an article titled, “Does Secret Deal Block Integration?” McCray presented evidence that other South Carolina U.S. District Court judges—Ashton H. Williams and C.C. Wyche—routinely circumvented rulings that were in favor of black civil rights. For instance, when Bobby Brunson filed a desegregation suit against Clarendon County District No. 2 in 1960, Judge Wyche ruled that it was not a class action suit. This was despite the fact that Brunson’s case was based on the 1954 *Brown* decision.⁵⁹ Judge Timmerman’s decision was only the most recent case. And he, too, had “consistently issued rulings exactly opposite to civil rights verdicts where Negroes have been concerned the last 10 years, and

⁵⁷ “Appeal Filed in Orangeburg Hospital Integration Case,” *The State*, 24 July 1962.

⁵⁸ “Does Secret Deal Block Integration?,” *Pittsburgh Courier*, 28 July 1962.

⁵⁹ Ibid; “Court Begins Hearing S.C. ‘Mixing’ Cases,” *The State*, 25 September 1962.

more.”⁶⁰ Indeed, the language Timmerman used echoed his dismissal of the 1954 Sarah Mae Flemming city bus desegregation case.⁶¹ Therefore, while the NAACP was disappointed in Timmerman’s decision, they were also prepared.

Perry had anticipated an unfavorable ruling and already laid the groundwork for their next step. He quickly appealed to the U.S. Circuit Court of Appeals. Perry and Jenkins were prepared to take their case to the Supreme Court if necessary. Unsurprisingly, the hospital’s counsel asked the Circuit Court to dismiss the case. The U.S. Court of Appeals’ opinion was a bit inconclusive. They decided that the appellants’ case was too narrow. They were making an argument for desegregation of the whole hospital, but only presented evidence on the waiting room. The hospital never admitted that they practiced segregation, and the NAACP attorneys did not prove it. On the other hand, the court disagreed with the lower court’s decision to throw out the sections of the complaint regarding the contribution of federal funds and separate ward/room facilities for patients. The Circuit Court remanded the case back to the District Court, but ruled that the class action issue should be reopened during the permanent injunction trial.⁶² The hospital case was not over, but the lower court’s final decision was still some years away.

In the mean time, Rackley’s activism did not subside. Soon after she and the NAACP filed suit against the hospital, Rackley was jailed by the same judge, Fred. R. Fanning, who had jailed attorney Matthew Perry. Rackley arrived at the Orangeburg

⁶⁰ “Does Secret Deal Block Integration?,” *Pittsburgh Courier*, 28 July 1962.

⁶¹ “NAACP Appeals S.C. Hospital Mix Suit,” *Pittsburgh Courier*, 4 August 1962.

⁶² “Does Secret Deal Block Integration?,” *Pittsburgh Courier*, 28 July 1962; “NAACP Appeals S.C. Hospital Mix Suit,” *Pittsburgh Courier*, 4 August 1962; “Court Begins Hearing S.C. ‘Mixing’ Cases,” *The State*, 25 September 1962; *Rackley v. Board of Trustees*.

court to serve as a witness in a traffic case when she was directed to sit “in what can be called the colored side” of the courtroom. When she asked why she had to sit in the section she was told that it was the judge’s orders. She refused and two officers came and put her in what she described as “an indescribably dirty cell.”⁶³ She was not charged with anything, but was forced to remain in the cell for thirty minutes until it was time for her to take the stand.⁶⁴ Yet, these types of courthouse incidents were not new for Rackley or her daughters. Her third grade students told her that when their mothers went shopping downtown, there was no restroom for them to use. They had to use a toilet located under the courthouse. But, as Rackley recalled, “I never saw that.” Her younger daughter, Lurma Rackley, agreed. She said, “We went to the white bathroom at the courthouse, and got arrested for it.”⁶⁵ Still, she filed a complaint with the South Carolina Committee on Civil Rights.⁶⁶

It is worth noting that Rackley was not only upset that her civil rights were violated and she had to spend time in a jail cell. Indeed, by this time locals were well aware that this was a likely result to challenging segregation. Rackley was incensed that any human being would be expected to stay in such a dirty cell.⁶⁷ Rev. I. DeQuincey Newman read her complaint to the biracial committee who agreed to send it on to the Federal Civil Rights Commission in Washington, D.C. One of the committee members, Rev. Herbert Nelson of Sumter, said that the teacher’s civil rights were “definitely

⁶³ “Negro Woman’s Protest Sent Rights Committee,” *The State*, 27 April 1962.

⁶⁴ Ibid.

⁶⁵ Blackwell and Rackley interview.

⁶⁶ “Negro Woman’s Protest Sent Rights Committee.”

⁶⁷ Clarice T. Campbell, *Civil Rights Chronicle: Letters from the South*, (Jackson: University Press of Mississippi, 1997), 147-148. From a letter dated April 29, 1962.

abridged.”⁶⁸ He further said that submitting her complaint to the committee rather than filing a lawsuit removed her of “the burden of the prosecution,” and was “an alternative to having the expense of hiring private counsel.”⁶⁹

Rackley’s brief stint in jail, combined with her and Jamelle’s case against Orangeburg Regional Hospital, elicited sympathy. One person’s letter to Congressman H. Allen Smith helps elucidate why Rackley’s story was able to elicit so much public sympathy, “Mrs. Rackley is a lovely young mother of two daughters; she is quiet and well-mannered, but not one to be pushed around.”⁷⁰ Many people in the community quickly came to her aid and defense. A mass meeting was scheduled at her church, Trinity United Methodist, to address the incident.⁷¹ So many people wrote letters to their elected officials that Robert Kenney’s office asked her to visit their Washington, D.C. office. Furthermore, Rackley’s teaching contract, which her activism compromised, was renewed for the following year.⁷² For some this signaled definite, if too limited progress.

Mrs. Rackley has been awarded her teaching contract for next year. It was long past due and there was talk of carrying an organized protest through channels. Her finally receiving this contract is a long cry from the many dismissals of a few years ago merely for belonging to the NAACP for signing a petition. So—even South Carolina is moving ahead.⁷³

The fact that this writer connected Rackley’s job security, or lack thereof, to the events surrounding the anti-NAACP oath demonstrates that the black civil rights movement may

⁶⁸ “Negro Woman’s Protest Sent Rights Committee,” *The State*, 27 April 1962.

⁶⁹ *Ibid.* Although Rackley’s case was not regarding education, it is worthwhile to note that the committee met that same day with a PEA representative and Columbia Mayor Lester Bates, most likely regarding urban renewal.

⁷⁰ Campbell, *Civil Rights Chronicle*, 151. From a letter dated May 9, 1962.

⁷¹ *Ibid.*

⁷² *Ibid.*

⁷³ *Ibid.*

have been undergoing changes, but local people still saw it as the same movement, with many of the same risks and objectives.

1960-1962 witnessed vibrant moments of civil rights activism in Orangeburg, and throughout South Carolina and the entire South. But 1963 was easily one of the most active and significant years of the Orangeburg movement. That year, Mrs. Rackley read the Emancipation Proclamation during a January 2 NAACP sponsored meeting of about 600 African Americans at Allen University.⁷⁴ Rackley was the perfect choice to read the Emancipation Proclamation that day. The wife and mother of two was not only an emboldened activists and sympathetic victim of segregation, but one paper later referred to her as the “coordinator of the Orangeburg 1963 Freedom Movement.”⁷⁵ 1963 was a pivotal year for the civil rights movement in Orangeburg and throughout the state. Even Governor Ernest Hollings—the very governor who paved the path for peaceful demonstrators to be arrested—admitted during his farewell address to the legislature in 1963 that if the state did not proceed with desegregation it would cause “irreparable harm.” South Carolina and Mississippi were the only two remaining southern states to have no school integration for, as Hollings noted, “We have all argued that the supreme court decision of May 1954 is not the law of the land, but everyone must agree it is the fact of the land.”⁷⁶ With even conservative white politicians acknowledging that the state’s education landscape must change 1963 would prove to be a year of dynamic, stalwart, non-stop activism.

⁷⁴ “Negro Said to Be Wanting Just a Chance to Be a Man,” *The State*, 2 January 1963.

⁷⁵ “Hospital Told Bias Must Go,” *New York Amsterdam News*, 13 March 1965.

⁷⁶ Ibid.

