

WHITE RESISTANCE TO PUBLIC SCHOOL INTEGRATION IN
MILWAUKEE, WISCONSIN AND PRINCE EDWARD COUNTY,
VIRGINIA

by

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ABSTRACT

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Under the supervision of Professor Amanda Seligman

The white community demonstrated fierce resistance to the Supreme Court's 1954 decision in *Brown v. Board of Education*. The forms of resistance to integrated public schools varied by region, state, and locality. This study aims to compare the forms of resistance to integrated public schools that took place in Milwaukee, Wisconsin and Prince Edward County, Virginia between 1954-1976. I have used historical archival materials to permit comparisons between the types of resistance to integrated public schools in both locations under analysis. Virginia's political officials played a prominent role in white resistance to integrating public schools. Milwaukee maintained segregated public schools using the neighborhood school system and intact bussing, while Prince Edward County closed its schools. This research demonstrates that while the national spotlight was on the massive resistance that took place in southern regions following the *Brown* decision, an equally aggressive form of resistance also occurred in northern cities like Milwaukee.

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White Resistance to Public School Integration in Milwaukee, Wisconsin and Prince Edward County, Virginia

Introduction

White resistance to school integration following the 1954 *Brown v. Board of Education* decision has been well documented. Political officials, school boards, parents, and other members of the white public in the United States sought to avoid having to integrate schools. Scholars have produced many studies regarding white resistance to school integration in Northern and Southern cities. This research project compares the resistance to integration that occurred in Milwaukee, Wisconsin with the “massive resistance” that took place in Prince Edward County, Virginia, following the 1954 *Brown* decision. This research demonstrates that although the national spotlight was on the massive resistance that took place in southern regions such as Mississippi, Alabama, Arkansas, and Prince Edward County (PEC), Virginia following the *Brown* decision, a different but equally aggressive form of resistance also took place in northern cities like Milwaukee.

The questions I will be seeking to answer with this project are: How was the resistance that occurred in Milwaukee different from the forms that occurred Prince Edward County (PEC), Virginia? Who were the key figures/institutions that sought integration of public schools in Milwaukee and Prince Edward County (PEC), Virginia? Who were the key figures and institutions that sought to prevent the integration of public schools in Milwaukee and Prince Edward County (PEC), Virginia? What are the similarities and differences in tactics and processes used to prevent the integration of public schools in Milwaukee and Prince Edward County (PEC), Virginia?

In answering these questions, I have used historical archival materials to permit comparisons between the types of resistance to integrated public schools in both locations under analysis. The primary sources used in this study consist of newspaper articles, government documents, committee meeting minutes, interviews, and civic organizational documents. The secondary sources used in this study are a combination of peer-reviewed articles and books written about the topic under analysis.

The results from this study contribute to existing scholarly literature by showing the similarities and differences among the types of white resistance to integrated public schools that occurred in northern and southern cities. The analysis used in this study will differ from previous studies in the social sciences because it is a comparison between a northern and southern area. I will argue that the methods of resistance to integrated public schools used in Milwaukee enabled school board officials to delay integrating their public schools until more than twenty years after the *Brown* ruling. Many scholars would argue that Milwaukee's public schools remain segregated today. I chose the cases of Prince Edward County and Milwaukee because while the focus regarding racism and resistance to integrated public schools was on the southern region of the U.S., northern cities like Milwaukee also exhibited their own forms of racism and resistance to integrated public schools. Prince Edward is an extreme example of resisting integrated public schools, while Milwaukee provides a more subtle example of white resistance. However, there were similarities in how these areas resisted integrated public schools.

The forms of resistance that took place in Prince Edward County, Virginia were carried out on a massive scale and were labeled "massive resistance" to integration. The term massive resistance was coined by Senator Harry Flood Byrd following the *Brown* decision, when he stated that, "if we can organize the Southern States for massive resistance to this order, I think

that in time, the rest of the country will realize that racial integration is not going to be accepted in the South.”¹ Virginia’s political power structure, known as the “Byrd Machine,” used its power and influence to prevent desegregation by closing their public schools. To prevent integrated public schools following the *Brown* decision, Prince Edward County (PEC) chose to close public schools from 1959-1964 and provide white students with the option to attend private academies, while 2,700 black students were left with few educational opportunities.²

In contrast to the massive resistance that took place in Prince Edward County, Virginia, the forms of resistance that took place in Milwaukee included the changing of school boundary lines, intact bussing, schools site selection, student/teacher transfers, and teacher placements.³ No effort was made to desegregate Milwaukee public schools following the *Brown* decision, until 1965, when NAACP attorney Lloyd Barbee filed a class action lawsuit against the Milwaukee School Board in the United District Court for the Eastern District of Wisconsin.⁴ The case took 11 years to come to a conclusion. In 1976 the court determined that “Milwaukee Public School authorities engaged in practices with the intent and for the purpose of creating and maintaining a segregated school system, and that such practices had the effect of causing current conditions of racial imbalance in the Milwaukee public schools.”⁵ Judge John Reynolds concluded that “defendant’s decisions, at least since 1950, with respect to teacher assignment and transfers, student busing, student transfers, school sittings, leasing and construction of school facilities, use

¹ Brent J. Aucoin. “The Southern Manifesto and Southern Opposition to Desegregation,” *The Arkansas Historical Quarterly* 55, no. 2 (1996): 174.

² Brian J. Daugherty and Brian Grogan, eds., “Introduction,” in *A Little Child Shall Lead Them: A Documentary Account of the Struggle for School Desegregation in Prince Edward County, Virginia* (Charlottesville: The University of Virginia Press, 2019), 2.

³ Jack Dougherty, *More Than One Struggle: The Evolution of Black School Reform in Milwaukee* (Chapel Hill: University of North Carolina Press, 2004), 163.

⁴ Irvine B. Charne. “The Milwaukee Cases,” *Marquette Law Review* 89, no. 1 (2005): 83.

⁵ Charne, “The Milwaukee Cases,” 83.

of substandard classrooms, and boundary changes were undertaken with an intent to segregate students and teachers by race.”⁶

I begin the first chapter by discussing how inadequate conditions at Robert Russa Moton High School that led to a student protest that resulted in the 1951 *Davis v. County School Board of Prince Edward County* lawsuit. Next, I will discuss how Virginia’s political leaders did all they could to prevent integrating their public schools, including forming the compact titled “The Declaration of Constitutional Principles,” also known as the Southern Manifesto.⁷ The last section will cover Prince Edward’s efforts to prevent segregation through closing its public schools and providing white students with tuition grants to attend private academies.

The second chapter covers the approaches used in Milwaukee to resist integration in its public schools. The first section reviews the history of segregation in Milwaukee. Sections two and three will cover the racial imbalance in Milwaukee’s public schools and the use of intact bussing. Section four will cover several meetings held between black community leaders and Milwaukee’s Public-School Board of Directors. The closing section of this chapter will cover the work of MUSIC to create Freedom Schools and stage boycotts. I will conclude this thesis with a discussion and conclusion section that covers main points and outcomes.

⁶ Charne, “The Milwaukee Cases,” 84.

⁷ James K. Nelsen, *Educating Milwaukee: How One City’s History of Segregation and Struggle Shaped its Schools* (Madison: Wisconsin Historical Society Press, 2015), 2.

Chapter 1

White Resistance in Virginia

Political officials in Virginia made a concerted effort to prevent integrated public schools following the *Brown* decision. Defiance of the *Brown* ruling in Virginia was led by Senator Harry Flood Byrd. Senator Byrd and other members of Virginia's political elite created massive resistance laws that prevented integrating their public schools. The County Board of Prince Edward County used these massive resistance laws to close their public schools from 1959-1964.

This chapter covers the white resistance to public school integration in Prince Edward County, Virginia. This chapter begins by reviewing the inadequate conditions at Robert Russa Moton High School in Prince Edward. These inadequate conditions gave rise to a student led protest for equal facilities. The student-led protest culminated in an NAACP lawsuit that became known as the *Davis v. County School Board of Prince Edward County*. The *Davis* case was later added to the *Brown v. Board of Education* Supreme Court suit.

The second section of this chapter covers the concerted effort by Virginia's political officials to prevent integrated public schools in the state. The effort to prevent desegregated schools was spearheaded by Senator Harry Flood Byrd, and many other officials who operated under the umbrella known as the "Byrd Machine." Senator Byrd and other members of Virginia's political elite developed a set of laws that became known as "massive resistance" laws. Massive resistance would lead to closing public schools in Prince Edward for five years to prevent integration. Massive resistance provides an example of the most extreme measures used by whites in the United States to prevent integrated schools.

The last section of this chapter reviews the massive resistance that occurred in Prince Edward County. In Prince Edward, the all-white County Board of Supervisors played a

prominent role in preventing public school integration. After closing the County's public schools, the Board of Supervisors established a segregated private academy that was funded through tuition grants. There was also fierce white resistance to public school integration by residents who believed that separate-but-equal had been successful in their community. While white resistance in Prince Edward led to the closure of their public schools for five years; the public schools integrated sooner than those in Milwaukee.

Davis v. County School Board of Prince Edward County

Robert Russa Moton High School was a black public school, "named for the Prince Edward resident who had succeeded Booker T. Washington as president of the Tuskegee Institute."¹ Located in the Southern portion of Virginia, Prince Edward County was a small rural area whose largest city was Farmville. During the 1950's the black population of the county was 44.6 percent [15,398 residents] of the total population.² However, by 1960 the county's black population shrank to 39.9 percent [14,121 residents] of the total population.³ Prince Edward County built Moton High School in 1939, "South of downtown Farmville at the intersection of Main Street and Griffin Boulevard."⁴ Prince Edward County established a bus system for black students in the early 1940s, leading to Moton High reaching its capacity shortly after it opened.⁵ PEC operated two separate public educational systems, one for blacks and one for whites.⁶ Although Robert Russa Moton High School was built in 1926 for a capacity of 180 students, by 1947 there were 377 students.⁷ In the early 1940s, the black community, led by Reverend L.

¹ Kristen Green, *Something Must Be Done About Prince Edward County* (New York: HarperCollins Publishers, 2015), 37.

² Green, *Something Must Be Done About Prince Edward County*, 37.

³ Green, *Something Must Be Done About Prince Edward County*, 37.

⁴ Green, *Something Must Be Done About Prince Edward County*, 37.

⁵ Green, *Something Must Be Done About Prince Edward County*, 38.

⁶ Tillerson-Brown, "Struggles for Educational Equity," 448.

⁷ Tillerson-Brown, "Struggles for Educational Equity," 448.

Francis Griffin, formed their own PTA to address the overcrowding issue.⁸ Along with Moton's Principal M. Boyd Jones, Griffin repeatedly asked the school board and Superintendent T.J. McIlwaine for a new school only to be denied. In 1947 the state awarded the county fifty thousand dollars, of which the school board would appropriate twenty-five thousand dollars in 1948 to perform a quick fix on the school.⁹ The quick fix led to the construction of two classrooms behind the school and one in the front; however, the classrooms were "flimsy, tar paper shacks that reeked of petroleum and leaked when it rained." The school did not have any of the amenities that the white Farmville high school had, such as a gymnasium, cafeteria, bathrooms, and science labs.¹⁰ To relieve the overcrowding, the school board had three wooden buildings with tar roofs. Each Building was equipped with only one wood stove for heat.¹¹ The shacks leaked, and teachers had to interrupt lessons to stoke the fire.¹²

In an interview for the documentary series *The Ground Beneath Our Feet: Virginia's History Since the Civil War*, eighth grade student strike leader Edwilda Allen Issac maintained, "well, we knew that we had inadequate facilities. Our student leaders had opportunities to go to other schools in the state and they had seen that other schools had libraries, labs, lunchrooms, and gyms. And we knew that we had none of those things. Lunch for us was walking across the stage and getting some white or chocolate milk and a cinnamon bun. And if you didn't bring a lunch then that is what you had for lunch."¹³ There were no locker rooms at Moton, so the football players were forced to change in classrooms.¹⁴ The buses didn't have enough space for

⁸ Green, *Something Must Be Done About Prince Edward County*, 38.

⁹ Green, *Something Must Be Done About Prince Edward County*, 38-39.

¹⁰ Tillerson-Brown, "Struggles for Educational Equity," 448.

¹¹ Daughterity and Grogan, *A Little Child Shall Lead Them*, 38.

¹² Daughterity and Grogan, *A Little Child Shall Lead Them*, 39.

¹³ Issac, Edwilda Allen. interview by George Gilliam, and Mason Mills, *The Ground Beneath Our Feet: Virginia's History Since the Civil War*, September 15, 2000.

¹⁴ Green, *Something Must Be Done About Prince Edward County*, 39.

all the schools' students, so many would miss their first class while the busses made a second trip.¹⁵ When asked about the condition of the school facilities, Issac said that "we had tar paper shacks that had coal stoves in it that had holes burned in them and hot coals were popping out and that was a dangerous situation and the whole building could have burned down and kids in it too."¹⁶ In the documentary *The Rise and Fall of Jim Crow*, Moton High School graduate John Watson reported that, "I credit where I am today to what I got in high school. I didn't need an integrated education; I didn't need an integrated student body to get a good education. Our teachers were on us all the time. It wasn't about sitting next to a given person, it was about a quality education, and we could no longer get the education we needed in this building because we had grown out of the building."¹⁷ Hodges Brown, another Moton High graduate stated, "we just didn't have the facilities that was really necessary and sometimes the teachers would take the students on the school bus and teach a class."¹⁸ A short distance away from Moton High at First avenue and School Street was the white high school, where students arrived on brand-new buses and had access to a gym with a locker room, an infirmary, and a machine shop.¹⁹ In 1951, this disparity symbolized what separate but equal looked like in Prince Edward County, Virginia until Barbara Rose Johns chose to make a stand for better facilities.²⁰

Moton High School was the site of a student strike led by 16-year-old junior Barbara Rose Johns on April 23, 1951, in protest of the inadequate conditions.²¹ Johns stated that "we wanted so much here and had so little. And we had talents and abilities here that weren't really

¹⁵ Green, *Something Must Be Done About Prince Edward County*, 39.

¹⁶ Issac, interview.

¹⁷ John Watson, interview by Richard Wormser, Bill Jersey, and Sam Pollard, *The Rise and Fall of Jim Crow*, PBS, October 22, 2002.

¹⁸ Brown, interview.

¹⁹ Green, *Something Must Be Done About Prince Edward County*, 39.

