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United States Court of Appeals for the Sixth Circuit

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ANATOMY OF RACISM

Damon J. Keith*


The liberal, southern white, analyzing the causes and effects of racism, offers a perspective on events and attitudes quite different from that normally expressed in scholarly treatises. Noted journalist Harry Ashmore lends credence to this assertion by structuring the history of racism as a personal narrative. In the first fifth of his book, Hearts and Minds, Ashmore introduces the subject, interlacing his family background with historical and philosophical views of racism in the South from early slavery days to the end of World War II. The remainder of the book chronicles the beginning of the civil rights movement, from the demands for social change made by returning black GI's to the current dilemmas of major cities. While providing rare insight and an almost poetic feel for the tone of the South, some of these passages and chapters present certain facts and moments as more or less than historians have recorded.

The writer is at his best when he comments on his own journalistic profession and those historic moments of which he was a part. Born in Greenville, South Carolina, and educated in the public schools and at Clemson College, Ashmore has been a Nieman Fellow at Harvard and has received LL.D. degrees from Grinnell, Oberlin and the University of Arkansas. His writing credentials are impeccable. As executive editor of the Arkansas Gazette, Ashmore and his newspaper were awarded the first double Pulitzer Prize for the courageous stand against Governor Orval Faubus and the Citizens Councils during the 1958 crisis in Little Rock. No one can dispute the writer's analysis of the facts of that historical event (pp. 251-86). Here we see this white southern liberal's personal beliefs and love for the South framed by the moral issue of equality. His role, as a journalist, in that historic encounter defines the strength of man's spirit against formidable odds.

The strength of Ashmore's analysis is his presentation of history by anecdote. He couples vivid profiles of southern white and black leadership with behind the scene accounts of the acts of presidents, beginning with FDR, which preceded the great civil rights decisions. Even when Ashmore gives the reader an historical account of Brown v. Board of Education, the

* Circuit Judge, United States Court of Appeals for the Sixth Circuit. — Ed.
reader views the decision through the personal reaction of the judiciary. Earl Warren, respecting the separation of powers, never made any public complaint about the manner in which the Court was left twisting in the wind, and I never heard him discuss the matter privately, although he could be quite sulphurous on the conduct of one of Eisenhower's successors, Richard Nixon. After both principals were dead, one of the last survivors of the Warren court, Justice Tom Clark, said, "If Mr. Eisenhower had come through, it would have changed things a lot." In his posthumous memoir, Justice Douglas was more outspoken: "... if he had gone to the nation on television and radio telling the people to obey the law and fall into line, the cause of desegregation would have been accelerated. Ike was a hero and he was worshipped. Some of his political capital spent on the racial cause would have brought the nation closer to the constitutional standards. Ike's ominous silence on our 1954 decision gave courage to the racists who decided to resist the decision ward by ward, precinct by precinct, town by town, and county by county." [Pp. 219-20.]

Ashmore's historical composite lays no claim to providing additional legal insight into such cases as Brown and Plessy v. Ferguson. Rather, the author attempts to recreate the mood and setting of such historic legal decisions and to speculate on their political and social effects. In 1953, as the project director of the Fund for the Advancement of Education, Ashmore coordinated a multifaceted study of existing biracial education, which was published one day before Brown was decided. His timely report discussed procedures for the desegregation of public schools and described the prevailing conditions in the separate but equal schools (pp. 202-04). Here again, Ashmore was defining history through his writing while at the scene of activity.

Despite his praiseworthy accomplishments, the author's frequent use of fact without research authority is troubling and misleading. For example, Ashmore asserts that most of his Southern ancestors did not believe in the cause of the Confederacy (p. 51), that miscegenation was rare during slavery (p. 48), and that except for the Nat Turner uprising in Virginia in 1831 there were no major incidents of organized insurrection (p. 53). The reader becomes uneasy with the facts as given. History indicates that there were three major revolts and many slave uprisings.

In another instance the author states that "[t]he first thoroughgoing scholarly examination of slavery was undertaken by Ulrich Bonnell Phillips" who first published in 1918 (p. 43). There are, however, scholarly stud-

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3. 163 U.S. 537 (1896).
4. Retired Supreme Court Justice Owen J. Roberts was chairperson of the board of directors of the Fund, which was subsidized by the Ford Foundation. P. 202.
5. The men who led these major revolts were Gabriel Prosser (whose uprising was aborted on August 30, 1800, when he was betrayed by two slaves); Denmark Vesey (whose planned uprising was aborted under similar circumstances in 1822); and Nat Turner (whose twenty to thirty followers massacred approximately fifty whites in 1831). P. BERGMAN, THE CHRONOLOGICAL HISTORY OF THE NEGRO IN AMERICA 82-83, 118, 141 (1969).
6. Id. at 19-217. There were slave uprisings and conspiracies in Georgia (1774 and 1810); Kentucky (1810); Louisiana (1791, 1795, 1811, 1853); Maryland (1817); New York City (1704, 1712); North Carolina (1775, 1792, 1802, 1810); South Carolina (1739, 1775, 1816); Virginia (1687, 1730, 1792, 1799, 1800, 1813).