Gloria Rackley often found herself in the eye of that storm. Towards the beginning of the year, Orangeburg student activists received some positive news. The Supreme Court ordered the lower court to reconsider the breach of the peace convictions of 373 student protestors. Perhaps this emboldened the student activists, because they only ratcheted up their protests. On Saturday, August 24 fourteen African Americans were arrested during two lunch counter sit-ins in downtown Orangeburg. Six of the fourteen were turned over to the juvenile authorities, but the other eight were charged with trespassing and placed in the city jail. Fred Fanning convicted the eight jailed protestors of trespassing, and sentenced them to \$100 fines or thirty days in jail. None of the students posted bond, so all eight were transferred to a county chain gang. In reaction, sixty-five African Americans, mostly teenagers, marched to the Orangeburg mayor's office in protest. A four-person delegation went inside to speak with the mayor. But he was allegedly out of town, and the city administrator later pretended ignorance when asked about the meeting. One of the eight was later released after friends and family posted his bond, but the other seven remained on the Orangeburg County Chain Gang.⁷⁷

But the chain gang sentence did not effectively dampen the Orangeburg movement. Hundreds of arrests were made in the following month of September. On Saturday, September 28, 175 people were arrested as 250-300 protestors marched around downtown Orangeburg. The group—singing, chanting, and clapping—marched single-file in in the pouring rain. City and state officials behaved as if they were in a state of

⁷⁷ "High Court Upsets Jail Terms for 373 Students," *Chicago Daily Defender*, 19 March 1963; "14 Arrested in Orangeburg Demonstration," *The State*, 25 August 1963; "Negroes Stage Quiet March in Orangeburg," *The State*, 27 August 1963.

emergency. State Highway Patrol, Orangeburg County deputies, SLED agents, and fire personnel (along with their fire hoses), were all on hand to assist the Orangeburg police. When the protestors were instructed to disperse, some began to leave. Those that did not, between 162 and 174 people, were arrested. The NAACP filed a report with the FBI for police brutality during the arrest.⁷⁸

The Orangeburg demonstrations, and the arrests, continued. On Monday, September 30, 333 people were arrested during a protest for equal job opportunities. Some of the older men were placed in the county jail, and 120 women and youth were transported to the State Penitentiary in Columbia. However, as with earlier mass arrests, the majority of the group was placed in a stockade style area while awaiting processing. The next day, October 1, 189 more arrests were made in Orangeburg. Most of those arrested were South Carolina State and Claflin College students, but there were also some high school students. The majority of the protestors were headed to downtown, but about twelve were arrested while actively trying to desegregate all-white restaurants.⁷⁹ Police Captain M.W. Whetstone alleged that the march “could have very easily become a full-scale riot.” He remarked, “It looks like these people are determined.”⁸⁰ And, indeed, they were. With the October 1st arrests, more than 1,000 local blacks had been arrested over the past four days.⁸¹

⁷⁸ “174 Arrest are Made at March,” *The State*, 29 September 1963; “162 Negro Demonstrators Jailed at Orangeburg, S.C.,” *New York Times*, 29 September 1963..

⁷⁹ “333 More Jailed by Carolina City,” *New York Times*, 30 September 1963; “Arrest 177 Student in S.C. Freedom March,” *Chicago Daily Defender*, 1 October 1963; “189 More Seized in Carolina City,” *New York Times*, 1 October 1963.

⁸⁰ “189 More Seized in Carolina City,” *New York Times*, 1 October 1963.

⁸¹ “1,000 Negroes Jailed in 4 Days in Orangeburg, S.C., Protests,” *New York Times*, 2 October 1963.

Even with the massive number of arrests, the local movement continued to escalate. Clearly concerned, local white officials attempted to halt the protests. City officials met with movement leaders in a purported attempt to ease tensions. However, their efforts probably seemed insincere since the same officials also threatened to immediately arrest any protestors. Surely local whites felt support from Governor Donald Russell who warned “disorder would not be tolerated.”⁸² In reaction to the growing movement, the City Council met and passed two resolutions. The first resolution said that they were willing to meet with “responsible leadership.” The second resolution said that the city would maintain order “under any and all circumstances.”⁸³ In what movement leaders described as “exploratory talks,” the city offered to drop its charges against protestors if the black community agreed to halt all protests for ninety days.⁸⁴ But the movement’s leaders were unwilling to halt their work and were “ready to fill the jails.”⁸⁵

The city’s protests ban had no effect on the movement. On the next day, October 4, three hundred and eighteen more arrests were made while protestors marched towards Orangeburg’s business district.⁸⁶ On Saturday, October 5, eighty-five African Americans, in what was considered “the smallest protest march of the current wave of racial demonstrations,” started a march to downtown Orangeburg while a smaller group took a different route.⁸⁷ Twenty-eight people, including ministers and college professors, were arrested. That Monday, October 7, the city council took further action

⁸² “Marches End in Orangeburg,” *New York Times*, 3 October 1963.

⁸³ “Orangeburg Smolders After 1,003 Arrests,” *Chicago Daily Defender*, 3 October 1963.

⁸⁴ “28 Negroes Arrested in Orangeburg March,” *The State*, 6 October 1963.

⁸⁵ “Orangeburg Smolders After 1,003 Arrests,” *Chicago Daily Defender*, 3 October 1963.

⁸⁶ “318 More Seized in Carolina City,” *New York Times*, 5 October 1963.

⁸⁷ “28 Negroes Arrested in Orangeburg March,” *The State*, 6 October 1963.

and approved a bill that required picketers to register with the police department. Yet the protests continued. That same evening one hundred college students were arrested during an anti-segregation demonstration and were placed in the stockade.⁸⁸

Throughout the public protests, the Orangeburg Movement continued to boycott white businesses with segregated lunch counters and those that refused to hire African Americans in their stores. They presented a ten-point list of demands for desegregation of public facilities and for equal job opportunities. But the Orangeburg Merchant's Association publically dismissed all ten of the demands. This was despite the fact that white business leaders acknowledged that the boycott had negatively affected their profits.⁸⁹ As the state's foremost newspaper noted:

Business is disrupted. The schools are disrupted. The city administration is disrupted. The Negro community is disrupted. And the state's law enforcement officers are disrupted.⁹⁰

Orangeburg's black and white communities were, essentially, at a stalemate. And, for their part, black activists showed no interest in conceding. In fact, they had a bit of a victory when, on October 21 the Supreme Court overturned the 1960 convictions of 373 Orangeburg student protestors. After the State Supreme Court twice affirmed the students' convictions, the U.S. Supreme Court reversed the convictions and ruled that they violated the students' right to peacefully protest.⁹¹ The state NAACP heralded the Supreme Court decision as proof that the students had a right to protest racial segregation

⁸⁸ Ibid.; "Jail Toll at 1,448 in S.C. Anti-Bias Action," *Chicago Daily Defender*, 10 October 1963; "100 in Rally Seized at Orangeburg, S.C." *New York Times*, 8 October 1963.

⁸⁹ "Races Far Apart in Carolina City," *New York Times*, 20 October 1963; "Both Sides Stand Firm in Troubled Orangeburg," *The State*, 13 October 1963.

⁹⁰ "Both Sides Stand Firm in Troubled Orangeburg," *The State*, 13 October 1963.

⁹¹ "High Court Voids Negro Sentences," *New York Times*, 22 October 1963.

and discrimination.⁹² The *Chicago Defender*, a black newspaper that reported on the Orangeburg events, eloquently vocalized how people involved in movement felt:

The action of the Supreme Court . . . should clear the air once and for all of the mist that had settled over the right to peaceful demonstrations. . . The Southern segregationist have been engaged long ago in the despicable act of trying to preserve their mores under the protective mantle of their own unjust laws. . . Let the segregationists everywhere, including Chicago, beware!⁹³

The Orangeburg movement had not shown any sign of slowing down. Validation from the highest court in the land would only give them more incentive to continue their efforts.

In the midst of so much student activism, it would be easy to lose sight of adult participation and leadership in the movement. Certainly, the movement was changing shape. But it is important to remember that Orangeburg's black college students were already a decade into their student movement. And in a city with two black universities, a "highly influential Negro leadership," and where African Americans made up sixty percent of the population adult-youth cooperation may have been closer to the norm than the exception.⁹⁴ For her part, Rackley continued to be an activist throughout this year of lively activism, and became only more well-known for it. In fact, her activism seemed to crescendo at the same point as the college students'. It was that increased activism that eventually led to Rackley's dismissal from her teaching position. The first hint that her activism could cause problems came in the 1962-3 school year when the school

⁹² "The Supreme Court Acts on Monday," *New York Amsterdam News*, 9 November 1963.

⁹³ "Convictions Reversed," *The Chicago Defender*, 2 November 1963.