²⁰ Green, *Something Must Be Done About Prince Edward County*, 39.

²¹ Amy Tillerson-Brown, "Struggles for Educational Equity in Prince Edward County, VA: Resistance, Southern Manifesto Ideologies, and School Choice," *Journal of School Choice* 10, no. 4 (2016): 447.

being realized and I thought that was a tragic shame. And basically, that's what motivated me to want to see some change take place here."²² Johns became close with her music teacher Inez Davenport, to whom she expressed her dissatisfaction with the school facilities.²³ Davenport suggested that Johns do something about the situation.²⁴ For months Johns thought about what she could do to address the inadequacy between black and white schools until one day she missed her bus, and a half full bus of white students passed her by. According to Johns "right then and there, I decided indeed something had to be done about this inequality."²⁵ Over several weeks, Johns quietly assembled a team of twenty students at the school who would be willing to help her stage a walkout in protest of the conditions at Moton High.²⁶ The students worked on their secret plan for six months, telling nobody, not even their families.²⁷ Johns organized a meeting in the Moton auditorium and called on her classmates to stay out of school until improvements were made. After months of planning, Johns and approximately 450 classmates went on strike, walking out of and refusing to attend classes, demanding a meeting with board members to discuss improving the conditions of the school.²⁸ The students held up signs that read "we want a new school or none at all" and "down with the tar paper shacks."²⁹ Following the Moton strike, Johns along with other student organizers arranged a meeting with superintendent McIlwaine in an empty courtroom, where "he insisted that the black students' school was equivalent to the white school and suggested that the decision to build a new school for black students wasn't his to make." There would need to be a vote.³⁰

²² Johns, interview.

²³ Green, *Something Must Be Done About Prince Edward County*, 41.

²⁴ Green, *Something Must Be Done About Prince Edward County*, 41.

²⁵ Green, *Something Must Be Done About Prince Edward County*, 41.

²⁶ Green, *Something Must Be Done About Prince Edward County*, 42.

²⁷ Green, *Something Must Be Done About Prince Edward County*, 42.

²⁸ Daughterity and Grogan, *A Little Child Shall Lead Them*, 47.

²⁹ Green, *Something Must Be Done About Prince Edward County*, 44.

³⁰ Green, *Something Must Be Done About Prince Edward County*, 45.

According to Moton High graduates John Watson and Hodges Brown, “we come into the office and this poor secretary almost had a heart attack, so she goes and tells Mr. McIlwaine that these students are here. He promised he was going to rain down the wrath of God on all of us and our parents were going to lose their jobs. He said you’re upstarts and you need to go back to school before all your parents go to jail.”³¹ According to Moton High graduate Edna Allen Dean the initial reaction to the student-led protest was to “cut off the economic livelihood of folk and that of course was going to bring them in line; and Mr. Jones the principal was fired, mama and daddy was [sic] fired.”³² According to John’s sister Joan Johns Cobbs, after the student-led protests a cross was burned in their yard and Johns was sent to live with her uncle because their parents feared for her life. Johns’ parents feared for her life because they had also received threats from whites in Prince Edward.³³ When asked what the student group was trying to get by protesting Issac asserted that “we were trying to get a new school. We wanted the same facilities that the white high school students had. But when we contacted the NAACP, they told us that they could not fight for just a new school, that they had to fight for integration; and they explained it to us, and we understood why the entire process had to be changed. Um, but then the county decided rather than integrate they would just close the schools. So, that’s what happened, and the goals were shifted.”³⁴

Later that day, the students were informed by the Richmond NAACP office that attorney’s Oliver W. Hill and Spottswood Robinson were going to be in town to discuss conditions in Prince Edward County with them and their parents.³⁵ In 1950, the NAACP decided

³¹ John Watson and Hodges Brown, interview.

³² Dean, interview.

³³ Cobbs, interview

³⁴ Issac, interview.

³⁵ Green, *Something Must Be Done About Prince Edward County*, 45-46.

that they would fight for the integration of public schools, instead of equal facilities because they believed that separate-but-equal would never culminate in equal facilities for blacks.³⁶ Johns and the other students never thought that their strike would have led to a fight for desegregated schools, they just wanted facilities that were equal to their white counterparts.³⁷ When a vote was held by the organizing committee on whether to move forward with the lawsuit; the decision to pursue public school desegregation in the county won by a single vote.³⁸ On May 3, 1951 Hill and Robinson petitioned the Prince Edward school board to end segregation in their public schools, “claiming that the board was denying equal educational opportunities to black students.”³⁹ When the school board denied their request, the NAACP filed a desegregation suit that came to be known as *Davis et al v. County School Board of Prince Edward County*. The case was named for the ninth-grader Dorothy Davis, the first name to appear in the list of students.⁴⁰ The suit was filed in the U.S District Court, Eastern District of Virginia on February 25th, 1952, with the signatures of parents for 117 Moton students and their families.⁴¹

The white leaders in Prince Edward responded to the lawsuit by offering to build a new school in exchange for dropping the suit. The black leaders refused.⁴² The school board moved ahead with the plans anyway, allocating \$875,000 that was collected from the state literacy fund and a \$275,000 grant awarded to the county by the state to construct the school.⁴³ In 1953, a state-of-the-art facility for seven hundred students opened just outside of Farmville.⁴⁴ It was also

³⁶ Green, *Something Must Be Done About Prince Edward County*, 48.

³⁷ Green, *Something Must Be Done About Prince Edward County*, 48.

³⁸ Green, *Something Must Be Done About Prince Edward County*, 48.

³⁹ Green, *Something Must Be Done About Prince Edward County*, 49.

⁴⁰ Green, *Something Must Be Done About Prince Edward County*, 49.

⁴¹ Daughterity and Grogan, *A Little Child Shall Lead Them*, 55.

⁴² Green, *Something Must Be Done About Prince Edward County*, 49.

⁴³ Green, *Something Must Be Done About Prince Edward County*, 49.

⁴⁴ Green, *Something Must Be Done About Prince Edward County*, 49.

named Robert Moton High School, but later renamed Prince Edward County High School.⁴⁵ Hill and Robinson argued that segregation violated the Fourteenth Amendment to the Constitution and also requested that if the court refused to desegregate public schools, then the county's black schools should be made equal to the white schools.⁴⁶ In March 1952, the District Court of Virginia ruled unanimously against desegregating education in the *Davis v. County School Board of Prince Edward County* by concluding that "we have found no hurt or harm to either race."⁴⁷ The district court did rule in favor of the NAACP's request to make the facilities, buildings, buses, and curricula equal to that of white schools.⁴⁸ The NAACP appealed this decision to the Supreme Court and their case was added to cases from South Carolina, Kansas, Delaware, and Washington D.C. and was heard under the *Brown v. Board of Education of Topeka* case.⁴⁹ On May 17, 1954, the Supreme Court issued a unanimous ruling that racial segregation in public education is unconstitutional. Justice Warren, issuing his first major opinion stated, "that separating children solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to ever be undone."⁵⁰

Virginia's Political Machine: Massive Resistance

It was May 17th, 1954, and the U.S. Supreme Court had ruled in favor of the plaintiffs. Segregated schools were to be done away with in the *Brown v. Board of Education of Topeka*. However, the courts' decision did not specify a timetable of implementation. Then in 1955, the

⁴⁵ Green, *Something Must Be Done About Prince Edward County*, 49-50.

⁴⁶ Daughterity and Grogan, *A Little Child Shall Lead Them*, 55.

⁴⁷ Daughterity and Grogan, *A Little Child Shall Lead Them*, 62.

⁴⁸ Daughterity and Grogan, *A Little Child Shall Lead Them*, 59.

⁴⁹ Daughterity and Grogan, *A Little Child Shall Lead Them*, 62.

⁵⁰ Green, *Something Must Be Done About Prince Edward County*, 54.

implementation phase known as *Brown II* was handed down calling for “a prompt and reasonable start toward full compliance with all deliberate speed.”⁵¹

The initial reaction to the *Brown* decision by Virginia officials was surprisingly calm. Governor Thomas B. Stanley called for “cool heads, calm study, and sound judgement,” while the Attorney General of Virginia J. Lindsay Almond expressed his disagreement by stating, “the highest court in the land has spoken and I trust that Virginia will approach the question realistically and endeavor to work out some rational adjustment.”⁵² However, within a month of the *Brown* decision, voices of opposition arose in the southern region [the “Southside”] of the state that included Prince Edward County.⁵³ White politicians indicated that they would close the state’s schools rather than allow them to integrate. Southern political officials took to the state’s House and Senate floors to voice their opposition and others worked to calm their fellow constituents by telling them that they were working hard to help the states white population.⁵⁴ Northern support for the *Brown* decision was a blow to the segregated South and many of the political officials were worried. Some politicians viewed *Brown* as a call to arms. Southern moderates such as Senator J. William Fulbright of Arkansas called for restraint, explaining that, “when the South disagreed with the policies of the Federal Government, we took matters into our own hands but did not succeed very well, we will have to find some better way to meet this difficulty.”⁵⁵ Southern conservatives held a much different point of view, believing that *Brown* symbolized an overreach of judicial power and went against the southern racial social order.⁵⁶

⁵¹ Ruth Bloch Rubin and Gregory Elinson, “Anatomy of Judicial Backlash: Southern Leaders, Massive Resistance, and the Supreme Court, 1954-1958,” *Law & Social Inquiry* 43, no. 3 (2018): 956.

⁵² Matthew D. Lassiter and Andrew B. Lewis, *The Moderates’ Dilemma: Massive Resistance to School Desegregation in Virginia* (Charlottesville: The University Press of Virginia, 1998), 33.

⁵³ Lassiter and Lewis, *The Moderates’ Dilemma*, 33.

⁵⁴ Rubin and Elinson, “Anatomy of Judicial Backlash,” 956.

⁵⁵ Rubin and Elinson, “Anatomy of Judicial Backlash,” 957.

⁵⁶ Rubin and Elinson, “Anatomy of Judicial Backlash,” 957.

The conservative plan, led by Senators Harry F. Byrd of Virginia and James Eastland of Mississippi, called for “massive resistance.” By this, they meant closing desegregated schools, withdrawing state funds if they reopened, and widespread civil disobedience.⁵⁷ Governor Stanley called a meeting of Virginia’s black leaders and insisted on noncompliance with the *Brown* decision. Stanley’s pleas for noncompliance were met with refusal by Virginia’s black leaders.⁵⁸ Meanwhile, Southside legislators, including Senator Garland Gray, insisted that they, “would find some legal method whereby political subdivisions of the state may continue to maintain separate facilities for white and negro [sic] students in schools.”⁵⁹ Governor Stanley appealed to the General Assembly of Virginia to repeal section 129 of the state’s constitution, which stated that, “the General Assembly shall establish and maintain an efficient system of public free schools throughout the state.”⁶⁰

The “massive resistance” to integration in Virginia was supported and implemented by the state’s political officials, the most vocal and powerful of whom was Harry Flood Byrd. Senator Byrd exercised total control of Virginia’s politics for more than thirty years, beginning in the state capitol of Richmond as Governor and then as one of two state representatives in the United States Senate.⁶¹ As Governor, Byrd reorganized Virginia’s government by consolidating political power through reducing the number of statewide elected positions from eight to three.⁶²

The debate over whether the use of massive resistance would be the best way to prevent public school integration varied by region. The power base located in the rural black belt located

⁵⁷ Rubin and Elinson, “Anatomy of Judicial Backlash,” 957.

⁵⁸ Lassiter and Lewis, *The Moderates’ Dilemma*, 33.

⁵⁹ Lassiter and Lewis, *The Moderates’ Dilemma*, 33.

⁶⁰ Lassiter and Lewis, *The Moderates’ Dilemma*, 33.

⁶¹ Ira M. Lechner, “Massive Resistance: Virginia’s Great Leap Backward,” *Virginia Quarterly Review* 74, no. 4 (Autumn 1998): 632.

⁶² Daugherty and Grogan, *A Little Child Shall Lead Them*, 67.; Ira M. Lechner, “Massive Resistance: Virginia’s Great Leap Backward,” 632.

in the southern region of the state was absolutely against any integration whatsoever, believing that it would have dire consequences for public education; while those in the urban and northern region believed that “continued defiance was futile and that closed public schools would lead to public disorder, economic disaster, and educational suffering for school children.”⁶³

In the five years following the *Brown* decision, “conflicts over school desegregation occurred mainly in the urban and upper South, and the NAACP filed more school desegregation suits in Virginia than in any other state.”⁶⁴ Senator Harry F. Byrd, who earlier in his political career represented the state’s northern 24th district was the dominant force behind the southern stance towards public school desegregation. The stance taken by Senator Byrd aligned with the views of white parents and leaders in the southern region of the state. Senator Byrd, “helped engineer the Southern Manifesto, in which 101 southern congressmen promised to resist school integration by ‘all lawful means’ and pledged that that the south would follow the policy of massive resistance.”⁶⁵

According to one-time Republican candidate for governor, Benjamin Muse, “the dominant political machine of Senator Harry F. Byrd, having suffered near defeat in the gubernatorial election of 1953, seized upon massive resistance as a demagogic instrument.”⁶⁶

Byrd released a statement the day that the ruling in *Brown* was handed down that read:

the unanimous decision of the Supreme Court to abolish segregation in public education is not only sweeping but will bring implications and dangers of the greatest consequence. It is the most serious blow that has yet been struck against the rights of the states in a matter vitally affecting their authority and welfare. The decision will be deplored by millions of Americans, and, instead of promoting the education of our children, it is my

⁶³ Lassiter and Lewis, *The Moderates’ Dilemma*, 4.

⁶⁴ Lassiter and Lewis, *The Moderates’ Dilemma*, 5.

⁶⁵ Lassiter and Lewis, *The Moderates’ Dilemma*, 7.