Ashmore is consistent in his reluctance throughout the narrative to give the Ku Klux Klan more than a cursory acknowledgement, and he almost apologizes, in a vignette, for the Klan’s existence. The author states that Wade Hampton, his grandfather’s Civil War commander, frightened blacks as a Klan proponent one year, yet wooed the “Negro” vote when he ran for public office several years later (p. 67).

Fortunately, the book overcomes certain historical omissions and gives us another approach to race relations analysis. The writer observes:

Almost without exception the planters who left behind diaries and correspondence incorporating their private views expressed full confidence in the loyalty of their own slaves.

But the same men who had confidence in their own slaves believed that collectively the black population could be incited to wage... "servile war" against their masters, and this prospect came to provide the ultimate argument against emancipation. [P. 53.]

Particularly useful is Ashmore’s analysis of national leaders. He illustrates how most white leaders have embodied the same racial frustrations as those they led, allowing the reader to speculate that it may be the time and crisis more than the man that compels greatness from any individual.

Citing the failure of the Liberian repatriation scheme, Lincoln posed and answered the burning question: “What next? Free them and make them politically and socially our equals? My own feelings will not admit of this, and if mine would, we well know that the great mass of white people’s will not.” [P. 55.]

Similarly, Ashmore pragmatically evaluates John and Robert Kennedy, juxtaposing their personal sensitivity to the plight of blacks with their public acts.

I think it is fair to say that the matter of race was an abstraction to both Kennedys when they first faced the necessity of dealing with it. . . . The Kennedys would in the way of their Harvard classmates treat the injustice of the Negro’s lot as given, and ascribe it primarily to the stubborn perversities of white Southerners. [P. 364.]

Ashmore characterizes President Kennedy’s approach to civil rights as intellectual while observing that Bobby Kennedy’s civil rights attitude changed “from a personal disinterest expressed in the view that those who worked in the cause were soft-headed bleeding hearts, to a pragmatic acceptance of the black vote as essential to his brother’s presidential election, to an almost mystic identification with all the poor and dispossessed” (p. 365).

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My personal recollection of the Kennedy years lends credence to Ashmore's statements. When John Kennedy was a Senator deciding whether to run for president and having some difficulty garnering black support, the Honorable G. Mennen Williams, then Michigan's governor, agreed to invite a group of black leaders to a roundtable discussion at the Kennedy's Georgetown home. I was part of the contingent flown from Detroit on the Kennedy's private plane, The Caroline. After lunch, while participating in an afternoon discussion as group spokesperson, I asked Senator Kennedy if he favored the sit-in demonstrations in the South. The Senator, just back from a campaign trip in West Virginia, replied that he was for the sit-in demonstration as “long as Negroes conducted themselves orderly.” I offered that Senator Hubert Humphrey had said he unequivocally approved of the sit-in demonstrations and suggested to the Senator that he was either for the sit-in demonstrations or against them.

After a heated exchange, Kennedy commented that his knowledge of blacks was limited due to the small number or blacks in Boston. Governor Williams intervened at this point and said, “Jack, what Damon is saying is simply this. If I invite you to my house for dinner, I don’t tell you to be sure to wash your hands.” To Kennedy's credit, he answered, “Soapy, I've got it. Let's move on to the next point.”


The author provides an interesting sketch of the growing black middle-class leadership and traces the origin of such organizations as the National Association for the Advancement of Colored People (NAACP). A most interesting view of the development of Howard University Law School allows a general readership insight into black life normally commented upon by black writers only (p. 166-68).

The book's title *Hearts and Minds* is taken from the following quotation from Chief Justice Earl Warren's opinion in *Brown v. Board of Education*, which prefaces Ashmore's historical account of racism:

> We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other “tangible” factors may be equal, deprive the children of equal educational opportunities? We believe that it does. . . . To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone. [P. ix].

The book closes with an examination of current urban problems and a discourse on the importance of good public education to break the chain of poverty in inner cities. Ashmore quotes Judge Paul Egly, who presided

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over cases evolving from court ordered desegregation in Los Angeles after years of hearing criminal cases in which a preponderance of the defendants were Latinos and blacks:

"I think I have learned the answer in the four years I've been listening to the Los Angeles [school] case," he said. "In my opinion there is a direct correlation between the ability of the child to compete in our society and the crime rate. . . . We've said these people should be warehoused until they're sixteen or so and then forget it. That's exactly what the Los Angeles Unified School District has been doing. . . . When we end up, we have produced a large number of children who cannot function in our society."

[PP. 483-84.]

Ashmore closes the book by stating the lesson from the history of racism, including the civil liberties and civil rights struggles, is that hearts and minds can be changed "not by exhortation, or coercion, but through governance that recognizes the possibilities, as well as the limitations, of our pluralistic heritage" (p. 495). The burden, therefore, is on those in positions of authority who can foster and control societal change.