⁹⁴ "Both Sides Stand Firm in Troubled Orangeburg"; "Races Far Apart in Carolina City," *New York Times*, 20 October 1963.

superintendent, H. A. Marshall, chose not to send her reappointment letter until he could have a meeting with her. Marshall told her that the episode at Orangeburg Regional Hospital was “embarrassing to the school system and particularly to our profession,” but the next day she received her employment letter and was able to return to her job.⁹⁵ But the meeting likely did not have its intended effect. Rackley’s activism did not lessen. In fact, she filed her case against the hospital only two weeks later. So the following year, on October 7, 1963, Superintendent Marshall called her to his office for another meeting. But this time it was to explain that she was being dismissed from her teaching duties effective immediately, and he would recommend to the board that they take the same actions. He then gave Rackley a letter he wrote that unequivocally placed her activism as the foremost, indeed sole reason for her dismissal.⁹⁶ The letter concluded with:

It would appear that you have become so rabid in your desire for social reform that you are advocating breaking the law as a means of calling attention to what you consider your grievances. A teacher in the public schools cannot advocate lawlessness without destroying her usefulness in teaching young people.⁹⁷

The fact that the multiple arrests he outlined resulted from peaceful, lawful protests was, to someone like Superintendent Marshall, not the point. Her leadership in and open support of the NAACP and its goals made her an enemy to a state and city that was stalwart in its efforts to protect racial segregation. As her activism had already

⁹⁵ *Gloria B. Rackley, Plaintiff, v. School District No. 5, Orangeburg County, et al., Defendants*. 258 F. Supp. 676 (U.S. Dist. 1966).

⁹⁶ *Rackley v. School District No. 5*.

⁹⁷ *Ibid.*

demonstrated, Rackley was unwilling to simply accept Marshall's decision without a fight. She informed him that she would request a hearing before the Board of Trustees.⁹⁸

In a testament to her role as a teacher and activist, Rackley quickly garnered community support. The following day, October 8, teachers and students at all seven black schools in the area formed picket lines that morning outside their schools. Jamelle Rackley, Mrs. Rackley's teenage daughter, was among them. She and the rest of the students and teachers effectively shut the schools down for the day because Superintendent Marshall ordered them closed. As a result of the pickets, thirty-seven black youths were arrested and placed in jail overnight. But even that was not sufficient to dampen their activism. That afternoon, a protest parade was organized as boycotting students began marching to downtown. Youth activists carried signs that said "Save Mrs. Rackley." About fifty-seven juveniles were arrested and taken to jail. The first-time offenders, about twenty children, were released. The other children had records due their participation in previous protests, and were forced to stay in jail overnight.⁹⁹ While protests were often the purview of college students and adults, Rev. I. DeQuincey Newman, NAACP field secretary, asserted that the school boycott was "the desire of the students."¹⁰⁰ He and the NAACP supported the students, but hoped that the situation would be resolved soon. Classes did resume the following day, but attendance was low as approximately seventy-five percent of students continued to boycott classes because of Rackley's dismissal. For their part, African American teachers decided, in a 62-18 vote to observe the picket lines, but when they returned to school on Wednesday there were no

⁹⁸ *Rackley v. School District No. 5.*

⁹⁹ "7 Schools Picketed by Negro Teachers," *New York Times*, 9 October 1963; "NAACP Honors Pioneers in School Integration," *The State*, 20 October 1963.

¹⁰⁰ "7 Schools Picketed by Negro Teachers."

pickets outside the schools so they returned to work. Robert E. Howard, the African American school supervisor, said he expected most students to return to classes by the end of the week. One African American woman, Lizzie Matthews, was arrested for her alleged role in organizing the pickets, and charged with the delinquency of a minor.¹⁰¹

Mrs. Rackley said that she would “do everything possible” to keep her teaching position. On Monday, October 14, the board permitted her to make a statement, but they demonstrated no interest in her case. They neither asked nor allowed her to ask any questions regarding her dismissal. Superintendent Marshall was also allowed to testify, and gave previously unmentioned reasons for his decision to fire her. Marshall testified that she had left three teacher workshops, without previously obtaining permission, in order to attend civil rights meetings. The insinuation was that she neglected her duties as a teacher, and that her activism was directly responsible for that neglect.¹⁰²

In direct contradiction to his words, that night Mrs. Rackley encouraged students to return to their classes. The following day, October 15, attendance doubled. A few days later, she received special recognition during the state NAACP’s annual conference, and Rev. Newman confirmed that the NAACP intended to bring a suit against the school board to have Rackley’s teaching position reinstated. In the meantime, Rackley became a professional activist. The SC NAACP created a third vice president position, which she filled. In this role she continued to be a leader in the Orangeburg movement, but also travelled the state to assist NAACP chapters, and travelled to New York to speak to the High School of Fashion Industries and the United Federation of Teachers where she sat

¹⁰¹ “7 Schools Picketed by Negro Teachers,” *New York Times*, 9 October 1963; “Orangeburg Arrests Upped by 80,” *The State*, 11 October 1963; “Mass Demonstration Trials Scheduled at Orangeburg,” *The State*, 14 October 1963.

¹⁰² *Rackley v. School District No. 5*.

on a panel with noted author James Baldwin, who she remained friends with throughout the duration of her life.¹⁰³

The children's arrest during the school boycott emblemized their past activism and served as a precursor to what was to come. Rackley, in her new role in the NAACP, as a mother, and as a member of Orangeburg's black community was, once again, in the thick of things. On Wednesday, October 23, police arrested fifty-eight youth who were marching toward City Hall. Most of them were jailed overnight and then turned over to their parents. However, those over sixteen were also charged with breach of the peace. They were arrested for staging a protest, but Rackley insisted that they were actually walking to City Hall in order to register for permission to picket. The children's parents had a meeting the next day. They and the NAACP asserted that the children's arrest was illegal and that the children behaved in an orderly manner. They asked Governor Donald Russell to meet with them and to investigate the case.¹⁰⁴ Their accusations against the police were not simply that their children had been unlawfully arrested, but that they had been manhandled during their arrest, denied food and water for thirteen hours, and placed in cells with individuals who were not only "common criminals," but also adults.¹⁰⁵ As a Rev. J. Herbert Nelson wrote:

We are Tired and Sick [sic] of the intimidation of the
threats of fire hoses, jailing of children under age, locked

¹⁰³ "Negro School Boycott Ends," *New York Times*, 15 October 1963; "Darlington NAACP Meet Opens," *The State*, 19 October 1963; "NAACP Honors Pioneers in School Integration," *The State*, 20 October 1963; Blackwell and Rackely interview; "Don't Shop Downtown Orangeburg," *Palmetto Times*, 5-11 December 1963; "Events Today," *New York Times*, 6 December 1963. Jamelle Rackley (Gloria Rackley's daughter), in discussion with the author, August 26, 2016.

¹⁰⁴ "Orangeburg Protest Hailed," *New York Times*, 24 October 1963; "Parents, Officials Meet Over Children's Arrest," *The State*, 26 October 1963.

¹⁰⁵ "Russell Takes Orangeburg Protest Under Advisement," *The State* 28 October 1963.

up several to a cell without privilege of seeing their parents or adults advisors, without food or personal needs.¹⁰⁶

It is unclear to this writer whether or not one of Rackley's daughters was involved in this particular protest. But it is certain that she would have understood the parents' anguish. Her eldest daughter, Jamelle, was still one of the plaintiffs in the ongoing case against Orangeburg Regional Hospital. Her younger daughter, Lurma, was all too eager to be a full-fledged activist. Yet as Lurma recalled, black parents had historically limited how active their children could be in the movement. The children's increased role was at their own behest.

We [the teenagers] were all charged, and pumped and ready to do our part. And, walking around on the campus [carrying picket signs for the boycott of downtown Orangeburg] didn't seem to be significant enough. . . The parents were involved, and the college students were involved, and the little children were restricted. . . we were either restricted to marching on the campus or making a picket sign in the basement of the church, you know, not to actually wear the picket sign . . . So finally the movement broadened to include the younger people in a more significant role.¹⁰⁷

Governor Russell met with the parents that Saturday. According to their spokesperson, Professor H.D. Smith of Claflin College, the meeting gave the parents received "some measure of satisfaction."¹⁰⁸ Attorney Matthew Perry was also in attendance. He told the governor, "your good offices might be used in bringing about the furtherance of the aims and aspirations of these citizens."¹⁰⁹ Yet, while the meeting with the governor permitted black parents to be somewhat mollified on this occasion, the fact remained that their

¹⁰⁶ "Don't Shop Downtown Orangeburg," *Palmetto Times*, 5-11 December 1963.

¹⁰⁷ Gloria Blackwell and Lurma Rackley interview.

¹⁰⁸ "Russell Takes Orangeburg Protest Under Advisement," *The State* 28 October 1963.

¹⁰⁹ Ibid.

children's unlawful arrest and unfair treatment while in police custody was all too representative of generations of black folk's experiences in the Palmetto State. If continued school segregation was not enough to prove to black Carolinians that their state did not care about their children, the arrest and abuse of their children certainly did.