⁶⁶ Tom Wicker, “...And Then the Golden Moment of Common Sense Passed,” *New York Times*, April 23, 1961, <https://www.proquest.com/hnpnewyorktimes/docview/115459885/ED991F46A3634E68PQ/1?accountid=15078>.

belief that it will have the opposite effect in many areas of the country. In Virginia we are facing now a crisis of the first magnitude.⁶⁷

Byrd's reaction was contrary to the initial reaction of other Virginia officials, including Governor Stanley. According to Muse, "Senator Byrd himself frequently held out the hope that the Supreme Court would reverse itself, if only Virginia would hold out."⁶⁸ Prior to the release and acceptance of the Southern Manifesto, on February 24th, 1956, Byrd announced his strategy to maintain segregation, stating that "if we can organize the Southern states for massive resistance to this order of the Supreme Court, I think that in time the rest of the country will realize that racial integration is not going to be accepted in the South."⁶⁹ In a speech at the banquet of Hampton Roads Maritime Association Senator Byrd expressed how he felt about pending civil rights bills by stating, "there are 15 or 20 of these civil rights bills, and while I regret to say so, this is punitive legislation to punish the South. That's all it is. Their purpose is to punish us because we will not submit to the Federal Government in Washington or may I say the Supreme Court, when we believe that what we are doing is eminently constitutional, and to follow their bidding would destroy our public school system."⁷⁰ When asked why Virginia led the massive resistance movement, Principal James Bash of Farmville High School stated:

well, I would assume that you have the possible reference to the Byrd Machine, the Byrd Organization. It's called the Byrd Machine. I suppose a lot of people would just call it a good organization so far as a political process is concerned. But there is no question about it that there was considerable dependence of the political leaders of the time to help Farmville, Front Royal, Norfolk City, a great number of places in the state which were faced eventually with the school desegregation problems. And there were schools that

⁶⁷ Harry Byrd, "Reaction to Brown Decision," transcript of speech delivered on May 17, 1954, http://www2.vcdh.virginia.edu/civilrightstv/documents/byrd_001.html.

⁶⁸ Wicker, "Moment of Common Sense Passed."

⁶⁹ Lechner, "Massive Resistance: Virginia's Great Leap Backward," 632.

⁷⁰ Harry Byrd, "Address of Senator Byrd," transcript of speech delivered at the Banquet of the Hampton Roads Maritime Association, Norfolk, VA, May 9, 1957, http://www2.vcdh.virginia.edu/civilrightstv/documents/byrd_002.html.

were closed all over the state because of the legislation enacted that is popularly called massive resistance legislation.⁷¹

Bash was referring to the reliance segregationists had on Virginia's political leaders, especially those in the Byrd machine to enact legislation that would keep their public schools segregated.

During the time directly after the *Brown II* decision governor Thomas B. Stanley formed the Commission on Public Education, also known as the "Gray Commission," to address the situation.⁷² In an address to the General Assembly of Virginia on November 30, 1955 Stanley stated, "in my charge to the Commission, I expressed the firm belief that separate schools for white and negro [sic] pupils were in the best interest of both races and that it was my purpose to do all within my authority to maintain segregated schools."⁷³ All of the members of the Gray Commission were white and viewed *Brown* as an abuse of judicial power that had to be fought with all the resources at their disposal. In the same 1955 address, Stanley added, "they [the Commission] have rendered a service of untold value to the people of Virginia in bringing forth a program which bears promise of attaining to essential objectives, namely: (1) avoidance of enforced integration of the races in any of our public schools, and (2) maintenance of the educational opportunities for the boys and girls in all sections of Virginia, despite the wide variation in problems and density of white and negro [sic] population."⁷⁴ In 1955, the Gray Commission created the Pupil Placement Board, amended Virginia's Constitution to provide

⁷¹ James Bash, interview by Blackside, Inc., *Eyes on the Prize: America's Civil Rights Years (1954-1965)*, May 6, 1986.

⁷² Tillerson-Brown, "Struggles for Educational Equity," 453.

⁷³ Virginia Senate. General Assembly of Virginia. *Address of Governor Thos. B. Stanley to the General Assembly of Virginia Extra Session Hearing*, November 30, 1955. (Virginia: Division of Purchase and Printing, 1955). http://www2.vcdh.virginia.edu/civilrightstv/documents/leg_002.html.

⁷⁴ Address of Thos. B. Stanley, Hearing, 1955.

state tuition grants, and repealed the state's compulsory education law.⁷⁵ The Gray Commission, named after its chairman Garland Gray, sent a report regarding public education to governor Thomas B. Stanley on November 11, 1955. The Gray Commission concluded that:

to meet the problem thus created by the Supreme Court, the Commission proposes a plan of assignment which will permit local school boards to assign their pupils in such a manner as will best serve the welfare of their communities and protect and foster the public schools under their jurisdiction. The Commission further proposes legislation to provide that no child be required to attend a school wherein both white and colored [sic] children are taught and that the parents of those children who object to integrated schools, or who live in communities wherein no public schools are operated, be given tuition grants for educational purposes.⁷⁶

The report continued, "accordingly, it is recommended that a special session of the General Assembly be called forthwith for the purpose of initiating a limited constitutional convention so that section 141 may be amended in ample time to make tuition grants and other educational payments available in the current school year beginning in the fall of 1956."⁷⁷

Tuition grants were funded by taxes collected from blacks and whites and were vital to the success of massive resistance.⁷⁸ According to the Commission in 1955:

in some localities where there are few negroes [sic] the problem of adjustment is not so serious as it is in localities with large negro [sic] populations. In the latter, it is believed that the people will abandon public schools rather than accept any integration. Our school properties representing an investment of nearly half a billion dollars, are owned by the localities, and the money for their operation is raised in great part by local taxes. Obviously, the schools cannot continue without the support of the people, and we must leave a large measure of autonomy to the localities even though that may result in the closing of public schools.⁷⁹

⁷⁵ Tillerson-Brown, "Struggles for Educational Equity," 454.

⁷⁶ Commission on Education, *Public Education: Report of the Commission to the Governor of Virginia*, by Garland Gray, (Richmond, Virginia: Division of Purchase and Printing), <http://www2.vcdh.virginia.edu/civilrightstv>

⁷⁷ Commission on Education, *Public Education: Report of the Commission to the Governor of Virginia*.

⁷⁸ Tillerson-Brown, "Struggles for Educational Equity," 454.

⁷⁹ Commission on Education, *Public Education: Report of the Commission to the Governor of Virginia*.

The Commission's plan was never realized because "during the 1956 regular session, the legislature did not pass the local option and pupil placement aspects of the Gray plan."⁸⁰

Following the failure of the plan put forth by the Gray Commission, the General Assembly decided to focus on the idea of "interposition," as conceived by the editor of the *Richmond News Leader* James J. Kilpatrick.⁸¹ Soon after the release of the Gray Commissions report, Kilpatrick published a collection of editorials suggesting that as a sovereign state Virginia, had the right to "interpose" its own power between the Supreme Court and the state's population.⁸² Although the constitutional validity of this idea was questionable, it was popular among segregationists and southside politicians in the Byrd Organization.⁸³ The Interposition Resolution passed by a vote of 36-2 in the Virginia Senate, and a vote of 90-5 in the House.⁸⁴ The General Assembly of Virginia adopted the Interposition Resolution on February 1, 1956 stating that, "interposing the sovereignty of Virginia against encroachment upon the reserved powers of this state, and appealing to sister states to resolve a question of contested power."

In July of 1956, Byrd, Stanley, and other state leaders developed the Stanley plan, which "proposed to cut off state funds for any local school district in which a single school allowed even a modest amount of integration."⁸⁵ The plan also authorized the governor to close any public schools where integration occurred.⁸⁶ After presenting the plan to the General Assembly, Byrd, Stanley, and other state leaders created what became known as the "massive resistance

⁸⁰ Lassiter and Lewis, *The Moderates' Dilemma*, 41.

⁸¹ Lassiter and Lewis, *The Moderates' Dilemma*, 42.

⁸² Lassiter and Lewis, *The Moderates' Dilemma*, 42

⁸³ Lassiter and Lewis, *The Moderates' Dilemma*, 42

⁸⁴ General Assembly of Virginia, *Report on Senate Joint Resolution 3, and Related Matters*, by The Committee for Courts of Justice Senate of Virginia, (Richmond, Virginia: Division of Purchase and Printing), <http://www2.vcdh.virginia.edu/civilrightstv>.

⁸⁵ Lassiter and Lewis, *The Moderates' Dilemma*, 43.

⁸⁶ Lassiter and Lewis, *The Moderates' Dilemma*, 43.

laws.”⁸⁷ Massive resistance laws passed the House by a wide margin, but only passed by a slim majority of 21 to 17 in the Senate.⁸⁸

During this same period, Southern officials created the Southern Manifesto to achieve a united front against the Supreme Court’s decision.⁸⁹ The Manifesto was a compact among southern leaders to defy *Brown* by all legal means at their disposal. In February 1956, the Southern Caucus leader Senator Russell of Georgia convened a meeting to discuss *Brown II*. He was seeking to develop a statement that condemned the Supreme Court’s decision and to unify the two southern wings.⁹⁰ Nineteen Senators and eighty-two House representatives showed support for the final draft of the Southern Manifesto. The most vocal supporters of the manifesto were Senator Harry F. Byrd of Virginia, and Senator James O. Eastland of Mississippi.⁹¹

On March 12th, 1956, the Southern Caucus presented the “Declaration of Constitutional Principles” (Southern Manifesto) to the Senate body.⁹² The manifesto condemned the Supreme Courts’ decision in the *Brown II* case because it amended rather than interpreted the Constitution’s Fourteenth Amendment. The Southern Caucus vowed to fight for conservation of separate but equal with a united southern front.⁹³ Southern officials believed that the *Brown II* decision violated states’ rights and urged Southerners to use all “lawful” means necessary to fight against desegregation. Despite a mixed reception on the Senate floor, southern officials agreed that something needed to be done to preserve the “Southern way of life.” Due to the Southern bloc’s limitations in the House, Representative Howard C. Smith of Virginia secured

⁸⁷ Lassiter and Lewis, *The Moderates’ Dilemma*, 44.

⁸⁸ Lassiter and Lewis, *The Moderates’ Dilemma*, 44.

⁸⁹ Rubin and Elinson, “Anatomy of Judicial Backlash,” 958.

⁹⁰ Rubin and Elinson, “Anatomy of Judicial Backlash,” 958.

⁹¹ Rubin and Elinson, “Anatomy of Judicial Backlash,” 960.

⁹² Rubin and Elinson, “Anatomy of Judicial Backlash,” 959.

⁹³ Rubin and Elinson, “Anatomy of Judicial Backlash,” 960.

the signatures of 75 of the 106 members of the southern state Delegations.⁹⁴ The signatures in favor of the Southern Manifesto included all ten of the members that represented Virginia, and all six of those that represented Mississippi.⁹⁵ The signatures obtained from the state delegations gained unanimous support for the manifesto in the House.⁹⁶

Following Thomas Stanley was Virginia's next governor, Attorney General J. Lindsay Almond Jr. Elected in 1958, Almond was not favored by Harry F. Byrd. To become the state's governor, Almond took all the steps necessary to secure his nomination before a competitor could be brought to the table. To gain Senator Byrd's favor, Almond adopted his view of massive resistance, vowing to squash any attempt to integrate classrooms and dedicate all the state's resources to preserving segregated public schools in Virginia.⁹⁷ During his inaugural address, Almond stated:

I call upon the General Assembly, with the utmost confidence in the loyalty and devotion of that body to the fundamental precepts of our Constitutional system of government, to stand firm with the unwavering unity of purpose and high resolve against every assault upon the sovereign integrity of this Commonwealth. Against these massive attacks, we must marshal massive resistance. It will be said that I am here referring only to the maintenance of a resolute defense against the catastrophe that threatens to overwhelm our public schools. I would not have the policy so limited. The importance and gravity of this crisis far transcend considerations of race and public education.⁹⁸

In September 1958, Governor J. Lindsay Almond closed public schools in Warren County, Charlottesville, and Norfolk because the school boards planned to comply with *Brown* and desegregate their schools.⁹⁹ Almond simultaneously provided \$250 in tuition grants to any

⁹⁴ Rubin and Elinson, "Anatomy of Judicial Backlash," 961.

⁹⁵ Rubin and Elinson, "Anatomy of Judicial Backlash," 962.

⁹⁶ Rubin and Elinson, "Anatomy of Judicial Backlash," 962.

⁹⁷ Lechner, "Massive Resistance: Virginia's Great Leap Backward," 633.

⁹⁸ Virginia Senate. General Assembly of Virginia. *Inaugural Address of Governor J. Lindsay Almond, Jr. to the General Assembly and the People of Virginia* Hearing, January 11, 1958. (Virginia: Division of Purchase and Printing), http://www2.vcdh.virginia.edu/civilrightstv/documents/leg_004.html.

⁹⁹ Tillerson-Brown, "Struggles for Educational Equity," 454.

white parent that wanted one.¹⁰⁰ These tuition grants were not available to black parents, leaving them with few options. However, the school closures were short lived because these first school closings affected white students as well as black students.¹⁰¹ Members of the NAACP, as well as concerned parents of black and white students objected to the closures.¹⁰² Concerned parents and the NAACP petitioned both the state and federal courts to intervene. On January 19, 1959, the courts ruled in *James v. Almond* that closing public schools to avoid segregation was unconstitutional and ordered that they desegregate. In these counties, moderate white parents formed the Virginia Committee for Public Schools (VCPS), while segregationist moved hastily to create a private school system.¹⁰³ Unlike committed segregationists such as Senator Byrd and other Byrd Organization members, the Virginia Committee for Public Schools believed that defiance of the *Brown* ruling was futile.¹⁰⁴ The VCPS advocated for open public schools instead of the pointless battle against the federal government, an inadequate private school system, and the economic damage associated with closed schools that would limit the state's ability to attract industry.¹⁰⁵

During the same time period, the Virginia Supreme Court ruled in *Harrison v. Day* that school closings and tuition grants were unconstitutional, leading to the reopening of the schools.¹⁰⁶ Following these rulings, on January 28, 1959, during an extra session in the General Assembly, Almond proposed emergency measures that would be solidified by what would

¹⁰⁰ Tillerson-Brown, "Struggles for Educational Equity," 454.

¹⁰¹ Daugherty and Grogan, *A Little Child Shall Lead Them*, 83.

¹⁰² Daugherty and Grogan, *A Little Child Shall Lead Them*, 83.

¹⁰³ Lassiter and Lewis, *The Moderates' Dilemma*, 7.

¹⁰⁴ Lassiter and Lewis, *The Moderates' Dilemma*, 7.

¹⁰⁵ Lassiter and Lewis, *The Moderates' Dilemma*, 7.

