

Selected Participants' Abstracts From the National Museum of American History's Symposium on Race and Rights: *Brown v. Board of Education* and the Problems of Segregation, Desegregation, and Resegregation in the United States.

"Remembering Jim Crow: African American Life in the Segregated South"

Dr. Raymond Gavins, Duke University and Woodrow Wilson Fellow

Abstract

Oral narratives collected by the "Behind the Veil Project" at Duke University document the daily lives of African Americans who came of age in southern states between 1890 and 1960. Narrators include men and women from different educational backgrounds, social classes, occupations, geographic regions, and political outlooks. They talk about the Jim Crow laws and customs, which subjected them to discrimination, exploitation, indignity, and violence. Yet they also tell of fighting back: in day-to-day acts of courage; building churches, schools, and colleges; developing women's, fraternal, and mutual benefit societies; supporting civic associations and "race" businesses; educating children; and struggling for freedom. Blacks sustained "a world that white people hardly knew and understood even less." Using their testimony, along with documentary sources, American history and museum educators can enlarge public knowledge of how black communities courageously affirmed themselves, endured oppression, and struggled for civil rights

"From *Brown* to *Grutter*: Towards an Inclusive Vision of Constitutional Equality"

Dr. Linda Greene, University of Wisconsin-Madison

Abstract

Brown and its predecessors—*McLaurin* and *Sweatt*—signaled the possibility of a new racial order. Though path breaking, *Brown* set forth no standard for the future evaluation of America's myriad subordinating structures. Subsequent Court decisions, political developments, and rhetoric weakened *Brown's* transformative potential. *Grutter* links full citizenship to educational access. Institutional legitimacy to non token minority inclusion, and linked individual consideration to the full enjoyment of equal protection. *Grutter undermines* passive approaches to equality that make minority participation optional endeavor. Read broadly, *Grutter* requires us to undertake the unfinished work of *Brown*.

“From Litigation to Legislation: Organizational Craft And The Relationship Between the *Brown* Decision and the 1965 Voting Rights Act”

Dianne M. Pinderhughes
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Abstract

From the 1930s through the 1950s civil rights organizations had no easy access into national legislative and executive arenas in which policy was made. But during this period new organizations such as the National Council of Negro Women, Washington Bureau of the NAACP, the Leadership Conference on Civil Rights, and others such as the National Association of Colored Graduate Nurses built connections in a variety of ways which enhanced their ability to reshape the political arena, build relationships in the Washington community of representatives, and for the first time to cultivate support from members of Congress. These African American and civil rights groups served as the organizational foundations for communicating with the legislative and executive branches, for taking advantage of the openings created by the NAACP Legal Defense Fund’s successful prosecution of *Brown v. Board of Education* in 1954, and for leveraging and accelerating the passage of legislation in the 1950s and 1960s as local protest movements began to illuminate pervasive resistance to recognition of African American citizenship.

“The Association Has Decided on the Direct Attack”

Dr. Ronald Walters, University of Maryland–College Park

Abstract

The thesis of my presentation was that inasmuch as *Brown v. Board of Education* was a significant spark to the modern Civil Rights movement of the 1960s, it was also the culmination of a militant social strategy by the NAACP that began with its founding in 1909, that involved protesting racial injustices, but by 1935 had also evolved a legal approach to achieve racial integration in education. The organization's strategy achieved substantial success during the Roosevelt administration era. As such, it pursued full black participation in World War II, fair employment practices and an end to lynching at home and integration in both the military services and the domestic War Industries. After the War, the United Nation's creation and its promotion of humanistic values of equality and dignity of all peoples gave them legitimacy among the American people. The NAACP matured as a political force, supporting not only President Roosevelt, but his successor Harry Truman, whose responsiveness to new legitimacy of civil and human rights bolstered the organizations confidence to challenge to entire edifice of racial segregation vested in the doctrine of *Plessy v. Ferguson*. Thus the adroit exploitation of opportunities created by the NAACP and by other forces of history were vital in setting the stage for Brown.

Prof. Frank Wu, Howard University School of Law

Abstract

Between the Supreme Court's 1896 decision of *Plessy v. Ferguson* and its 1954 decision in *Brown v. Board of Education*, the "separate but equal" doctrine allowed racial segregation to flourish. During that time period, the court also considered the Japanese American internment during World War II. In a series of four cases, the Justices allowed the internment without directly addressing the constitutionality of the indefinite detention of 125,000 individuals, 2/3 of them United States citizens, on the basis of their Japanese ancestry. Since then, the rulings have come to be understood as establishing the "strict scrutiny" standard of judicial review, applicable to governmental uses of racial classifications. There has been, however, virtually no analysis of the relationship of the internment cases, which were not regarded at the time as related to race and the results of which have subsequently been repudiated though not overruled, and the desegregation cases, which were regarded at the time as emphatically concerning race and the results of which have subsequently been celebrated as an ideal. A comparison of the internment cases and the desegregation cases suggests that race jurisprudence could follow a better course if, instead of the internment cases, the desegregation cases, especially *Brown*, formed the foundation for analysis.