Orangeburg's 1963 civil rights movement garnered the "overwhelming support" of schoolteachers and college professors. Their boycott was effective. During Christmas, when the downtown area would normally be buzzing with both black and white shoppers, stores were "piled high with Christmas sales."¹¹⁰ African Americans refused to shop there, and a few of the smaller stores had gone out of business. In the coming years, the Orangeburg Movement (the formal organization founded to manage the local movement) planned to: continue pickets and other demonstrations, continue their selective buying campaign, increase voter registration, fight for school desegregation, and open a black-owned shopping center.¹¹¹

As black youth's activism and arrests in 1963—and Lurma Rackley's words—demonstrated, young people were eager to be more involved in Orangeburg's movement. In 1964, Whitaker and Wilkinson high school students became fully immersed. On Saturday, February 1, 1964, twenty-six people were arrested while picketing in the city for the dubious crime of violating a city ordinance of not picketing in a single file line. The following day, forty-two people staged a march to the county jail where they hoped to visit their jailed comrades. On the way there, twenty-three additional people were arrested. The marchers were not able to get inside the jail, so they remained on the front

¹¹⁰ "1,700 Orangeburg Arrests Made in 16 Weeks," *Palmetto Times*, November 28-December 4, 1963.

¹¹¹ *Ibid.*

lawn where they sang freedom songs. In reaction to yet another spate of arrests, students at Whitaker Junior High and Wilkinson High boycotted their classes the following day. But the school boycott quickly quieted. By Wednesday, February 5, attendance started to go back up.¹¹²

On the other hand, Rackley's hospital case was still ongoing, and was gaining momentum. Both sides first began making their cases before the U.S. District Court in 1964. The Rackleys and the NAACP were asking the court to rule that the hospital's policy of racial segregation was a violation of their Constitutional rights. In their answer, the hospital's attorneys essentially alleged that Gloria and Jamelle Rackley were the NAACP's puppets. The NAACP was paying their legal fees and was the real party of interest. But the court saw differently. In his opinion Judge Simons found that Mrs. Rackley and her daughter were, in fact, the real party of interest, and that whether or not the NAACP was paying their fees was irrelevant. The plaintiffs were not required to answer any inquiries regarding counsel fees or NAACP membership. Moreover, the plaintiffs would be allowed to provoke the defense to answer questions regarding whether or not they maintained a policy of racial segregation.¹¹³

So with the judge's permission, the NAACP attorneys sought to prove that the hospital was practicing racial segregation, not only in the waiting room in which Gloria

¹¹² "Orangeburg Group Holds Jail March," *The State*, 3 February 1964; "33 Jailed in Orangeburg Protest," *The State*, 5 February 1964. According to this article, 330 Whitaker students and 950 Wilkinson students boycotted classes. But school authorities later said those numbers were exaggerated; "Orangeburg Boycott Tapers Off," *The State* 6 February 1964.

¹¹³ *Jamelle Rackley, a minor, by her mother and next friend, Gloria Rackley, and Gloria Rackley, Plaintiffs, v. Board of Trustees of the Orangeburg Regional Hospital, a body public, and H. F. Mabry, Director of the Orangeburg Regional Hospital, Defendants* 35 F.R.D. 516 (E. SC. 1964).

and Lurma Rackley staged their two-person sit-in, but throughout the hospital, including in room assignments. The defense and its witnesses tried to couch their segregation policy in professional language. Drs. William Whetsell and Vance Brabham, Jr. testified that room assignments were made according to “professional advice” and what was in the patient’s best interest.¹¹⁴ But the hospital administrator, Henry Mabry, admitted that African American patients were only assigned to the hospital’s south wing. Dr. Whetsell attempted to defend the hospital’s room policy by arguing that patients were “better treated, better satisfied, and the nurses could do a better job” in segregated accommodations.¹¹⁵ Dr. Brabham echoed this statement when he testified that segregated rooms were important to patients’ recovery process. He said, “It’s best for the hospital, and best for the patient, white or Negro, to get them in this environment.”¹¹⁶

When the case finally concluded in February 1965, Gloria Rackley and her daughters were residing in Virginia where she had acquired another teaching position. The defense argued that because neither Rackley nor her husband, L. G. Rackley, still lived in South Carolina, the plaintiffs had no right to sue them because the hospital’s mission was to serve Orangeburg County residents. But as Chief Judge Robert Hemphill acknowledged in his opinion, Rackley was an Orangeburg resident when the issues surrounding the case took place, and she still maintained a home on Whittaker Parkway in Orangeburg. As to whether or not the plaintiffs were entitled to permanent injunction, Judge Hemphill decided that there was “an overabundance of evidence” that they were.¹¹⁷ The defense’s own witnesses proved that the hospital practiced segregation. He also

¹¹⁴ “Staff Physicians Defend Hospital’s Room Policies,” *The State*, 1 December 1964.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

¹¹⁷ *Rackley and Rackley v. Board of Trustees* (1965).

agreed with the plaintiffs regarding the importance of how the hospital was funded. Hemphill did not dismiss the doctors' claims that there were "sound medical reasons" to practice segregation in a hospital since "psychological factors are important to all citizens."¹¹⁸ But that did not change the fact that the hospital was operating as a governmental office or agency. It was, by this point, a well-established fact that it was illegal for such entities to practice racial segregation.¹¹⁹ The court ruled in the plaintiffs' favor, but gave the defense time to adjust to the "drastic change."¹²⁰ The hospital was ordered to file a plan with the court within sixty days and to have it fully implemented forty-five days after that. If the hospital did not file a plan with the court within that sixty day time period, Judge Hemphill said that he would have no choice but to implement an integration plan without the hospital's input.¹²¹

The Orangeburg hospital case was significant because it was the first one filed against a South Carolina hospital. One month after Judge Hemphill handed down his decision, the hospital filed notice that they were appealing to the U.S. Court of Appeals.¹²² In April, they proceeded to submit a desegregation plan. The plan outlined a six-point checklist for deciding patients' bed assignments:

1. Availability of beds and rooms
2. Consideration of effect on other patients (contagious disease cases, mentally disturbed cases, burns, critically ill, etc.)
3. Economic condition of the patient.
4. Type of treatment to be rendered.

¹¹⁸ *Rackley and Rackley v. Board of Trustees* (1965).

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

¹²¹ *Ibid.*; "Order Asks Hospital Plan Integration," *The State*, 19 February 1965.

¹²² "Order Asks Hospital Plan Integration"; "Orangeburg Hospital to Appeal Court Order," *The State*, 17 March 1965.

5. Availability of a trained nursing staff for the particular type of illness.
6. Availability of special equipment...¹²³

But the plan still left room for the hospital to make prejudiced choices. Staff members would still be able to assign beds based on what they thought was in the best interest of all the patients. It also allowed patients to be moved if they or their doctors had a problem with them being in a room or ward with someone else.¹²⁴ In short, the hospital's plan would allow the hospital to continue racial segregation without openly admitting that that is what they were doing. Hemphill's court approved the plan, but the hospital found themselves in hot water a couple years later. In September 1967 the U.S. Department of Health, Education and Welfare (HEW) cut off funding to the hospital for non-compliance with the 1964 Civil Rights Act. The hospital asserted that they were in compliance with the court-approved desegregation plan originating from the Rackley suit. But Robert M. Ball, the Social Security commissioner, upheld the decision. The hospital filed suit with the U.S. District Court where it alleged that the department's decision was "unlawful, arbitrary, capricious, and contrary to the Constitution."¹²⁵ The hospital was asking the court to decide that they were not in violation of the 1964 Civil Rights Act, and to require HEW to reinstate their federal funding.¹²⁶ The Justice Department also became involved when in February 1968 they filed suit in a federal court to compel the hospital to finally desegregate its facilities.¹²⁷ The Justice Department further asserted that Orangeburg Regional Hospital practiced racial discrimination in its "medical care, treatment, services

¹²³ "Assignment Plan Filed by Hospital," *The State*, 16 April 1965.

¹²⁴ *Ibid.*

¹²⁵ "Hospital Asks Fund Recovery," *The State*, 28 December 1967.

¹²⁶ *Ibid.*

¹²⁷ "Hospital Target in Carolina Suit," *The State*, 13 February 1968.

and training programs.”¹²⁸ They asked that the court affirm HEW’s decision to cut off the hospital’s federal funding.¹²⁹

Similar to black college and high schools students, there were a few black teachers who also found themselves more deeply involved in the movement. Two African American teachers filed suit against their school boards in the U.S. District Court to be reinstated to their teaching positions. One of those teachers was Gloria Rackley who, as a NAACP leader and litigant in another case, had already demonstrated a deep commitment to the movement. The other teacher was Sampson Williams. While Williams was located outside of Orangeburg (in Sumter) her case demonstrates that while other teachers found themselves dismissed from their teaching jobs, the nature and tactics of both the black civil rights movement and the white massive resistance movement were changing. Like Rackley, Williams had performed her work in a satisfactory manner for the past ten years at Sumter’s Manchester High School, but did not have her contract renewed. The Rackley and Williams suits alleged that when school officials dismissed them because of their activism, they were practicing discrimination. Additionally, Williams alleged that her dismissal was connected to her efforts to enter her students into a contest sponsored by a national organization. White students were allowed to enter the competition, but blacks students were not. The school board denied William’s claim. Superintendent Dr. Hugh T. Stoddard claimed that Williams was not rehired because she was absent without official permission. She had acquired permission from her school principal, but Stoddard asserted that he did not have the authority to grant her an excused

¹²⁸ “Hospital Target in Carolina Suit.”