¹⁰⁶ Tillerson-Brown, "Struggles for Educational Equity," 454.

become known as the Perrow Commission in the weeks following his address.¹⁰⁷ The Perrow Commission's membership included 15 Congressmen who sat on the Gray Commission, including Garland Gray.¹⁰⁸ During his address Almond stood firm with the defense that the *Brown* ruling violated state sovereignty, asserting:

I trust that the bounds of propriety will permit what I believe to be a necessary but brief review of this long, hard struggle in defense of Virginia's rights and our efforts to save our public school system from that chaos, confusion, and disruption which will preclude it from effectively administering the processes of education for all of our children. In one capacity or another, I have been actively and officially identified with this fight since 1953. At all times, our defense was predicated on the Constitution of the United States and the unbroken line of established apposite precedents woven into the concept and fabric of the constitution as an integral part of the supreme law of the land¹⁰⁹

Almond demonstrated his defiance towards integrated schools by stating:

I report as a fact, and not in a spirit of criticism, that the laws enacted to prevent the mixing of the races in our public schools and to provide educational aid to those in areas where schools have been closed, have been stricken down by a Federal Court, and by the Supreme Court of Appeals of Virginia. The imminence of the peril to our people of the crisis thus engendered challenges the loyalty and dedication of our hearts and minds, and the prompt application of our talents and efforts, to the very best we can give in the service of Virginia.¹¹⁰

Later in his address to the General Assembly, Almond proposed eleven matters of importance for consideration by the commission in resisting integrated public schools. These recommendations included repealing the previous laws that were judged unconstitutional or ineffective, analyzing the compulsory attendance laws, sale of surplus school properties, modifying statutes regarding literary fund loans, complete study and revision of tuition grant

¹⁰⁷ Virginia Senate. General Assembly of Virginia. *Address of Governor J. Lindsay Almond, Jr. to the General Assembly of Virginia Extra Session* Hearing, January 28, 1959. (Virginia: Division of Purchase and Printing), http://www2.vcdh.virginia.edu/civilrightstv/documents/leg_005.html.

¹⁰⁸ Address of J. Lindsay Almond, Jr., Hearing, 1959.

¹⁰⁹ Address of J. Lindsay Almond, Jr., Hearing, 1959.

¹¹⁰ Address of J. Lindsay Almond, Jr., Hearing, 1959.

statutes, revision of the laws regarding busing children to schools, a more thorough study of teachers' salaries, retirement, and tenure, study of an amendment to section 129 of the Virginia Constitution, "revision of laws relating to pupils transferring from schools of one political subdivision to another, and tuition payments under such circumstances, careful study relating to the revision of our tax structure, the long range impact of tuition grants, and the imposition of a sales tax, and a careful evaluation of the three-school system and pupil preference plan."¹¹¹

Despite the rhetoric of resistance, on February 2nd, 1959, the process of integrating public schools in Virginia began with twenty-one black students entering into seven formerly all-white schools in Norfolk and Arlington.¹¹² The number of localities that desegregated public schools would increase over the next several years; however, the General Assembly also passed the Freedom of Choice of Association laws.¹¹³ The Freedom of Choice of Association laws prevented desegregation in the years to come through the use of tuition grants and parental school choice.¹¹⁴

Continuing to resist the *Brown* decision, the Commission on Education [Perrow Commission] was appointed by J. Lindsay Almond, Jr. on February 5, 1959, and submitted its recommendations on March 31, 1959.¹¹⁵ The Commission's report began with an overview of the previous efforts to prevent integrated public schools by reporting:

the General Assembly of Virginia in keeping with the overwhelming sentiment of the people of this state made every effort to preserve our system of separate schools. The efforts included the invocation of the police powers of the state, state sovereignty, interposition, and state immunity from suit. They also included an effort by the General Assembly to interpret "efficient" schools in keeping with the policy of the state, and a

¹¹¹ Address of J. Lindsay Almond, Jr., Hearing, 1959.

¹¹² Daugherty and Grogan, *A Little Child Shall Lead Them*, 83.

¹¹³ Daugherty and Grogan, *A Little Child Shall Lead Them*, 83.

¹¹⁴ Daugherty and Grogan, *A Little Child Shall Lead Them*, 83.

¹¹⁵ Commission on Education, *Report of the Commission on Education to the Governor of Virginia*, by the Commission on Education, (Richmond, Virginia: Division of Purchase and Printing), http://www2.vcdh.virginia.edu/civilrightstv/documents/leg_008.html.

cutoff of funds and the closing of schools. One by one, these laws have been struck down, some by the Federal Courts and some by the Federal Court of Appeals of Virginia. None of these laws can be made effective against overwhelming federal force.¹¹⁶

The Commission proposed five recommendations to prevent integrated public schools. These recommendations included scholarships to attend nonsectarian private schools, a flexible pupil placement plan, a compulsory attendance law, additional legislation for disposal of surplus school property, and “budgetary changes which will give the local tax levying body full control over local expenditures to the end that a locality faced with an intolerable situation can constitutionally withhold local support from public schools by the simple method of not levying taxes or appropriating money.”¹¹⁷ The Commission did not believe that an amendment to the Constitution was necessary to maintain segregated public schools. The Commission outlined their objective by remarking that:

the Commission has received more than five hundred petitions signed by over twenty-five thousand people from every section of the state stating that they are ‘wholeheartedly opposed to the mixing of the races in our schools and will not countenance such mixing’ and urging this Commission, the General Assembly, and your Excellency ‘to restore to us the enjoyment of Virginia’s honor and sovereign state’s rights and rapidly to put Virginia back into the enviable position of no integration.’ The Commission is of the opinion that it would be necessary to close all public schools throughout the state in order to prevent any integration.¹¹⁸

The Perrow Commission was recommending complete defiance of integrating Virginia’s schools. These recommendations would lead to the Prince Edward County Board of Supervisors closing its schools and establishing a segregated private academy.

¹¹⁶Commission on Education, *Public Education: Report of the Commission on Education to the Governor of Virginia*, 1959.

¹¹⁷ Commission on Education, *Public Education: Report of the Commission on Education to the Governor of Virginia*, 1959.

¹¹⁸ Commission on Education, *Public Education: Report of the Commission on Education to the Governor of Virginia*, 1959.

Governor Almond endorsed the recommendations of the Commission on April 6, 1959, in his address to the General Assembly of Virginia. According to Almond, the Commission recognized that some of Virginia's public schools were integrated, and it had produced a plan to deal with it without destroying public education in the state.¹¹⁹ Almond continued his address by adding:

the Commission makes crystal clear to all who stop, look, and listen, that massive resistance lies not in the enactment of fruitless laws in contravention of federal power; that massive resistance to that which a people believe to be wrong and inimical to their rights and the rights of their children lies with the individual citizen, and that the right to associate carries with it the right not to associate. No federal court can require a state to maintain a public school or require a parent to send a child to a school that is so maintained. The exercise by the parent of this right does not necessarily involve considerations of race. The Commission proposes measures, which I recommend to your favorable consideration, which will secure the greatest possible freedom of choice for each locality and each individual. No child will be forced to attend a racially mixed school.¹²⁰

Almonds' election was centered on conveying a position of never integrating schools but under this façade he knew that a more rational approach was needed, and that integration was inevitable. Sharing his thoughts with a college student before a speech at the Young Democratic Club, Almond stated that there was only one way to integrate schools in Virginia and that was to "seg em', seg em', seg em', and keep shoving segregation down their throats until the good people rise up and make you do the right thing."¹²¹ This approach of shoving segregation down the throats of the people of Virginia is what led to the closing of public schools or what has become known as "massive resistance." Rather than comply with desegregation, Prince Edward County chose to close all its public schools in June of 1959, and they would remain closed

¹¹⁹ Virginia Congress. General Assembly of Virginia. *Address of Governor J. Lindsay Almond, Jr. to the General Assembly of Virginia Extra Session* Hearing, April 6, 1959. (Richmond, Virginia: Division of Purchase and Printing).

¹²⁰ Address of J. Lindsay Almond, Jr., Hearing, 1959.

¹²¹ Lechner, "Massive Resistance: Virginia's Great Leap Backward," 634.

through 1964.¹²² Political officials in Virginia wielded all their power to form commissions on education and enact legislation to prevent integrated public schools. Similarly, political officials in Milwaukee enacted the 1955 Oak Creek Law that enabled suburban towns to incorporate and form exclusionary zoning laws. These exclusionary zoning laws confined Milwaukee's black population to the Inner Core and public-school officials used the neighborhood school system to maintain segregated schools.

Massive Resistance in Prince Edward County

In the spring of 1956, segregationists in Prince Edward County circulated a petition supporting states' rights and segregation that garnered the signatures of four-thousand residents.¹²³ The petition stated that "we prefer to abandon public schools and educate our children in some other way that is necessary to preserve the separation of races in schools of this county."¹²⁴ The all-white County Board of Supervisors issued the "Declaration of the People of Prince Edward" at a regular meeting in the courthouse located in the town of Farmville.¹²⁵ The Declaration of the People of Prince Edward stated that it was in the interest of both blacks and whites to maintain segregated schools because it was critical in maintaining the best educational, social, cultural welfare, and growth of both races.¹²⁶ The County Board of Supervisors believed that the integration of schools would lead to destructive consequences for both races. In the view of the white people of Prince Edward County and the Board of Directors, integration violated states' rights. Included in the Declaration of the People of Prince Edward was a passage that asserted, "among the reserved rights and powers of the states, guaranteed to the State of Virginia

¹²² Daugherty and Grogan, *A Little Child Shall Lead Them*, 83.

¹²³ Daugherty and Grogan, *A Little Child Shall Lead Them*, 85.

¹²⁴ Daugherty and Grogan, *A Little Child Shall Lead Them*, 85.

¹²⁵ Daugherty and Grogan, *A Little Child Shall Lead Them*, 85.

¹²⁶ Daugherty and Grogan, *A Little Child Shall Lead Them*, 85-86.

under the tenth amendment, is the power to maintain racially separate schools.”¹²⁷ The Prince Edward declaration called on the school board and Virginia’s political officials to relay their decision to the District Court and appropriate tax funds for school operations in the manner that had been made policy by the General Assembly of Virginia on February 1st, 1956, in the Interposition Resolution.¹²⁸ Virginia’s Resolution of February 1, 1956 opened with the statement, “that the General Assembly of Virginia expresses its firm resolution to maintain and to defend the Constitution of the United States, and the Constitution of this state, against every attempt, whether foreign or domestic, to undermine the dual structure of this Union, and to destroy those fundamental principles embodied in our basic law, by which the delegated powers of the Federal Government and the reserve powers of the respective states have long been protected and preserved.”¹²⁹ The resolution discussed what they believed to be the Supreme Court’s misinterpretation of the Fourteenth Amendment by stating:

That by its decision of May 17, 1954, in the school cases, the Supreme Court of the United States placed upon the Constitution an interpretation, having the effect of an amendment thereto, which interpretation Virginia emphatically disapproves. The ruling of the Supreme Court of the United States in *Brown vs. Board of Education* was essentially this: The negro [sic] plaintiffs were citizens of the United States subject to the jurisdiction of state laws. Under the Fourteenth Amendment, no state may deny to any person within its jurisdiction equal protection of the laws. Racially separate schools are ‘inherently unequal.’ Therefore, no state may deny negro [sic] pupils’ admission to a public school on the grounds of racial separation. What the court was saying in brief, was that the Fourteenth Amendment prohibited the United States from operating the sort of schools they had been operating for more than 80 years, The court undertook to repudiate both history and precedent, and by judicial fiat to impose its social views upon the supreme law of the land.¹³⁰

¹²⁷ Daugherty and Grogan, *A Little Child Shall Lead Them*, 86.

¹²⁸ Daugherty and Grogan, *A Little Child Shall Lead Them*, 87.

¹²⁹ General Assembly of Virginia, *Report on Senate Joint Resolution 3, and Related Matters*.

¹³⁰ General Assembly of Virginia, *Report on Senate Joint Resolution 3, and Related Matters*.

With these words in mind, the voters of Prince Edward County closed their public schools.

On May 5th, 1959, the U.S. Fourth Circuit of Appeals ordered Prince Edward County to desegregate their schools by September of that year.¹³¹ On June 26, 1959, the County Board of Supervisors responded by withdrawing funds for public education, resulting in the closing of the entire school system for whites and blacks.¹³² Upon shutting down the Prince Edward school system, the County Board of Supervisors stated that, “it is with the most profound regret that we have been compelled to take this action. We do not act in defiance of any law or any court. Above all we do not act with hostility toward the negro [sic] people of Prince Edward County.”¹³³

No other county, city, or state took such a drastic action towards the desegregation of public schools as that of Prince Edward County. Officials in PEC used funds set aside during a meeting in 1955 under the name of the Prince Edward School Foundation to operate the all-white Prince Edward Academy.¹³⁴ Teachers’ salaries at the academy were funded by the segregationist group the Defenders of State Sovereignty and Individual Liberties, while PEC officials also tried convincing black Prince Edwardians to apply for funds to operate their own private schools.¹³⁵

State and local authorities funded private education for whites using a system of tuition grants combined with tax relief and private donations for the 1960-61 school year.¹³⁶ In August of 1961, the Federal District Court ruled that the use of public funds and tax credits was unlawful and ordered the reopening of the schools; because education was now only available to

¹³¹ Daugherty and Grogan, *A Little Child Shall Lead Them*, 112.

¹³² Tillerson-Brown, “Struggles for Educational Equity,” 455.

¹³³ Daugherty and Grogan, *A Little Child Shall Lead Them*, 112.

¹³⁴ Daugherty and Grogan, *A Little Child Shall Lead Them*, 113.

¹³⁵ Tillerson-Brown, “Struggles for Educational Equity,” 455.