¹²⁹ Ibid.

absence.¹³⁰ Williams' activism demonstrated that, as a black teacher, she was unable to separate her activism for social change from her activism for black educational advancement. She was just as interested in ensuring her students had the same opportunities as white children as she was in desegregating a lunch counter. However, both Rackley and Williams would have to wait another two years for their day in court. In the mean time, Orangeburg activists remained vigilant.

In 1965 the Orangeburg Movement followed the program it laid out at the close of 1963 and pushed for increased voter registration efforts. 1965 proved to be an ideal time to pursue black voter registration. On August 6 of that year President Lyndon Johnson signed the Voting Rights Act of 1965. The Act was one of the most far-reaching pieces of civil rights legislation for the time period, and perhaps the most significant piece since the 1954 *Brown v. Board of Education* school desegregation decision. Southern segregationist lawmakers predictably objected to the legislation. South Carolina's governor, Robert E. McNair announced that he intended to challenge the law's constitutionality, and asked the state attorney general to "proceed immediately with all proper legal steps."¹³¹ The Orangeburg Movement's efforts were met with both victories and defeats. For instance, 849 African Americans were registered to vote within the span of three days, but fifty people were arrested during a voter registration protest at the county courthouse. The sit-in demonstration was in response to what civil rights workers believed as an intentional delaying tactic on the part of registration officials. The county had not hired enough registrars to handle the large number of people who wanted to

¹³⁰ "Negro Teachers File Suits," *The State*, 16 September 1964; "Arguments in Teachers' Case Heard," *The State*, 2 June 1965.

¹³¹ "S.C. to Challenge Law," *The State*, 13 August 1965.

practice their right to vote. The allegation was supported by the fact that there were still seventy African Americans standing in line when the registration books were closed. The insult was worsened when several white registrants were moved to the front of the line, while black registrants remained un-served.¹³² The civil rights workers made police brutality charges. Indeed, police were photographed carrying at least one demonstrator out the Orangeburg County Courthouse by his arms and legs.¹³³ Thirty-four of the protestors were sentenced to thirty days in jail or \$50 fines.¹³⁴

Nonetheless, Rev. H. O. Harvey, leader of the voter registration campaign, was more than happy with their progress. "I have no complaints," he said.¹³⁵ It was, according to him, the most people Orangeburg County's Voter Education Project had registered in a three-day period since 1960.¹³⁶ Harvey vocalized disapproval of the sit-in. He said:

My main object is to have people come to work and get people registered. We welcome people to come in and help, as long as they don't break the law. I don't go for that.¹³⁷

Instead, he advised those that were unable to register to go home and return on the first Monday in October.¹³⁸ But perhaps part of Harvey's unease came from the fact that these civil rights workers were not all Orangeburg County natives. Those arrested included twenty-one whites and thirty African Americans, and out of all of those arrested only one

¹³² "50 Free on Bond in Vote Protest," *New York Times*, 5 August 1963; "Orangeburg Registration in Peaceful," *The State*, 5 August 1965.

¹³³ "Police Release Demonstrators; Brutality Charges Are Sounded," *The State*, 5 August 1965.

¹³⁴ "Protestors Sentenced," *The State*, 13 August 1965.

¹³⁵ "50 Free on Bond in Vote Protest," *New York Times*, 5 August 1963.

¹³⁶ *Ibid.*

¹³⁷ "Police Release Demonstrators."

¹³⁸ "Orangeburg Registration in Peaceful," *The State*, 5 August 1965.

was eligible to vote.¹³⁹ Local African Americans like Harvey were certainly eager to gain full and equal access to the franchise, but they were not necessarily willing to do so at the risk of losing autonomy of their local movement. Moreover, Harvey's was from Elloree. He doubtless had very real memories of the 1950s and how economic reprisals directed towards a whole community could have disastrous effects.

The Orangeburg Movement also used 1965 as a time to prep for increased school desegregation efforts. That summer, it found allies in white schoolteachers who were working with the American Friends Service Committee. Four such teachers worked on a tutoring project that was preparing 105 African American schoolchildren to apply for transfer to white schools.¹⁴⁰

Perhaps at this point Orangeburg's citizens found it predictable that Gloria Rackley was a named litigant in a 1965 civil liberties case. The suit, which sought to desegregate two local theatres, was filed in August of 1964, but did not go to court until May of 1965. Rackley was one of four other plaintiffs: C. H. Thomas, Jr., Julie Wright, Elise Thomas, and Theodore Adams.¹⁴¹ On July 21, 1964 the plaintiffs attempted to buy theatre tickets for the ground floor section—customarily reserved for whites—of both the Edisto and Carolina Theatres. They were denied admission at both locations and were asking the court to enjoin the defendants from practicing segregated admission policies. The theatre company, Orangeburg Theatres, Inc. asserted that they did not practice segregation, but they also did not deny the plaintiff's claims. Instead the current

¹³⁹ "Police Release Demonstrators," *The State*, 5 August 1965.

¹⁴⁰ "50 Free on Bond in Vote Protest," *New York Times*, 5 August 1965.

¹⁴¹ *C. H. Thomas, Jr., Julie Wright, Elise Thomas, Gloria B. Rackley, and Theodore Adams, Plaintiffs, v. Orangeburg Theatres, Incorporated, a Corporation, Defendant*, 241 F. Supp. 317 (E.D. SC.1965).

owner alleged that the segregation policy existed before they acquired the theatre, and that they had now discontinued that policy. In fact, on August 31, 1964, the company adopted a resolution during one of its meetings informing all its employees that all people, regardless of race, were to be admitted to the theatre without restrictions. Based on this, they asked the court to dismiss the case. Rackley and the other defendants expressed that while they were happy with the theatre's change in policy, they did not wish for the case to be dismissed. Yet Judge Simons went ahead and dismissed the case, citing that it was a well-established rule "that an injunction will not issue for the purpose of punishing past offenses."¹⁴² Rackley and her colleagues had successfully desegregated the movie theatres, but not in a court of law. There were undoubtedly happy with the victory, but disappointed that future desegregation petitioners would not have one more legal case to prove their arguments.

Rackley still needed to settle her suit against her former employer. Likewise, Irene Williams' case also needed to be settled. Williams and Rackley's cases would prove to be very similar. Williams' suit against her Sumter school district was decided in a U.S. District Court in June 1966—a few months before Rackley's. Williams' attorneys wanted a permanent injunction against the school district that would require them to reinstate Williams' teaching contract and to continue reissuing it without regard to her civil rights activities.¹⁴³ Williams had been teaching at Manchester School for ten years

¹⁴² *C. H. Thomas, Jr., Julie Wright, Elease Thomas, Gloria B. Rackley, and Theodore Adams, Plaintiffs, v. Orangeburg Theatres, Incorporated, a Corporation, Defendant*, 241 F. Supp. 317 (E.D. SC.1965).

¹⁴³ *Irene Williams, Plaintiff, v. Sumter School District Number 2, a public body corporate, Dan L. Reynolds, Chairman of the Board of Trustees of Sumter School District Number 2, Sumter South Carolina, and H. Curtis Edens, Jr., Clarence E. Phillips, Jr., W. Hazel McCoy and Russell F. Jones, Members, Board of Trustees of Sumter School*

when she was dismissed explicitly for her leadership role in the Sumter civil rights movement. That she was a dedicated activist was not a point of dispute. It was “admitted by all parties that she was vigorous in the promotion of civil rights in and about Sumter.”¹⁴⁴ But also not up for dispute were her abilities as a teacher. Aside from having a decade of experience at that school, her principal’s description of her as “the best teacher we had—understanding, sympathetic, very diligent, very cooperative,” made it very clear that her work in the classroom was above par.¹⁴⁵ The defense argued that Williams’ activism was a sufficient reason to fire her by noting that some of the people involved in the protest were children between ten and sixteen years old, and that some of these children went before the Domestic Relations Judge. In short, they were arguing that she posed a danger to young children. Echoing Rackley’s school officials, the Sumter school district also said that Williams was absent from the first teachers’ meeting during the 1964-65 school year without first obtaining permission. This, unlike the former topics, was a point of contention because both Williams and her school principal testified that she obtained permission from him. But school district officials said that his permission was not sufficient. She needed to gain permission from the Superintendent or a Supervising Principal. Either way, these issues must not have negatively affected her performance at work because her principal, Benjamin F. Robinson, recommended she be rehired for the 1964-65 school year. However, instead of sending her a reappointment letter, Superintendent Stoddard wrote her a letter advising her that he would like to meet

District Number 2, Sumter, South Carolina; and Hugh T. Stoddard, Superintendent of Sumter School District Number 2, Sumter, South Carolina, Defendants, 255 F. Supp. 397 (SC 1966).