¹³⁶ Daugherty and Grogan, *A Little Child Shall Lead Them*, 113.

privileged white students.¹³⁷ In defense of Prince Edward County during a speech on the Senate floor, Senator Byrd maintained that, “under NAACP influence colored leaders in the county will neither provide for education of their children nor accept assistance from the white people of the county. In short, the NAACP is more interested in the integration of public-school children than it is in the education of colored children; and the NAACP alone is responsible for the fact that 1,700 colored children in Prince Edward County are not now attending good schools with qualified teachers.”¹³⁸ During the same speech, Senator Byrd defended the county’s use of private academies by adding:

White citizens of Prince Edward have successfully established a system of accredited schools for their children, and they have offered to do the same thing for colored [sic] children. This offer has been open and standing since 1959, but parents of only one colored [sic] child have dared to apply for enrollment. When negro [sic] leaders did nothing to provide education for colored children in the county, white citizens formed a corporation in the name of ‘Southside Schools Inc.,’ to provide educational opportunities for negro [sic] students. Officers communicated with parents of every potential-colored student in the county.¹³⁹

In a Nieman Reports article John Alfred Hamilton discussed the state of schooling for black students in Prince Edward County. Hamilton reported:

what is vital now is to understand that all public schools were shut down in 1959 when court delays ran out, that since this date white students have been attending classes, first in makeshift quarters including an old, abandoned blacksmiths shop, now in a newly constructed private school, that negro [sic] students have been attending no schools in Prince Edward, but have only participated in irregularly scheduled “morale building” sessions. For the first year, the private school for whites operated on voluntary contributions; for the second year it managed by charging tuition and inviting parents to apply for both local and state backed tuition grants; now in the third year, a federal court has enjoined the use of public funds, and I have at hand a letter, dated December 2, 1961,

¹³⁷ Daugherty and Grogan, *A Little Child Shall Lead Them*, 113.

¹³⁸ Harry Byrd, “In Defense of Prince Edward County of Virginia,” transcript of speech delivered in the Senate of the United States Washington, DC, May 17, 1961, http://www2.vcdh.virginia.edu/civilrightstv/documents/byrd_004.html.

¹³⁹ Byrd, “Defense of Prince Edward County.”

which solicits contributions towards a goal of \$200,000 to keep the private school going until June. There is, moreover, a case now pending in federal courts to determine whether, under the state constitution, Virginia must maintain public schools in Prince Edward County.¹⁴⁰

Public schools in PEC remained closed until after May 25th, 1964, when a Supreme Court ruling in *Griffin v. County Board of Prince Edward* was handed down by Justice Hugo Black that ordered their reopening.¹⁴¹

The student led protest orchestrated by Barbara Johns put the separate-but-equal doctrine followed by the Board of Directors in Prince Edward County in the national spotlight. Virginia's political elite, led by Senator Harry Byrd used massive resistance to prevent integrating the state's public schools. The Board of Directors in Prince Edward County used massive resistance to close public school's when they were ordered to desegregate in 1959. In Prince Edward, segregated private academies,' funded by tuition grants were used to continue education for white students, leaving black students with few options for schooling.

While Prince Edward County provides an extreme example of white resistance to public school integration, public schools were integrated in 1964. The next chapter will review the Milwaukee School Board's use of the neighborhood school, compensatory education, and intact bussing to prevent public school integration. The Milwaukee School Board's use of neighborhood schools, compensatory education, and intact bussing maintained segregated public schools until 1976.

¹⁴⁰ John Hamilton, "Prince Edward's 'Massive Resistance.'" *Nieman Reports* 53/54, no. 4 (Winter 1999/2000): 143. <https://www.proquest.com/hnpnewyorktimes/docview/216749506/722964014BFE467CPQ/1?accountid=15078>.

¹⁴¹ Tillerson-Brown, "Struggles for Educational Equity," 457.

Chapter 2

White Resistance in Milwaukee

In Milwaukee, public school officials made no effort to desegregate public schools following the *Brown* decision. Instead, Milwaukee Public School (MPS) officials instituted compensatory education, adhered to the neighborhood school system, and utilized an intact busing system to maintain a segregated school system. This resistance continued until 1976. Like officials in Prince Edward County, Virginia who offered to build black students a new high school in exchange for the dropping of their lawsuit; MPS officials believed that providing compensatory education to provide better resources to black schools so that they were equal to those of their white counterparts would prevent integrated public schools. Attorney Lloyd Barbee argued that MPS officials were using the same strategy as the defendants in the *Brown* case which was to “divert the integration movement by offering additional resources to improve black schools without altering segregation.”¹

Arriving in Milwaukee in 1963, Lloyd Barbee was the president of the Wisconsin NAACP.² Barbee orchestrated the first public challenge to Milwaukee’s segregated public schools.³ Barbee believed that Milwaukee public schools were in violation of the *Brown* ruling, citing the rising number of all-black schools and teacher assignments as evidence.⁴ Barbee asserted that if public school officials refused to desegregate schools then his organization would organize mass protests and wage a legal battle.⁵

¹ Jack Dougherty, *More Than One Struggle: The Evolution of Black School Reform in Milwaukee* (Chapel Hill: University of North Carolina Press, 2004), 89.

² Jack Dougherty, *More Than One Struggle*, 71.

³ Jack Dougherty, *More Than One Struggle*, 71.

⁴ Jack Dougherty, *More Than One Struggle*, 71-72.

⁵ Jack Dougherty, *More Than One Struggle*, 72.

The first section of this chapter reviews the history of segregation in Milwaukee. The history of segregation in Milwaukee begins with a review of the Milwaukee Urban League President William Kelley's efforts to get more black teachers assigned to Inner Core schools. This section also covers housing policies that supported segregation and blatant racism. These housing policies isolated Milwaukee's black population in the area of Milwaukee sometimes called the Inner Core. The second section of this chapter covers racial imbalance and school boundary lines in Milwaukee's public schools. Included in this section is a review of the Great Migration and the response of officials in the black and white communities. This section also discusses how exclusionary zoning, siting of new schools, and school boundary changes to maintain segregated public schools. The third section covers the use of intact bussing as another tool to maintain segregated public schools. Barbee believed that intact bussing was the most egregious and psychologically damaging process used by public school officials to maintain segregation. The fourth section reviews the meetings of the Special Committee on Equality of Educational Opportunity. The Committee was established to address the issues with the public school system identified by Barbee and other civic organizations. The last section of this chapter covers the formation of MUSIC and the use of Freedom Schools to combat segregated public schools. To protest segregated public schools, MUSIC created integrated Freedom School. MUSIC encouraged students to boycott their public school and attend a Freedom School instead. This action was like the massive resistance that occurred in Prince Edward County, but on the opposite side of the dispute.

History of Segregation in Milwaukee

The first generation of activists for school integration in Milwaukee began with the arrival of William Kelley in 1928. In 1928, William Kelley became the executive director of the

Milwaukee Urban League. During the 1930s, black Milwaukeeans were residentially segregated in the Near Northside; however, this was a mixed neighborhood whose population was approximately 50 percent white.⁶ During this time, public schools had racially mixed student bodies and therefore Kelley did not view school segregation as an issue that the NAACP should address. Kelley focused on the fact that there had not been any black teachers assigned to the Inner Core schools since he had arrived and made gaining these positions his priority in educational reform. Kelley and other prominent black figures recognized the dual purpose that schools played in Milwaukee; providing middle-class jobs for community members and institutions that socialized black youth in preparation for the racialized job market.⁷

Two black teachers were hired through a deal struck between the black publisher of the *Wisconsin Enterprise Blade* (J. Anthony Dorsey) and a local politician by the name of Samuel Soref who was seeking reelection as an alderman in the city's Sixth Ward.⁸ This deal prompted a reaction from people in the black community to ask for more black teachers to be considered for school positions in the city and backlash on behalf of the all-white school board, which argued that Wisconsin could not have black schools. As a result, school administrators fired one of the black teachers and demoted the other to part-time work.

Other cities such as Cleveland, Philadelphia, Indianapolis had allowed black teachers to teach in segregated schools and this prompted members of Milwaukee's black community to put forth a proposal to do the same. In 1939, William Kelley struck a deal with the school board to accomplish this goal with the understanding that black teachers could only be hired for black

⁶ Jack Dougherty, *More Than One Struggle*, 11.

⁷ Dougherty, *More Than One Struggle*, 13.

⁸ Dougherty, *More Than One Struggle*, 20.

schools.⁹ Black teachers were still not allowed to teach in high schools because whites did not want to give up these high wage positions.¹⁰

They also feared interactions that could result in social intermixing or even sexual contact.¹¹ Many whites believed that black people did not possess the intellectual capacity to perform the tasks required at the high school level.¹² There were rare occasions that black teachers did break through the racial barriers and gain positions at the high school level. One example is Milwaukee's first black high school teacher. In 1951, Thomas Cheeks was handpicked by superintendent Harold Vincent at the request of the principal at Lincoln High School.¹³

In the 1950s, a new generation of black activists questioned the 1939 compromise made by Kelley. They opposed the limited jobs available to black teachers and called for openings throughout the school system. Vel Phillips was among these activists. During a 1953 meeting with the school board, Phillips stated that "school administrators punished white teachers they did not favor by transferring them to black neighborhood schools."¹⁴ This was said about the fact that black workers in previous generations were given the least desirable jobs and black teachers were now being assigned to the schools that whites deemed least desirable. In 1947, Thurgood Marshall, then director of the national NAACP, launched a campaign to integrate schools in the North but found little support from black leaders in Milwaukee due to their desire for hiring more black teachers and the lack of political influence required to combat the white racism that fueled segregation.¹⁵ Marshall was able to find support in other Northern states, but that support

⁹ Dougherty, *More Than One Struggle*, 27.

¹⁰ Dougherty, *More Than One Struggle*, 29.

¹¹ Dougherty, *More Than One Struggle*, 29.

¹² Dougherty, *More Than One Struggle*, 29.

¹³ Dougherty, *More Than One Struggle*, 31.

¹⁴ Dougherty, *More Than One Struggle*, 34-35.

¹⁵ Dougherty, *More Than One Struggle*, 37-38.

did not exist in Milwaukee. Black Milwaukeeans did not associate *Brown* with the local school system in the mid-1950s due to the views of black leadership in Milwaukee combined with the lack of visible examples of segregated schools.¹⁶

There was no ruling in the *Brown* case that addressed school employment decisions, but in the late 1950s William Kelley launched a campaign to renegotiate the 1939 compromise and gain wider job availability for black teachers in Milwaukee. After 30 years of fighting for black teachers' jobs, Kelley's hard work finally paid off and the number of black teachers employed in Milwaukee Public Schools increased from 45 in 1954 to 439 by 1965.¹⁷

Due to housing policies that supported segregation and blatant racism throughout the first half of the 20th century, black neighborhoods in Milwaukee were isolated and suffering from disinvestment. A lack of housing options limited blacks to an area just North of the Central Business District (CBD) that the locals called the "Inner Core."¹⁸ Racist housing practices that supported segregation had a direct effect on the education of black youth in these neighborhoods. An example of housing policies that enabled segregation are the annexation laws that were enacted by the state of Wisconsin in 1955 that enabled sparsely populated areas on the periphery to form exclusionary zoning practices that prevented blacks from moving into their suburban neighborhoods.¹⁹ The Oak Creek law allowed non-dense places surrounding Milwaukee to incorporate if they had a population of at least 5,000 and an assessed valuation of \$20,000,000, spurring a few of these non-dense places to incorporate, adding to the collection of non-dense areas that incorporated during earlier periods.²⁰ The Oak Creek law allowed non-dense areas

¹⁶ Dougherty, *More Than One Struggle*, 40.

¹⁷ Dougherty, *More Than One Struggle*, 47.

¹⁸ Greg J. Carman, "Wall of Exclusion: The Persistence of Residential Racial Segregation in Metropolitan Milwaukee" (PhD diss., University of Wisconsin-Milwaukee, 2010), 53.

¹⁹ James K. Nelsen, *Educating Milwaukee: How One City's History of Segregation and Struggle Shaped its Schools* (Madison: Wisconsin Historical Society Press, 2015), 17.

²⁰ Carman, "Wall of Exclusion," 39.

outside of Milwaukee to set their own land use regulations that resulted in exclusionary zoning ordinances. These exclusionary zoning ordinances included, but were not limited to minimum acreage requirements, minimum floor-space requirements, minimum frontage requirements, and the total exclusion of apartments and mobile homes.²¹ The black population became concentrated on Milwaukee's North Side and census tracts that were 90-percent white the previous year became 90-percent black the next year.²² The mass migration of blacks from the South was accompanied by an increase in racial animosity. This racial animosity coupled with the mass incorporation effort on behalf of the annexed towns led to Milwaukee's encirclement by suburbs or what was known as the "Iron Ring," resulting in white exodus.²³ By 1960, over 99-percent of Milwaukee's black population lived in the Inner Core.²⁴ Practices such as isolating black families in the Inner Core neighborhoods and therefore left black students with little choice but to attend the schools in these neighborhoods, thereby maintaining school segregation.

The suburban exclusionary policies limited the availability of affordable housing, so it was located mostly in the Inner Core.²⁵ The limited availability of affordable housing resulted in a concentration of poverty along racial lines, educational attainments, the ability to build wealth, and the ability to access quality employment.²⁶ These exclusionary zoning practices angered black parents and they argued that the reason for the inferior quality of their children's education was due to their race and a result of segregation.²⁷ Angry black parents cited several reasons why they believed that race was the factor that explained why their children's education was poorer

²¹ Carman, "Wall of Exclusion," 172.

²² Carman, "Wall of Exclusion," 46.

²³ Carman, "Wall of Exclusion," 46.

²⁴ Carman, "Wall of Exclusion," 51.

²⁵ Carman, "Wall of Exclusion," 192-193.

²⁶ Carman, "Wall of Exclusion," 192-193.

²⁷ Lloyd Barbee, "Introduction," *Racial Isolation in Milwaukee Public Schools*, 1967, Box 96, Folder 7, Lloyd Barbee Papers, Archives Department, Golda Meir Library, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin.

than that of their white counterparts. First, due to segregation in housing and the actions of the school board, children were segregated by race.²⁸ With an awareness of race on behalf of the school board, black teachers were predominantly assigned to black schools²⁹ The assignment of black teachers to only predominantly black schools had been accomplished through a deal brokered in 1939 by the director of the Milwaukee Urban League William Kelley and would serve as the practice for teacher assignments through the mid-1950s.³⁰ The sites of schools in black neighborhoods and teachers were inferior to those in white neighborhoods and as a result, black children received poorer quality education³¹ When opportunities arose for school integration the school board moved to avoid or prevent it by reforming school district boundaries, expanding school capacity of existing schools, intact bussing, and siting new schools in black neighborhoods.³²

Within the segregated boundaries established by the City of Milwaukee through annexation and exclusionary zoning practices in 1960, ninety-nine percent of the black population lived in an area of containment “where the population density was from six to eight times that of other areas of the city.”³³ For blacks there was no escaping the confines of their neighborhoods because during the 1960s, segregation in the Milwaukee metro area was ranked as the highest in the nation among the twenty-five largest American cities, with only two percent of the black population able to migrate to the suburbs.³⁴

²⁸ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 2.