¹⁴⁴ *Irene Williams v. Sumter School District Number 2*.

¹⁴⁵ *Ibid.*

with her. During their meeting, he informed her that he would not be recommending her for reemployment and advised her of her right to appeal. She did so immediately, and appeared before the Board of Trustees on June 16, 1964 to plead her case.¹⁴⁶ Superintendent Stoddard wrote her the next day and explained that the Board had considered her case “at considerable length” but had not come to a final decision.¹⁴⁷ She would receive an answer in two weeks. On June 24, Stoddard informed her that the Board decided not to intervene in her case. Her dismissal stood.¹⁴⁸ When her counsel, NAACP attorney Ernest Finney, plainly asked the defendants’ counsel, Shepard K. Nash, why Williams was dismissed he was told “the board doesn’t care to state” the reason.¹⁴⁹ And, as Judge Hemphill noted in his opinion, “At no time during the entire proceedings was (or has she yet been) advised of the reason for refusal of reemployment.”¹⁵⁰ Still, Stoddard’s testimony made the reason for his and the board’s decision clear:

At some time during the fall, on Saturday morning, when I had gone by the post office to pick up the school mail, I observed Mrs. Williams picketing some business establishments on the streets of Sumter, which in my personal opinion reflect poor professional judgment and did not dignify the position which she held in the schools in the eyes of the community.¹⁵¹

Judge Hemphill must not have found this testimony compelling enough, for he noted that one’s right to freely practice their constitutional rights without fear of reprisal was a guarantee already decided by the Supreme Court:

¹⁴⁶ *Irene Williams v. Sumter School District Number 2.*

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

The Constitution for the United States is the written guarantee of freedom and justice to Americans everywhere. The United States Supreme Court, in its interpretation of the Constitution's application to human rights, or civil rights, as exposed by trial under common law or effect of statute, decided and that decision is the Law of the Land unless changed by proper authority.¹⁵²

While Judge Hemphill agreed with the defense's assertion that the court could not create a contract between Williams and the school district, he was equally emphatic that the court was "prepared to protect, interpret, insist upon the securing to plaintiff of all of her constitutional rights."¹⁵³ He appreciated the fact that the school board had a right to hire and not hire at its own discretion, but asserted that this discretion did not cover violating one's constitutional rights. Of course, the 1964-65 school year was over, and the judge had already mentioned that it was not within his power to draft a contract between the plaintiff and defendant. With that in mind, the judge told the parties to come to an agreement for monetary relief.¹⁵⁴

A few months later, on September 16, 1966, Rackley's case against her school district was also decided. The issues in this case echoed, almost verbatim, the issues covered in Williams' case. The "sole issue" before the court was whether or not the school board was justified in using its discretionary power to dismiss Gloria Rackley from her position.¹⁵⁵ There was never any question regarding Rackley's abilities as a teacher. In fact the Whittaker Elementary School principal, John H. Pearson, described

¹⁵² *Irene Williams v. Sumter School District Number 2.*

¹⁵³ *Ibid.*

¹⁵⁴ *Ibid.*

¹⁵⁵ *Gloria B. Rackley, Plaintiff, v. School District No. 5, Orangeburg County, et al., Defendants.* 258 F. Supp. 676 (U.S. Dist. 1966).

her job performance as “excellent.”¹⁵⁶ She was one of his “better classroom teachers,” had a good relationship with the rest of the faculty, and had no parent complaints.¹⁵⁷

Unlike Williams’ employers, Rackley’s school district did not wait until the end of the school year and then simply choose not to rehire her. Rackley was dismissed, upon Superintendent Marshall’s recommendation, only halfway into the school term on October 15, 1963. And, of course, she had not been offered reemployment for the following school year. What was truly at issue was her very visible leadership role in the Orangeburg NAACP. She had participated in many peaceful demonstrations and, as a result, had been arrested numerous times. As Judge Charles E. Simons noted in his opinion, the decision to dismiss Rackley had to be “viewed by the court in light of the matters before the board as recommended to it by Superintendent Marshall . . . There is no evidence of record to indicate that any other considerations were before the Board in this connection.”¹⁵⁸ Judge Simons acknowledged that it was within a school board’s power to hire and fire at their own discretion, but that discretion had to be exercised carefully in order to ensure that no schoolteacher’s constitutionally guaranteed personal liberties were compromised. His decision had to come down to whether or not the board’s decision to dismiss Rackley was justifiable based on the reasons Superintendent Marshall outlined in his letter. Therefore, Judge Simons ruled that the school district had to pay Rackley the remainder of her salary from the 1963-64 school year. But, perhaps because Rackley’s dismissal was so much more flagrantly unconstitutional, Simons also ordered that the defense to “immediately reemploy, or offer to employ” Rackley in the

¹⁵⁶ *Rackley v. School District No. 5*.

¹⁵⁷ *Ibid.*

¹⁵⁸ *Ibid.*

same position she had before.¹⁵⁹ If the position was no longer available, they were ordered to offer her a position of equal status and salary as soon as it became available. If she accepted the position, they were ordered to continue her employment without regard to her civil rights activities.¹⁶⁰

Losing her teaching position was obviously an enormous sacrifice, but despite the fact that the judge ruled in her favor Gloria Rackley and her family did not return to Orangeburg. By the time the case finally ended, she was already living in Virginia where she had a more lucrative position teaching at Norfolk State University. And despite the fact that her husband was a college professor, he no longer had a viable career in Orangeburg. Because of his wife's activities, Professor Rackley found himself a target of economic reprisals. He had been given leave, with pay, to finish his doctorate. So the college administration must have at least found his work satisfactory. Despite that, South Carolina State chose not to renew the professor's contract.¹⁶¹ So Professor and Mrs. Rackley moved to Virginia, but Mrs. Rackley admitted that by this time their relationship was already ending:

And by that time, our marriage was ended. So, if we talk about losses that can be another thing we count as a loss. Though no one thing ends a marriage . . . we never recovered, our family never recovered from that.¹⁶²

Indeed, the personal costs of Rackley's activism not only included a professional setback, and the dissolution of her marriage, but also compromised her relationships with her daughters. For instance, she came very close to losing custody of her younger daughter,

¹⁵⁹ *Rackley v. School District No. 5.*

¹⁶⁰ *Ibid.*

¹⁶¹ Blackwell and Rackley interview.

¹⁶² *Ibid.*

Lurma Rackley, who was eager to be more directly involved in the movement. A judge ruled that she was a juvenile delinquent because of the long arrest record she accrued during civil rights protests. The day they went to court regarding this issue was the same day she and her mother were arrested for using the white restroom.¹⁶³ There were actually in jail when their case went before the judge. Lurma remembered:

And he was mad, mad. He was livid. He was beet red with anger that we had not only come down to the court and used the ladies room, but then had been continuously protesting. . . He said to me, "I love all children, black and white. Treat 'em just the same. Feed 'em out the same spoon. But if you come before my court one more time you're going to reform school for seven years, until you're twenty-one."¹⁶⁴

Lurma was arrested again and, as the judge warned, sentenced to seven years in reform school. Fortunately, their ever-vigilant civil rights attorney, Matthew Perry, was able to have Lurma returned to her mother, but he advised them both that Lurma should not participate in any more demonstrations. He could not guarantee that she would not be required to go to reform school. After all, Mrs. Rackley had been accused of being an unfit mother due to her daughter's many arrests.¹⁶⁵ One newspaper even referred to her as "wildly dangerous."¹⁶⁶ Initially, Rackley disagreed with Perry's advice. She said a judge could not just take a child away from their mother. Perry told her that she must not know anything about the juvenile court system. The possibility that her daughter could be taken away scared her. She spoke with Lurma and asked her to stop picketing for a

¹⁶³ Blackwell and Rackley interview.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

¹⁶⁶ Woods, "Working in the Shadows," 105.

while. But Lurma wanted to continue, unless her mother was in jail. So, she continued to participate, but fortunately was not arrested again.¹⁶⁷

Gloria Rackley also seemed to feel some guilt about having to move her daughters to another state. They had to leave their friends. Lurma, who was looking forward to being part of the class to integrate Orangeburg High, ended up in a city that had already desegregated its schools. She understood that her mother needed to move on, but regretted not being able to see the fruits of their labor. For her part, Jamelle Rackley, who was named alongside her mother as a plaintiff in the suit against Orangeburg Regional Hospital, excelled. In many ways, she did exactly what middle-class African Americans like the Rackley's expected their children to do and embodied what generations of African Americans had hoped for. She did well in high school, winning a New American Library of World Literature Award during the PEA's annual meeting. She started Bennett College in Greensboro, North Carolina in 1963—the same tumultuous year in which her mother lost her teaching position. She graduated in 1967 and received a scholarship to go to graduate school at Wesleyan-Middlebury University to study modern language. Her engagement in 1968 was announced in three different black newspapers. Jamelle had become quite the socialite. Her fiancé, John Tollie Patterson, Jr. of New York City, was a well-know businessman, and a founder and the National Director of the Interracial Council for Business. But these same announcements, which help underscore her status as a respectable member of the black middle-class, also hint at the possibility of a strained relationship with her mother. Jamelle Gloria Rackley, who was so clearly named after her mother, was repeatedly referred to as Mr. and Mrs. Louis Cargile

¹⁶⁷ Blackwell and Rackley interview.

Frayser's daughter. And although one paper mentioned her father, Dr. Larney G. Rackley, and both her maternal and paternal grandparents, Gloria Rackley was never mentioned.¹⁶⁸

And Gloria experienced all of these repercussions without the unequivocal support of her parents. Her father, who essentially introduced her to the NAACP and the civil rights movement, was largely acceptant of her activism. But her mother, like many other civil rights activists' parents, worried about her and thought she and her daughters might be safer if they were not always on the front lines of the battle for civil rights.¹⁶⁹

¹⁶⁸ *Blackwell and Rackley interview*; "Science Awards Given," *The State*, 36 March 1961; "New Approach to Orientation" (photo) *Chicago Daily Defender*, 7 October 1963; "Smart Gals, All," (photo) *Chicago Daily Defender*, 8 July 1967; "Language Fellow," (photo) *Chicago Daily Defender*, 27 May 1967; "New Yorker Pledge to Va. Socialite," *New York Amsterdam News*, 17 February 1968; "Weddings," *Jet Magazine*, 23 May 1968; "Miss Rackley Fiancée of J.T. Patterson, Jr.," *Pittsburgh Courier*, 24 February 1968.

¹⁶⁹ "Working in the Shadows," 106.

EPILOGUE: “NEGOTIATE FROM STRENGTH:” TEACHERS IN A DESEGREGATING SOUTH CAROLINA

At its 1964 national convention in Seattle, Washington, the National Education Association (NEA) requested that teachers associations in eleven southern states adopt a merger plan: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia. Teacher associations in other states that practiced racial segregation had voluntarily joined together after the 1954 Brown decision. The Palmetto Education Association immediately began working on a merger plan. They put together an Executive Committee to draft guidelines for the merger, and submitted their plans to the PEA House of Delegates. The guidelines were then sent to every county association and printed in the PEA journal to ensure the information was shared with as many members as possible.¹

The PEA Unification Committee chairman, Hudson L. Barksdale, said in a report to the House of Delegates that he wanted the PEA to formulate a plan that would guarantee the PEA met the SCEA “as equals,” and “negotiate from strength.”² The merger discussion interrupted the PEA’s previously steady growth. Membership declined during the 1966-7 school year. Yet there were also more PEA members joining the NEA. Potts believed that this was because many members believed the merger was

¹ John F. Potts, Sr., *A History of the Palmetto Education Association*, Washington, DC: National Education Association, 1978.

² *Ibid.*, 125-126.

inevitable and that, under these circumstances, the NEA was best equipped to meet their needs.³

He specifically referenced the Rackley and Clarendon County cases.⁴ One issue that Barksdale pointed out was that unlike the SCEA, the PEA had a history of meeting black teachers' needs. Walker E. Solomon, the longtime PEA executive secretary, also had concerns, including: the new constitution, if the new association would continue employing PEA staff, and "the protection of PEA members."⁵ Solomon wanted the new teachers' association to maintain the Defense Welfare Fund, and to continue making contributions to the NAACP Legal Defense and Educational Fund.⁶ Behind Barksdale and Solomon's concern was the knowledge that black teachers faced specific issues completely unknown to white teachers. The PEA leaders wanted some assurances that black teachers would continue to have a supportive organization behind them. Their concerns help demonstrate that in addition to professional concerns the PEA served as a black teachers' civil rights organization.

PEA representatives had four meeting with SCEA representatives. The PEA House of Delegates met and accepted a merger plan on April 1, 1967. The new organization would be called the South Carolina Education Association. Most of the merger plan set in motion committees and leadership positions that would contain current leaders from both organizations for a one year period. Both organizations' full

³ *A History of the Palmetto Education Association*, 126.

⁴ *Ibid.*, 129.

⁵ *Ibid.*, 130.

⁶ *Ibid.*

staff were to remain employed for a full year. The new merged teachers' association would officially begin April 1, 1968.⁷

Despite the PEA's desire to come to the merger discussions as equals, the agreements laid out in the Memorandum of Agreement illustrate that they were not truly regarded as equals. The PEA leaders maintained leadership positions, but they were normally lower positions—directly under the current SCEA leaders. For example, Walker E. Solomon, the well-respected PEA Executive Secretary, was employed as the SCEA Associate Secretary. Likewise, the current SCEA president kept his position while the PEA president became the vice-president.⁸ Furthermore, the merger plan also specified that after the initial one-year period “no individual or group be given any special consideration because of race,” leaving former PEA members with no guarantee that they could continue to have any significant influence.⁹

Overall, the SCEA membership rose after the merger, but that was solely due to its new African American members. White membership fell after the merger was announced.¹⁰ This turned out to be indicative of the organization's continued to be racial divisions. For example, the Human Relations Committee, tasked with the role creating racial understanding worked “largely in isolation from other activities of the association.”¹¹ Additionally, its workshop attendees were predominantly black. This, combined with the lesser positions former PEA leaders held in the new organization, lead

^{7 7} *A History of the Palmetto Education Association*, 131-134.

⁸ *Ibid.*, 135; SCEA Merger Evaluation, April 1974, Walker E. Solomon Papers, H.V. Manning Library, Claflin University.

⁹ SCEA Merger Evaluation.

¹⁰ *Ibid.*

¹¹ *Ibid.*

some black teachers to believe that there was no real merger at all. Instead, the PEA had simply been absorbed into the SCEA.¹²

Things were further complicated when it was revealed that some of the black leadership questioned the SCEA's financial standing. When the PEA was essentially dissolved, their total worth in cash and property was estimated to be \$250,000. There were some questions regarding what exactly happened with those funds. PEA members were especially concerned with the portion designated for the teacher defense fund as, per the merger agreement, the teacher defense fund would continue to exist and be used in the same way.¹³

It is perhaps what happened with the former PEA Executive Secretary Dr. Walker E. Solomon that best illustrates the rift between the SCEA and PEA leadership. The merger agreement's language implied that Solomon would work directly under the Executive Secretary, Dr. Carlos Gibbons. Solomon's rank would be reflected in his salary and responsibilities. Instead, in 1967, the SCEA hired an assistant executive secretary, Dr. Henry Wiesman, whose position apparently pushed out Solomon. Wiesman received a higher a salary than Solomon, had a prominent office location next to Gibbons—while Solomon's was small and in a non-descript area—and had a higher status with more responsibilities. This was despite that fact that Solomon, with his seventeen years of experience as an executive secretary of a statewide teachers' association, clearly had more experience than Gibbons. When a group of black teachers lodged a formal complaint, Gibbons and Solomon's salaries were equalized. Yet, Wiesman maintained the better office and Solomon's skills continued to be completely

¹² SCEA Merger Evaluation.

¹³ Ibid.

overlooked. The NEA noted that Solomon's treatment was "a clear violation of the intent of the merger agreement" as the title Associate Executive Secretary clearly indicated he would work directly under the Executive Secretary.¹⁴ Instead, not only were his skills not used to their best advantage, but there was no evidence that Solomon was included in the decision-making process. He was isolated—both physically and symbolically—from the organization's leadership.

The SCEA's misuse of Dr. Solomon deepened the divide between the two groups—one that had not been fully overcome before the merger. There was an opportunity to right this wrong when Dr. Gibbons resigned in April 1973. The Board of Directors named Dr. Solomon the Acting Executive Secretary, and the SCEA's black leadership must have hoped that he would be chosen as the new Executive Secretary. Instead, when the screening committee interviewed twenty-five candidates, Solomon was not one of them. They initially chose a former SCEA president, Dr. Claude Kitchens, who declined the appointment. Thirty-three SCEA members took this opportunity to petition asking that Dr. Solomon be named the new Executive Secretary.¹⁵ The petition stated:

Whereas the Screening Committee and the Board of Directors will select a person who meets the qualifications that have been set forth in the established guidelines; be it also resolved that Whereas the present Acting Executive Secretary, Walker E. Solomon, having met all the qualifications that were included in these guidelines, be given primary consideration for the position of Executive Secretary of the South Carolina Education Association.¹⁶

¹⁴ SCEA Merger Evaluation.