²⁹ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 3.

³⁰ Dougherty, *More Than One Struggle*, 27.

³¹ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 3.

³² Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 3.

³³ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 20.

³⁴ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 22.

Racial Imbalance and Boundary Lines

In the decade between 1950 and 1960, many black families migrated to northern cities, including Milwaukee. This migration was part of a much larger migration from the Jim Crow South to northern cities that began in the 1910s. Migration to Milwaukee occurred at the tail-end of the Great Migration. During the decade between 1950 and 1960, the North experienced a large migration of blacks from the Jim Crow South. Milwaukee had the highest black migrant growth rate of any Midwestern city during this time; the black population increased by 186.9 percent compared to 16.3 percent for the city overall.³⁵ Many of the migrants came to Milwaukee and settled in the city's Sixth Ward. In response to a recent murder at the hands of a black migrant, police chief John Polcyn claimed that migrants committed most crimes. Police inspector Hubert Dax agreed with chief Polcyn and stated that "we got to get these people as soon as they arrive and let them know this is a law-abiding community."³⁶ With their social status and civil rights in danger due to white fears of migrants, black community leaders cooperated with whites and created an educational program of "cultural adjustment" for southern black migrants.³⁷ Black community members initially challenged white racism, but they eventually cooperated and created programs that not only educated migrants but acculturated southern migrants into the community.³⁸

These programs laid the foundation for compensatory education and were used to calm whites' fears during the migration period. Compensatory education was a cultural adjustment strategy that was used to respond to "the growing presence of southern black migrant children who arrived with less-developed academic skills by designing more individualized curricula to

³⁵ Nelsen, *Educating Milwaukee*, 16.

³⁶ Dougherty, *More Than One Struggle*, 51.

³⁷ Dougherty, *More Than One Struggle*, 52.

³⁸ Dougherty, *More Than One Struggle*, 64.

match the perceived abilities of different groups of students.”³⁹ Milwaukee school officials overwhelmingly supported compensatory education because it placed the blame for black academic failure on black families rather than on educators.⁴⁰

The black population that migrated into Milwaukee had larger families than did their white counterparts and the school age population mirrors this difference.⁴¹ The migration of black families coupled with larger family sizes resulted in an increase of 334% in black schools in Milwaukee, compared to an increase of only 23.4% in white schools.⁴² In 1964, schools in the Inner Core retained most of Milwaukee’s black children.⁴³ Most of the schools in the Inner Core were built before the turn of the 20th century and were used by immigrants from 1890 until the end of the first World War.⁴⁴

Milwaukee school officials used a practice of building new schools in the white areas of the city, while the older, declining schools in black neighborhoods were expanded to compensate for overcrowding.⁴⁵ School boundary changes were also implemented to handle overcrowding. According to the *Manual and Roster* of the school board of the Milwaukee Public Schools, “pupils must attend the school in the district in which they live except by the permission of the Superintendent. Out of district transfers are issued at the Central office on application of parent or guardian when countersigned by the principals concerned.”⁴⁶ In other words, black students had to attend what the school board called the “neighborhood schools.” Due to the annexation of

³⁹ Dougherty, *More Than One Struggle*, 65.

⁴⁰ Dougherty, *More Than One Struggle*, 68.

⁴¹ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 37.

⁴² Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 37.

⁴³ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 37.

⁴⁴ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 52.

⁴⁵ Michael Bonds, Raquel L. Farmer-Hinton, and Edgar G. Epps. “African Americans' Continuing Struggle for Quality Education in Milwaukee, Wisconsin,” *The Journal of Negro [sic] Education* 78, no. 1 (2009): 56.

⁴⁶ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 1963, Box 1, Folder 15, Special Committee on Equality of Educational Opportunity, Archives Department, Golda Meir Library, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin.

white areas and their exclusionary zoning practices, black students could only attend the declining schools in the Inner Core. The school board used the neighborhood school system that many large northern school systems used. However due to the exclusionary zoning practices and white animosity, these neighborhood schools were segregated. School officials stated that this was done with no regard to race, but Lloyd Barbee presented documents that demonstrated how officials had changed school boundaries when a district reached 30 percent black or what they called the “tipping point” to accommodate white out-migration.⁴⁷ In Barbee’s view, the alteration of school boundaries by the school administration was done with the awareness of race and heavily impacted the racial imbalance in the city’s schools.

Milwaukee public school officials used school boundaries to accommodate white out-migration and maintain segregated public schools. In 1950, the population of the Inner Core was predominantly white. Of the twenty-five school districts in the city only two served the black population.⁴⁸ Between 1950 and 1960, 29,000 white residents moved out of the Inner Core to other areas of the city and the black population increased by 40,000 people.⁴⁹ Statistics alone could not completely explain how Milwaukee’s school officials intentionally segregated the schools because the boundary changes had been carefully crafted using seemingly colorblind material such as school capacity, traffic routes, and industrial barriers.⁵⁰ This demonstrates the shift in populations that contributed to the racial imbalance and allowed the school administration to continue its practice of segregation. By 1966, black children constituted 90 percent of enrollment in Inner Core schools.⁵¹

⁴⁷ Nelsen, *Educating Milwaukee*, 27.

⁴⁸ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 53.

⁴⁹ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 53.

⁵⁰ Dougherty, *More Than One Struggle*, 94.

⁵¹ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 56.

Barbee and other leaders of the black community believed that school planners were aware of the difference in racial fertility that was characteristic of the black population and considered this factor when planning new school sites.⁵² This factor demonstrates that race played a role in the decisions made regarding school boundaries and the racial makeup of schools. According to Barbee, “Thus, by 1960 the pattern of racial exclusiveness of the schools had been set seemingly in compliance with the general attitude regarding racial exclusivity of neighborhoods.”⁵³ According to a statement made by Morgan Gibson of Milwaukee’s chapter of the NAACP:

Our position is that the doctrine of the neighborhood school is discriminatory insofar as neighborhoods are segregated, as they are in our community. If negroes [sic] and whites were living together throughout the city, if there were no Inner Core slums, then the neighborhood school might be cherished by negroes [sic] and white alike, for schools throughout the city would conceivably offer equal educational opportunities. But in a city of segregated neighborhoods, the neighborhood school is bound to be segregated, as the facts show, with predominantly negro [sic] schools offering educational opportunities that are inferior to those being offered by predominantly white schools, and with all such predominantly negro [sic] schools damaging the educational, social, and psychological characteristics of the students.⁵⁴

According to an interview conducted in 1967 by the project director of the Final Report to the U.S. Commission on Civil Rights, Director of the Department of School Housing Research Arthur Kastner asserted that, “the school district changes in the central area of the city from 1943 to 1963 and those made later, coupled with residential patterns, created the current racial imbalance in the system.”⁵⁵ He went on to add that had the school board considered racial mixture desirable, boundary changes could have been made that enabled thousands of white and

⁵² Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 57.

⁵³ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 59.

⁵⁴ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 15-16.

⁵⁵ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 62.

black children who are now in their 20's and teens to experience integrated schooling.⁵⁶ These results could have been achieved without breaking any of the existing policies or state laws regarding schooling because the school board was not required by law to account for race when determining the makeup of public schools in the city. In discussing zoning, Gibson stated that, "present zoning is also perpetuating segregation; whereas careful zoning could contribute to the integration of the schools without any cost to taxpayers."⁵⁷ Mr. Kastner and other board members believed that an integrated education took precedence over segregation and that civil grievances would not have gotten to the levels they had if the board created more racially balanced school districts.⁵⁸ The Superintendent Harold Vincent and the school board were keenly aware of the location of the black population in Milwaukee, as well as the density of those populations in the Inner Core while decisions regarding boundaries and school sites were being made.⁵⁹ In 1961, Wisconsin education officials performed an inspection of six Milwaukee schools and reported that three of the schools were inferior to the other three schools but failed to acknowledge that the three inferior schools were all black schools and the other three were all white schools.⁶⁰

Milwaukee public school officials intentionally shaped school boundaries and sited schools in ways that maintained segregation. During this time, the school board President was Lorraine Radtke. President Radtke was a prime example of the school board's stance on school segregation, stating that "there is segregation by geography perhaps, but we don't have any control over that."⁶¹ In a meeting with Barbee, School Board President Lorraine Radtke said that, "she felt that integration should occur naturally and gave us examples of what she means; the

⁵⁶ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 62.

⁵⁷ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 17.

⁵⁸ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 62.

⁵⁹ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 63.

⁶⁰ Dougherty, *More Than One Struggle*, 87-88.

⁶¹ Dougherty, *More Than One Struggle*, 73.

attendance at all white schools by negro [sic] children whose parents had enough interest in them to send them to a school or take them there. She named two negro [sic] families,...who have done just that. And she says she finds no objection to that. It seems that the lower socioeconomic of the majority of negros [sic] is the basis for her feeling that ‘it would not work’ to integrate Milwaukee schools.”⁶² The knowledge of the racial makeup and characteristics of the black populations on behalf of the acting members of the school board while making these decisions shows their desire to maintain segregation in the Milwaukee public school system.

Intact Bussing

The most blatant form of discrimination was that of the intact bussing program that was put in place for modernization purposes in 1959.⁶³ Intact bussing was transportation policy used by Milwaukee Public School (MPS) officials to bus black students from schools undergoing modernization or which were overcrowded to schools in other parts of the district intact with their class and teacher while requiring the students to leave the receiving school for lunch; the students would then return to the receiving school for afternoon classes, and then back to their home school at the end of the day.⁶⁴ This practice was used by Milwaukee public school officials to demonstrate their compliance with the *Brown* decision by allowing black students to attend white schools. However, these bused students rarely participated in any activities with white students. Therefore, intact bussing was just a guise to maintain segregated public schools. MPS officials adamantly “defended the policy as administratively and educationally the best way to

⁶² Lloyd Barbee, *Notes on Meeting with Lorraine M. Radtke*, Undated, Box 132, Folder 20, Lloyd Barbee Papers Archives Department, Golda Meir Library, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin, 1.

⁶³ Milwaukee Public Schools Board of Directors, “Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity,” *Special Committee on Equality of Educational Opportunity*, 1964, Box 1, Folder 16, Archives Department, Golda Meir Library, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin, 17.

⁶⁴ Bill Dahlk, *Against the Wind: African Americans & the Schools in Milwaukee, 1963-2002* (Milwaukee: Marquette University Press, 2010), 35.

handle a temporary situation.”⁶⁵ MPS officials believed that “by keeping classes intact, they can be readily returned as units to their original schools along with teachers and materials. This can be done without any undue upset. This can be done at any time during the semester. By keeping classes intact, disturbing reorganization, and reshuffling of groups is avoided.”⁶⁶ MPS officials believed that intact bussing had practical advantages. They described the policy as flexible, economical, efficient, educationally sound, and “from an administrative standpoint, there is no need to reshuffle records each time a class is moved. From the parents’ standpoint, there is no unnecessary inconvenience. The school principal, administrative and secretarial staffs, as well as the accompanying records of the pupils, are always available to the parents.”⁶⁷ Using intact bussing to relieve overcrowding was different than Prince Edwards attempt to relieve overcrowding by building inadequate tar paper shacks. However, both practices demonstrate the lengths that both areas would go to maintain segregated public schools.

According to a press release by CORE on January 12, 1964, “CORE feels Superintendent Vincent’s statement that the present bussing policy of self-contained classes ‘is flexible and educationally sound’ is not only untrue but shows an inflexibility to take an objective look at this policy. His refusal to accept policy changes on the grounds that it will cause ‘an organizational nightmare’ is an unproven and weak excuse to avoid taking any action to end school segregation.”⁶⁸ During a 1964 meeting of CORE members and black parents there was a general concern about the time lost during lunchtime bussing, the disruption of the school day disturbed

⁶⁵ Dahlk, *Against the Wind*, 35.

⁶⁶ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 17.

⁶⁷ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 17.

⁶⁸ CORE Records, “Milwaukee CORE Education Committee Press Release,” *Segregation of Milwaukee Public Schools Reports, Placards, and Petitions*, 1963-1964, Box 1, Folder 3, Archives Department, Golda Meir Library, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin, 1.

students studies’, and “one parent told us that her child didn’t want to be bussed because of the receiving school’s unfriendly attitudes toward negro [sic] children.”⁶⁹ The school board showed a complete disregard for the feelings of black parents. It was apparent that the boards policies were designed to fulfil the desires of the white parents who did not want their children attending integrated public schools. According to Barbee’s interview with School Board President Lorraine Radtke, Milwaukee was the most Prussian city in the country and these Germans cannot be pushed around and made to do the things that they don’t want to do and “if negro [sic] children were brought into white classrooms, in many parts of town, there would be a lot of trouble.”⁷⁰ When asked about what kind of trouble she thought would happen, “she gave examples of the resistance of parents to having their children eat across the table from negro [sic] children who are in a lower cultural level. In one of her examples, the negro [sic] children who were bussed intact from other schools but ate in the same lunchroom with white children were reported to drop food on the floor and eat in a very messy way.”⁷¹ Radtke’s statement demonstrates the attitude that many of the acting school board members took towards black children. Radtke and other board members viewed black children as inferior and therefore they should not be allowed to attend the same public schools as white children. These views formed the foundation of whites’ resistance to integrating public schools.

According to Barbee this was “the most psychologically, educationally, and socially damaging practice of segregation.”⁷² In many cases, the intact classes were forced to leave for lunch even when the receiving school provided hot meals. Furthermore, these intact classes were

⁶⁹ CORE Records, *Report of Special Meeting, Milwaukee CORE Education Committee*, 1.

⁷⁰ Lloyd Barbee, *Notes on Meeting with Lorraine M. Radtke*, 1

⁷¹ Lloyd Barbee, *Notes on Meeting with Lorraine M. Radtke*, 1.