¹⁵ Ibid.

¹⁶ Petition, July 6, 1973, Walker E. Solomon Papers.

They noted that Solomon served as the PEA's executive secretary for "17 successful years" and implored the committee to place Solomon in the position.¹⁷ The committee interviewed five applicants for the job, including Dr. Solomon, and elected Michael Fleming by secret ballot.¹⁸

In his account of the PEA's merger with the SCEA, Potts says that although the merger agreement only ensured collaboration between the two organizations for one year, the organization's constitution was revised in 1971, 197, and 1975 to to guarantee "ethnic-minority representation."¹⁹ This was likely done at the NEA's recommendation. For after reviewing the PEA-SCEA merger process the national organization noted that although "the concept racial quotas and minority guarantees is repugnant to many citizens," there were few other options "until we are able to eradicate, finally, the blight of racial bigotry."²⁰ The NEA further recommended that the black teachers organize a caucus in order to ensure that their voting power was used as effectively as possible. They also recommended that the SCEA begin collecting racial designations during enrollment to guarantee accurate information when determining the racial composition for their various committees.²¹ Another recommendation the NEA believed would help make the merger more meaningful was for the SCEA to "delay no longer" in having the PEA's history written before some of that history was permanently lost when the organization's oldest members passed away.²²

¹⁷ Petition, July 6, 1973.

¹⁸ SCEA Merger Evaluation.

¹⁹ *A History of the Palmetto Education Association*, 205.

²⁰ SCEA Merger Evaluation.

²¹ Ibid.

²² Ibid.

One issue the SCEA was clearly unprepared to address was African American teachers' plight during desegregation. Desegregation almost always resulted in closing black schools, located in black neighborhoods. As a result, the number of African Americans in supervisory positions such as principal and coach fell.²³ The demotion of African American school faculty was the focal point of a American Friends Service Committee sponsored 1970 meeting in New Orleans where conference participants agreed that it was "very important for black children to see black persons in positions of authority."²⁴ African American demotion became so routine that civil rights attorneys began asking judges to include guarantees in school integration orders that the newly desegregated schools retain African Americans in supervisory positions.²⁵

The Training Coordination Center for Displaced Teachers (TCCDT) was created to help teachers who had been displaced due to desegregation in North and South Carolina. They cited a figure of over 2,000 black teachers who were displaced due to southern desegregation in the 1968-1971 school years.²⁶ Their focus was not only on teachers who had been outright dismissed, but also those who were "demoted, unsatisfactorily transferred, or reassigned to lower paying, less satisfying positions," and people placed in positions "outside their area of certification or experience."²⁷ The organization intended to identify these educators, gather helpful data on them, and

²³ "School Battle in South Not Yet Won: White Private 'Academies' Harm Public System," 2 January 1970, *The Washington Post*.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Floyd A. Davis to S. K. Dean, 20 December 1971, Revised Items from Proposal to the Office of Economic Opportunity, Walker E. Solomon Papers, Manning Library, Claflin University.

²⁷ S. K. Dean to Floyd A. Davis, 20 December 1971.

provide counseling and placement services for teachers to either find new teaching positions or receive additional training/education.²⁸

The Center reached out to other organizations such as the NAACP, teachers associations, and school districts to locate displaced teachers, but ultimately decided that best way to locate affected teachers was on a county-by-county basis. For this reason they turned to some of South Carolina's most well-respected black educators to identify affected teachers including former PEA leaders Walker E. Solomon, and H. L. Barksdale.²⁹ Individuals such as Solomon and Barksdale would likely have direct knowledge of which teachers in their communities were having a hard time transitioning to desegregated schools, and how to best meet teachers' needs.

As of September 1971, the Center had made contact with 259 individuals, twenty-one of which were displaced personnel. Out of that, the center helped fourteen teachers get accepted to universities where they could pursue graduate degrees. All fourteen were accepted to out-of-state schools.³⁰ The Center was poised to help even more teachers in the 1972-1973 school year since one hundred nine people applied to their Teacher Development for Desegregating Schools Programs.

Yet, all of this may have seemed like a moot point in light of how much public schools were changing in the post-Brown era, particularly as judges handed down more and more desegregation orders. For although dual public school systems were being abolished, segregation was not. Desegregation suits prevented public schools from racially segregating students, but they simultaneously sparked the creation of a plethora

²⁸ Dean to Davis, 20 December 1971.

²⁹ Ibid.

³⁰ Progress Report for Displaced Teachers, September 1971, Walker E. Solomon Papers.

white private schools.³¹ One paper estimated that at least 100,000 students were attending these new schools, “five to 10 times as many as there were before passage of the 1964 Civil Rights Act.”³² According to a Southern Regional Council study, southern students were riding up to seventy percent further to attend private schools; more students were riding to private schools than public schools; and the average private school student was traveling further (17.7 mi. one-way) than the average public school student (10 mi. one-way). In fact, white segregated private schools were growing by leaps and bounds along the South Carolina coast where there were large concentrations of black Carolinians. For instance, white parents in Hilton Head, South Carolina were sending their children on a 120 mile round-trip everyday so they could attend a school in Beaufort. The result was that public schools were becoming, by default, predominantly African American.³³

In addition to maintaining a segregated school system, school privatization also negatively affected public schools because it lowered school attendance, therefore threatening public school funding from the local, state, and federal governments.³⁴ After all if “segregationist-inclined” state legislators did not care about black children, then they would have no qualms about lowering education appropriations.³⁵ Public pressure to decrease tax support for public schools was already mounting. And while school privatization may have had the most negative effects on black students, it did not always bode well for the white students attending private schools. Many of the schools were

³¹ “School Battle in South Not Yet Won,” 2 January 1970, *Washington Post*.

³² Private, White School Rise in South,” 14 September 1969, *Washington Post*.

³³ “Study Cites Busing for Segregation,” 3 May 1970, *Washington Post*; “Private, White School Rise in South.”

³⁴ “School Battle in South Not Yet Won”; “Private, White School Rise in South.”

³⁵ “School Battle in South Not Yet Won.”

located in old, inadequate buildings, and staffed by unqualified faculty. The Southern Association of Colleges and Schools accredited only a few of them. Other than Florida, no southern state had any strict set of standards that private schools had to meet. State officials in Alabama, Georgia, Mississippi, and North and South Carolina were not even sure how many private schools were located in their states. Some of the new private schools were attempting to start their own crediting institutions, such as the South Carolina Independent School Association. But older, more established private schools were also critical of the new schools that they believed challenged private schools' reputation for providing a superior education.³⁶

Yet, a few of these new private schools were well-funded. A prominent example was South Carolina's own Wade-Hampton School, which boasted a \$350,000 plant and ten-acre campus. Located in Orangeburg, South Carolina, the out-of-way school attracted students from all over. At least forty percent of its students were bused in. Like the other white, private schools founded in the post-Brown era, Wade-Hampton was created out of a fear of integrated schools, and a belief that black children were incapable of attaining high intellectual standards.³⁷ As the school president Dr. T. E. Wannamaker one stated, "I believe it is heredity first and environment second. Many (black students) are little more than field hands."³⁸

Considering the Wade-Hampton's history, it is perhaps unsurprising that the appointment of the school's former Head Master, Mr. Tiederman, as the new Salkhehatchi Community Action Council Headstart director was met with negative

³⁶ "Private, White School Rise in South;" "School Battle in South Not Yet Won."

³⁷ "School Battle in South Not Yet Won"; Private, White School Rise in South."

³⁸ "Private, White School Rise in South."

reactions from the black community. South Carolina NAACP leaders argued that the Salkhehatchi Community Action Council violated the Office for Economic Opportunity's hiring practices in hiring Tiederman. As SC NAACP leader, I. DeQuincey Newman argued in a telegram:

Such an appointment undermines confidence in a supposedly racially integrated program and can hardly be accepted with dignity by those who are sensitive to claims of American democracy. I urge that the appointment be withdrawn.³⁹

The teacher associations' merger, black teacher demotion and displacement, and the growth of white private schools demonstrate that school desegregation did not solve the issues that either black educators or their students faced. Instead, without legislated racial segregation, continued education inequalities became more nuanced and therefore more difficult to alleviate. As African Americans moved further into the twentieth century, education attainment remained a central part of their struggle for equal rights.

³⁹ Memo from I. DeQuincey Newman to Roy Wilkins, 17 June 1967, Papers of the NAACP, Part 29, Series D, Box C-73.

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