⁷² Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 114.

segregated from the receiving schools' students during recess. According to Morgan Gibson of the NAACP:

the wholesale transfer of negro [sic] classes from schools that are overcrowded or in the process of being repaired is discriminatory in that the negro [sic] children are segregated from the white children in the receiving schools. According to the Milwaukee Journal, 2,300 children, most of them from the Inner Core, are transported daily from 16 schools to 31 other schools. Although excuses have been made that integration of these students would be administratively difficult, they cannot conceal the fact of segregation and the indifference of school officials to the humiliation of the children. Teachers report that negro [sic] students are bussed from the Inner Core in the morning, rushed into the otherwise all-white school, and are strictly prevented from communicating with the white students.⁷³

According to information provided by the school board, the first instance of intact bussing to relieve overcrowding was in 1952, and bussing for building modernization began in 1958.⁷⁴ From 1957 to 1963, thousands of black children were bussed intact.⁷⁵ During this same period, white students were also experiencing intact bussing but were treated much differently than their black counterparts. The white children could eat lunch at the receiving school which was never permitted for black students.² This demonstrates further that the school board worked diligently to maintain segregation in Milwaukee public schools. In 1963, Barbee went to the Milwaukee School Board with his own plan for bussing. He called it selective bussing and it would promote a more equal exchange.⁷⁶ Barbee's selective bussing plan would have included a more integrated approach to school activities and was rejected by the Special Committee on Equality of Educational Opportunity on the grounds that neighborhood schools must be

⁷³ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 16.

⁷⁴ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 115.

⁷⁵ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 117.

⁷⁶ David Boers, "School Desegregation Law: Amos et al v. Board of School Directors of the City of Milwaukee," *Uncovering Black Heroes: Lesser-Known Stories of Liberty and Civil Rights* (2017): 105, <https://wisconsin.hosts.atlas-sys.com/illiad/gzn/illiad.dll?Action=10&Form=75&Value=2818306>

maintained.⁷⁷ In 1963, the Committee stated that Barbee's issue resided in housing and neighborhood conditions and not in the schools.⁷⁸

The Special Committee on Equality of Educational Opportunity

Due to the extensive news coverage concerning the operation of the Milwaukee public school system, President Lorraine Radtke authorized the Special Committee on Equality of Educational Opportunity to study and address the issues. The Milwaukee School Board of Directors consisted of fifteen members, only one of whom was black (Cornelius Golightly).⁷⁹ The Special Committee on Equality of Educational Opportunity was made up of 7 members of the Board of Directors, including Cornelius Golightly. Moreover, the chairman chosen for this Committee was a white corporate lawyer named Harold Story whose conservative views on race were well known.⁸⁰ In the early 1960s, black Milwaukeeans advocated for open housing, to which Story told the Milwaukee Catholic Interracial Council, "that blacks should seek housing in all-white areas only after they achieved 'social compatibility' with their future neighbors. It is better to improve oneself than to rely upon the law."⁸¹

With the spotlight on the operations of the public school system, the Board had to demonstrate some type of effort to address the accusations leveraged against them. The resolution adopted by the School Board of Directors on August 6, 1963, stated, "whereas, in recent weeks there has been a considerable amount of coverage by the Milwaukee press, radio, and television with respect to equality of educational opportunity, therefore, be it resolved that a special committee of the board be appointed to explore and consider the questions raised with

⁷⁷ David Boers, "School Desegregation Law," 105.

⁷⁸ David Boers, "School Desegregation Law," 106.

⁷⁹ Dahlk, *Against the Wind*, 24.

⁸⁰ Dougherty, *More Than One Struggle*, 88.

⁸¹ Dougherty, *More Than One Struggle*, 88.

respect to the above-named coverage as they may apply to the Milwaukee Public Schools. Review the policies and administrative procedures relative thereto, and report to the board its conclusions and recommendations including the supporting data.”⁸² The committee identified the issue to be analyzed as the opportunities available to blacks regarding education “(1) in accordance with the requirements of the 14th Amendment to the U.S. Constitution, and (2) “equality of educational opportunity” from an academic and administrative standpoint, both with and without reference to any constitutional requirement.”⁸³ The Committee separated their analysis into three categories, the legal, the academic and administrative, and the sociological aspects.⁸⁴

According to the Committee the legal aspect required them to use the portion of the 14th Amendment that reads, “no state shall deny to any person within its jurisdiction the equal protection of its laws,” to guide its decision regarding the equality of Milwaukee’s schools for black students.⁸⁵ Furthermore, the legal requirements that guided the Committee in the legal aspect were the Supreme Court’s interpretation of the Fourteenth Amendment as it applied to public schools in the *Brown* ruling; and decisions made by Federal District Courts after *Brown* relating to specific school operations in the states.⁸⁶

The school board argued that boundary lines were not decided by race but that they were operating in the same way as many school districts in large cities using the neighborhood school

⁸² Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 1.

⁸³ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 2.

⁸⁴ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 2.

⁸⁵ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 2-3.

⁸⁶ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 3.

system. When discussing the legality of the neighborhood school, the school board cited the U.S. District Court for the Northern District of Indiana's January 29, 1963, ruling in the *Rachel L. Bell et al. v. School City of Gary* that occurred in Gary, Indiana. The judges ruled that the neighborhood school plan was in accordance with the 14th Amendment of the Constitution.⁸⁷ During a meeting of the Special Committee on Equality of Educational Opportunity on January 21, 1964, Chairman Harold Story quoted the Indiana Federal Court's decision that stated:

The neighborhood which serves the students within a prescribed district is a long and well established in American public-school education. It is almost universally used, particularly in the larger school systems. It has many social, cultural, and administrative advantages which are apparent without enumeration. With the use of neighborhood school districts in any school system with a large and expanding percentage of a negro [sic] population, it is almost inevitable that a racial imbalance will occur in certain schools. Nevertheless, I have seen nothing in the many cases dealing with the segregation problem which leads me to believe that the law requires that a school system developed on the neighborhood school plan, honestly and conscientiously constructed with no intention or purpose to segregate the races, must be destroyed, or abandoned because the resulting effect is to have a racial imbalance in certain schools where the district is populated almost entirely by negroes [sic] or whites. On the other hand, there are many expressions to the contrary, and these expressions lead me to believe that racial balance in our public schools is not constitutionally mandated.⁸⁸

The Committee cited the same Federal Court decision in the academic aspect as they did in the legal aspect. According to the Committee, the equality of educational opportunity did not mean that each school in the Milwaukee school system had to be identical in all educational aspects "but instead each school must measure up to an accepted standard for affording educational opportunity."⁸⁹ The committee identified two responsibilities in addressing the

⁸⁷ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 3.

⁸⁸ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 3.

⁸⁹ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 4.

academic and administrative aspects of the issues associated with the operation of the schools. The first was to consider all questions raised about those concerned about the educational opportunity in the Inner Core, the second responsibility was to review the policies and administrative practices at schools in the Inner Core assuring compliance with the accepted educational standard.⁹⁰

The third aspect under review by the Committee was the sociological aspect. The NAACP believed that this was the most important aspect of the three under analysis. According to the board, the sociological aspect was the movement of black students from one school district to another to integrate them with their white pupils so that there was a certain ratio of students of each race in schools.⁹¹ Chairman Story decided that the academic and administrative aspects needed to be examined before addressing the legal and sociological issues because he identified the educational standpoint as the root of the problem and the boards primary responsibility.⁹² Following this agenda enabled chairman Story to, “limit the discussion to Milwaukee’s nationally recognized compensatory education programs, which aimed to counteract what he described as the ‘inadequate home life’ of migrant families.”⁹³

There had been six meetings and the Committee still had not discussed what black civil leaders believed to be the most important aspect that was identified, the sociological one. Finally, Barbee and the other organizations got their chance to discuss the sociological aspect during the seventh meeting of the Committee held on December 10, 1963. This meeting consisted of presentations by representatives of the Milwaukee chapter of the NAACP that included Lloyd

⁹⁰ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 4.

⁹¹ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 4.

⁹² Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 4.

⁹³ Dougherty, *More Than One Struggle*, 88.

Barbee, E. Gordon Young, and Morgan Gibson; presentations were also given by Cecil Brown Jr. of the Near North Side Non-Partisan Conference (NNNPC), and Richard McLeod of CORE.⁹⁴ To begin the presentation of the NAACP, Barbee listed the demands of the Wisconsin Conference of NAACP Branches. Barbee demanded that state and local public-school officials acknowledge that there was segregation in Wisconsin's public schools, primarily in Milwaukee⁹⁵ Furthermore, Barbee demanded that public school officials acknowledge the damage inflicted on students, teachers, and all the citizens of Milwaukee by segregated public schools.⁹⁶ Barbee also demanded the immediate desegregation of Milwaukee's public schools.⁹⁷ Barbee continued by adding that "we call for an amendment to state law abolishing and prohibiting de facto [sic] segregation and racial imbalance in Wisconsin public schools, and we emphatically reaffirm our conviction that there is no substitute for genuine school integration, and that hastily conceived stop-gap measures or remedial programs no matter how desirably presented or ably camouflaged, remain totally inadequate and unacceptable."⁹⁸

Using the findings of a 1950 White House Conference on Children and Youth, Morgan Gibson outlined the psychological effects of segregated schools. Gibson summed up the effects of segregated schools on students by asserting:

whites as well as negroes [sic] are being handicapped by segregation in their school system, handicapped in the sense of understanding of social reality, in their social relations, two fundamental areas of child development for which the schools are responsible. In these areas they are getting distorted views. And we feel that it is

⁹⁴ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 3.

⁹⁵ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 5.

⁹⁶ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 5.

⁹⁷ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 5.

⁹⁸ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 5-6.

impossible to teach democracy in a public school unless those public schools are themselves integrated schools. In every respect, social, psychological, cultural, educational, de facto [sic] segregation harms students of all races.⁹⁹

In Milwaukee's public schools the damaging effects of segregation could be seen in the percentage of black children who were one or more grades behind their age group which was twice the average percentage for all children.¹⁰⁰ Further evidence could be seen in the dropout rate of black students that was 40.4% compared to 29% of all students.¹⁰¹

E. Gordon Young of the Near Northside Non-Partisan Conference (NNNPC) presented a rezoning plan that could lead to the integration of many schools in the Inner Core based on the previous 20 years of zoning performed by the school board. Young used three examples to demonstrate how rezoning could accomplish the integration of Inner Core students into schools in other areas of the city. The first example was the predominantly white Auer Avenue school that was located between the predominantly black Franklin and Twenty-First Street schools.¹⁰² The distance between black elementary students transferring to black high schools was further than if they were able to transfer to the white school.¹⁰³ The second example of the predominantly white Lincoln Senior High School that could be integrated by taking on the black Eighth Avenue district and releasing the Palmer District students to Riverside Senior High and since "the Riverside is expected to decline, it probably could absorb most of the Palmer District

⁹⁹ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 12.

¹⁰⁰ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 14.

¹⁰¹ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 13.

¹⁰² Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 21.

¹⁰³ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 21.

students.”¹⁰⁴ The third example is of West Division High and Washington High exchanging two districts to prevent West Division becoming 75-100% black due to white out-migration.¹⁰⁵

An excellent example of how the school board did all that it could to maintain segregation in education is the purchase of the Meinecke School to alleviate overcrowding in 1966. In 1964, under pressure from liberal members of the school board and the NAACP, the Board of Directors finally allowed children involved in intact bussing to remain at the receiving school for lunch but maintained segregation in the classrooms. The board refused an integration pilot program that would allow each student to integrate at his/her grade level.¹⁰⁶ In 1966, the board purchased a school in an all-black neighborhood that had been vacated by a Lutheran Church. This purchase was made to silence opposition to intact bussing. The board stated that this would alleviate overcrowding by providing three hundred children with a new school.¹⁰⁷ The board moved forward with this action to prevent integration by the creation of another all-black school. The black community responded by creating the Committee on Parent and Community Engagement (PACE) organization. PACE circulated petitions that objected to the all-black school and attended a hearing with the school board. By the start of classes, community members successfully processed transfers to different schools and were able to raise money for transportation to those schools because MPS did not pay for the transportation of students who chose to transfer out of their neighborhood school. The actions on behalf of the parents surprised the school board. During an interview with the study director, Board President Lorraine Radtke stated that “the two or three civil rights leaders down there have no following on this issue.

¹⁰⁴ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 22.

¹⁰⁵ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 22.

¹⁰⁶ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 68.

¹⁰⁷ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 68.

Those parents want their children to go to their own schools, they are not asking for integration, and they are not going to do anything about this new school but to go to it and enjoy it.”¹⁰⁸

Barbee concluded the Committee meeting by issuing their demands and expectations that were to be met by the beginning of the second semester on January 30, 1964, and if these demands were not met, then the NAACP would take legal action against the board.¹⁰⁹ Barbee and the NAACP expected the board to create a comprehensive plan that would include rezoning, transfer of students, building plans, new feeder patterns for certain schools, and changing the function or grade level of certain schools that would culminate in integrated public schools.¹¹⁰ Barbee’s demands also included “an explicit inclusion of racial integration as a major criterion for assigning teachers of all races, recreation workers of all races, counselors of all races, and administrators to schools throughout the city. And the integration of the self-contained classes which are now being transferred by bus from the negro [sic] Inner Core schools to under-utilized white schools.”¹¹¹ At the conclusion of the board meeting, Richard McLeod of CORE and Cecil Brown of the NNNPC formally endorsed the NAACP report.¹¹²

Despite Barbee’s defiant attitude and demands for public school integration, within a month of the previous meeting, the Story Committee remained silent. When the Committee reconvened on January 21, 1964, Barbee would have his chance to bring acute awareness to the issues regarding the black community in Milwaukee’s public school system.¹¹³ A dispute arose

¹⁰⁸ Lloyd Barbee, *Racial Isolation in Milwaukee Public Schools*, 71.

¹⁰⁹ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 5-6.

¹¹⁰ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 5-6.

¹¹¹ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 26.

¹¹² Dougherty, *More Than One Struggle*, 98.

¹¹³ Dougherty, *More Than One Struggle*, 98.

over seating for the meeting.¹¹⁴ Story suggested that because it was going to be a long evening, Barbee should come sit in an empty seat opposite himself. Barbee refused the empty seat because all three of the black community organizations who presented at the December 10th meeting were not invited to join.¹¹⁵ After discussing some details of the meeting Barbee stated, “but at this moment I think that we should make it clear that the position that the NAACP takes at this meeting is that since you insisted upon having all three groups make its presentation on December 10th, we insist that all three participate in the question and answer period.”¹¹⁶ This statement demonstrated the unity of the black community regarding integrating Milwaukee’s public schools. After a back-and-forth exchange between Barbee and Story regarding how the meeting was to proceed, Barbee asserted that, “we will not proceed unless all members of CORE and the North Side Inventory Conference people participate. That is the way that you insisted on having us appear before you in December, and that is the way that we will proceed now.”¹¹⁷ Story responded by telling Barbee that he was going to ask questions and that if he refused to answer than that was his prerogative. Barbee replied to Story by stating, “you will not ask me any questions unless you have all three groups,” and Barbee walked out of the meeting to an applause from members of the black community present at the meeting.¹¹⁸ Barbee was carried out on the shoulders of his supporters singing “we shall overcome” while being photographed by Milwaukee’s mass media.¹¹⁹

¹¹⁴ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 1.

¹¹⁵ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 1.

¹¹⁶ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 2.

¹¹⁷ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 2.

¹¹⁸ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 2-3.

¹¹⁹ Dougherty, *More Than One Struggle*, 99.

Story responded to this act of defiance by stating, “well, I think what we better do, let’s assume that Mr. Barbee is sitting there and I will proceed to ask questions of him and they will go in the record, and the record will show that he refused to answer the questions as I put them to him.”¹²⁰ Story proceeded to question Barbee’s empty chair for nearly two hours with carefully scripted questions that were intended to portray Barbee as a radical extremist whose views were not aligned with Milwaukee’s established community.¹²¹ Story continued, stating, “now, if Mr. Barbee were here I would ask him: wouldn’t this system meet opposition not only from white parents but also from negro [sic] parents? I don’t think negro [sic] parents want to be pushed around anymore than any other parents. Yet, that is one of the main points that I have heard discussed generally. I am sorry that Mr. Barbee isn’t here to answer this specific question.”¹²²

MUSIC, Freedom Schools, and School Boycotts

In March of 1964, Barbee, along with members of the NAACP, NNNPC, CORE, and other community members, formed the Milwaukee United School Integration Committee (MUSIC) whose purpose would be to form grassroots activism to combat school segregation.¹²³ The Committee unanimously elected Barbee as its president.¹²⁴ Unlike earlier movements led by William Kelley and others, the focus was now solely on school segregation. Milwaukee’s fight for integrated schools was like integration movements in the South because it was not carried out as a united front, but rather as a diverse collective with different motivations and ideologies.¹²⁵ In Virginia, moderate politicians sought to integrate public schools slowly, but still in compliance

¹²⁰ Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 3.

¹²¹ Dougherty, *More Than One Struggle*, 99.

¹²² Milwaukee Public Schools Board of Directors, *Minutes of the Meeting of the Special Committee on Equality of Educational Opportunity*, 21.

¹²³ Nelsen, *Educating Milwaukee*, 23.

¹²⁴ Dougherty, *More Than One Struggle*, 104.

¹²⁵ Dougherty, *More Than One Struggle*, 107.

with the *Brown* ruling, while officials in the Byrd Machine sought to defy the ruling, believing it was unconstitutional. Some activists involved in MUSIC participated to achieve integrated schools; others joined because they believed that MUSIC's strategy was the best way to gain more resources for black schools, strengthen black identity, and fight white supremacy.¹²⁶ The number of all-black schools was rising in Milwaukee; school board officials carefully changed school boundaries using seemingly colorblind criteria such as school capacity, traffic routes, and industrial barriers.¹²⁷ Members of MUSIC led peaceful demonstrations against intact bussing and boycotts of schools. The first of these peaceful presentations occurred in February 1964, when over three hundred protesters picketed the school administration building and teams of protesters "began forming human chains around buses to prevent the transport of black children to isolated classrooms."¹²⁸ Following a school board election in the summer of 1964, the board approved a one-million-dollar budget for compensatory education programs for black students.¹²⁹

On May 18, 1964, MUSIC organized "Freedom Day" that encouraged parents to join a one-day mass withdrawal from public schools to "protest and dramatize the evils of our segregated schools and the inferior education offered to our children."¹³⁰ Freedom Schools were an integrated alternative to Milwaukee public schools. The general objectives of the Freedom Schools included teaching students about the individual differences on the family level, that people are important, and broadening their general understanding of human relations.¹³¹ The curriculum was "designed to emphasize the four concepts of freedom, justice, brotherhood, and

¹²⁶ Dougherty, *More Than One Struggle*, 107.

¹²⁷ Dougherty, *More Than One Struggle*, 93-94.

¹²⁸ Dougherty, *More Than One Struggle*, 104.

¹²⁹ Nelsen, *Educating Milwaukee*, 25.

¹³⁰ MUSIC Records, "Freedom Day School," *Freedom Day School*, 1964, Box 1, Folder 3, Freedom Day School, May 18, 1964, and Public-School Boycott, October 1965, Archives Department, Golda Meir Library, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin.

¹³¹ MUSIC Records, *Program of Activities*, 1.

equality” and was centered around black history and culture, but also included normal school activities such as essay writing, reading, small group discussions, and singing during breaks.¹³² Members of MUSIC passed out flyers encouraging a boycott of the public schools. This action was like the massive resistance that took place in Prince Edward County, but on the opposite side of the dispute. While MUSIC was encouraging students to boycott public schools, they were providing an integrated alternative. Therefore, education was available to students of both races, in contrast to the private schools in Prince Edward only being available to white students. The boycott flyers stated that parents should keep their children out of school because black children were receiving an inferior education in segregated schools, and “almost one year of NAACP, CORE, and NNNPC efforts have met with continuous refusal to even recognize segregation in Milwaukee schools. The school board in its current work sessions, has not yet begun to deal with the problem. The school board continues to segregate 37 class of negro [sic] children who are bussed to white schools.”¹³³ Approximately 11,000 black and white children boycotted Milwaukee’s public schools, instead attending a Freedom School at one of 33 churches in the Inner Core.¹³⁴ The teachers were instructed to provide the parents of each child a mass-produced excuse for the absence from their regular public school.¹³⁵ Teachers were also instructed to tell students that upon their return to school, they should conform to the principal’s request if the parents were asked to come to the school, and “any unjust punishment for absence on May 18, should be reported to parents, who should, in turn, report it to the school principal, the superintendent of schools, and MUSIC.”¹³⁶ The parents were encouraged to join picket lines at

¹³² MUSIC Records, *Teachers Guide for Freedom Schools*, 3.; Nelsen, *Educating Milwaukee*, 24.

¹³³ MUSIC Records, “*Freedom Day School*,” 1.

¹³⁴ MUSIC Records, “*Parents Instructions*,” 1.; Dougherty, *More Than One Struggle*, 104.

¹³⁵ MUSIC Records, “*Teachers Guide for Freedom Schools*,” 2.

¹³⁶ MUSIC Records, “*Teachers Guide for Freedom Schools*,” 2.

segregated public schools in the Inner Core after they dropped their children off at the Freedom Schools.¹³⁷

White Milwaukeeans still resisted any change to the operation of the schools. A group called the Citizens, “sent a petition with 732 signatures to the school board to uphold and support the neighborhood school system as it now exists under law.”¹³⁸ The mainstream media also opposed the tactics used by MUSIC. The director of news and public affairs for WITI-TV Channel 6 Carl Zimmerman called the NAACP’s complaints about segregation “unjustified and said it was simply ‘a matter of geography,’ ignoring the evidence that the school board promoted segregation.”¹³⁹ In 1965, following the election of School President John F. Foley, the board allocated more funding for compensatory education programs that included “funding for lowering student-teacher ratios, tutoring, reading centers, full-time prekindergarten teachers, welfare and psychological counseling, and special orientation programs.”¹⁴⁰ MUSIC continued their peaceful protests, staging a second school boycott on October 18, 1965. The second boycott was scheduled to last a week from October 18 through October 22, 1965.¹⁴¹ The second boycott was not as effective as the first with only “7,500 students attending the first day, and 4,300 students the second day.”¹⁴²

In 1965, while the protests were ongoing, Barbee and the Milwaukee NAACP filed a class action suit in the United States District Court for the Eastern District of Wisconsin on behalf of the parents of black and white children in *Amos et al. v. the Board of School Directors*

¹³⁷ MUSIC Records, “Parent Instructions,” 2.

¹³⁸ Nelsen, *Educating Milwaukee*, 24.

¹³⁹ Nelsen, *Educating Milwaukee*, 25.

¹⁴⁰ Nelsen, *Educating Milwaukee*, 25.

¹⁴¹ MUSIC Records, *Facts About the Freedom Schools and the Pending School Boycott, Oct. 18-22, 1965*, 1.

¹⁴² Nelsen, *Educating Milwaukee*, 26.

of the City of Milwaukee¹⁴³ According to the NAACP, the case was filed “to attack school segregation in Milwaukee by way of court action. This was the culmination of the continuing action of the more enlightened citizens of Milwaukee, black and white, to place direct pressure on the board by means of verbal confrontations and boycotts to end school segregation.”¹⁴⁴ The case took 11 years to come to a decision in 1976, when the court determined that “Milwaukee Public School authorities engaged in practices with the intent and for the purpose of creating and maintaining a segregated school system, and that such practices had the effect of causing current conditions of racial imbalance in the Milwaukee public schools.”¹⁴⁵ Judge John Reynolds concluded that the defendants had knowingly “carried out a systematic program of segregation affecting all the city’s students, teachers, and school facilities, and have intentionally brought about and maintained a dual school system. The court therefore holds that the entire Milwaukee school system is unconstitutionally segregated.”¹⁴⁶ However, during the trials, Judge Reynolds findings avoided the issue of the quality of teaching in Inner Core schools.¹⁴⁷ Judge Reynolds concluded his ruling by emphasizing that he “was astonished at trial to learn from the testimony of the Milwaukee school officials that they honestly believed that twenty years after *Brown v. Board of Education of Topeka*, they could knowingly and intentionally operate a segregated school system because they believed it was educationally superior to an integrated system.”¹⁴⁸

¹⁴³ Lloyd Barbee, “Transcript Amos vs. School Board,” *Transcript Amos VS School Board*, 1973, Box 107, Folder 1, Lloyd Barbee Papers, Archives Department, Golda Meir Library, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin.; NAACP Milwaukee Branch, *The Attack on Segregation in Milwaukee*, Undated, Box 7, Folder 16, Milwaukee, Subject File, Desegregation, Archives Department, Golda Meir Library, University of Wisconsin-Milwaukee, Milwaukee, Wisconsin.

¹⁴⁴ NAACP Milwaukee Branch, *The Attack on Segregation in Milwaukee*, 1.

¹⁴⁵ Charne. “The Milwaukee Cases,” 83.

¹⁴⁶ *Amos et al. v. Board of School Directors of the City of Milwaukee*, 112 F. Supp. 134 (U.S. District Court, East Dist.: Wisconsin, 1976).

¹⁴⁷ Dahlk, *Against the Wind*, 39.

¹⁴⁸ *Amos et al. v. Board of School Directors of the City of Milwaukee*, 135.

No effort was made to adhere to the *Brown* ruling in Milwaukee. Instead, public school officials used intact bussing, compensatory education, school boundaries, and the neighborhood school system to maintain segregated public schools until over two decades after the *Brown* decision. Lloyd Barbee and several other civic organizations fought for integrated public schools by organizing protests, school boycotts, and taking legal action against the Milwaukee School Board. The actions taken by the Milwaukee School Board served to maintain segregated public schools longer than those in Prince Edward County by twelve years. This research has demonstrated that although the spotlight was on the massive resistance in the South, cities like Milwaukee were equally aggressive in preventing integrated public schools.

Conclusion

This research sought to compare white resistance to public school integration in Prince Edward County, Virginia and Milwaukee, Wisconsin following the 1954 *Brown* decision. I used historical archival materials to permit comparisons between the types of resistance to integrated public schools in both locations under analysis. The questions that I sought to answer with this project are: How was the resistance that occurred in Milwaukee different from the forms that occurred Prince Edward County (PEC), Virginia? Who were the key figures/institutions that sought integration of public schools in Milwaukee and Prince Edward County (PEC), Virginia? Who were the key figures and institutions that sought to prevent the integration of public schools in Milwaukee and Prince Edward County (PEC), Virginia? What are the similarities and differences in tactics and processes used to prevent the integration of public schools in Milwaukee and Prince Edward County (PEC), Virginia?

Both areas under analysis made a concerted effort to prevent integrated public schools. Following the *Brown* decision, Milwaukee public school officials made no effort to desegregate their public schools. MPS officials instituted compensatory education, adhered to the neighborhood school system, and utilized an intact busing system to maintain a segregated school system. These processes were used to prevent integrated public schools until 1976. Judge John Reynolds ruled that Milwaukee Public school officials intentionally segregated schools believing that it was in the best interest of white students. Officials in Prince Edward County Virginia offered to build black students a new high school in exchange dropping their lawsuit; MPS officials believed that providing compensatory education to provide better resources to black schools so that they were equal to those of their white counterparts [separate-but-equal]. Both areas under analysis used the concept of separate-but-equal to prevent integrated public

schools. The use of intact bussing by Milwaukee public school officials to relieve overcrowding was different than Prince Edward's attempt to relieve overcrowding by building inadequate tar paper shacks. However, both practices demonstrate the lengths that both areas would go to maintain segregated public schools. MUSIC led Freedom Schools were a similar approach to the massive resistance that took place in Prince Edward County. However, while MUSIC was encouraging students to boycott public schools, they were providing an integrated alternative. Therefore, education was available to students of both races, in contrast to the private schools in Prince Edward only being available to white students. In both areas under analysis, public schools were not integrated until decades after the *Brown* decision. In Milwaukee public schools did not begin integrating until Judge Reynolds 1976 ruling, while Prince Edward County did not integrate their schools until 1964. However, Prince Edward County did not integrate their private academy until 1986, so a segregated option remained available to white students thirty-two years after the *Brown* decision. In both cases it took court action to integrate public schools.

The case of Prince Edward County demonstrated the lengths that school and political officials would go to prevent integrated their public schools. The Byrd Machine instituted the massive resistance laws that would close schools throughout the state. After the Supreme Court of Virginia ruled that the practices used in the state were unconstitutional, Prince Edward County still refused to integrate their schools. Instead, they closed all the schools in the county and established a private academy for white students, leaving black students with few educational opportunities. Policies in Milwaukee, such as the 1955 Oak Creek Law enabled suburban cities to enact exclusionary zoning policies that concentrated the black population in the Inner Core of the city. The school board used this to their advantage and kept public schools segregated using the neighborhood school system. While political officials in Prince Edward county took extreme

measures to prevent integrated schools, officials in Milwaukee enacted policies that served to maintain its segregated public schools by confining the black population to the Inner Core.

This research has demonstrated that while public attention was focused on the extreme measures being taken to prevent public school integration in cities in the South, northern cities were also working to prevent integration. Future research could focus on comparing other northern and southern cities white resistance to integrating public schools. There were many northern cities that worked to prevent integration around the country and there may be some similarities to southern cities in those cases.

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