

Let History Speak:
How 1868, 1901, and 1956 help us find our voice today
Ann McColl
Script, April 2025

Script notes: The roles of Ann McColl and Warren Keyes are identified with the last name in **BOLDFACE ALL CAP** prior to the part. Audio clips --pre-recorded tapings-- included with the slides are indented and in italic. Slide titles are provided throughout in ALLCAP UNDERLINE.

SLIDE 1: LET HISTORY SPEAK

MCCOLL

Hello. Welcome to this presentation of Let History Speak. I am Ann McColl. Since 2008, I have given hundreds of presentations across North Carolina, including re-enactment performances at the State Capitol. I referred to these presentations as "Constitutional Tales," as they used key revisions to the state constitution to explore critical times and influential voices in the state's history. These tales were based on original documents I found in library and state archives: letters, reports, and legislation.

SLIDE 2: HOW 1868...

The change in title, from "Constitutional Tales," to "Let History Speak," reflects a shift in emphasis to address our greater sense of urgency that we learn from history as we live in our own historical period.

SLIDE 3: 1868 FREEDOM AND POSSIBILITY...

We have had periods of freedom and possibility; times so hard that it was "making a way out of no way"; and collisions of hopeful visions with resistance to change. Specifically, I'm referring to these three time periods around 1868, 1901, and 1956.

SLIDE 4: 1868...CREATING

To tell the stories from these time periods, I am asking my friend and colleague, Warren Keyes, to join me. Warren has been a part of the live presentations at the State Capitol. I am very grateful, Warren, to you for your help in sharing this history.

Welcome.



KEYES

Thanks, Ann. [From transcript: I'm truly grateful to you for introducing me to Constitutional Tales and now letting me on Let_History_Speak. It is an honor to be a part of this revelatory body of work.]

SLIDE 5: 1868 FREEDOM (SOLE ISSUE)

Let's start on a high note when there was a real sense of freedom and possibility in the reconstruction period after the Civil War. Because we are going to focus on developments in public schools, let's start before the war, in the mid-1800s. At this time, the state was beginning to commit to the concept of public education.

SLIDE 6: "WE CAN NEVER..."

Here's Calvin Wiley, the first superintendent elected by the legislature, as he makes his pitch.

We can never have a thorough and perfect system of instruction adapted to the circumstances of all the people, except at the expense and under the direction of the state.

The state alone has the means, and the state, by adopting a wise system, can diminish the cost and make education by a universal system of district schools cheaper than it can be afforded on any other plan. CHY 1854 report.

With our emphasis on letting history speak, I invite you to carefully consider what these historical figures had to say. Does Superintendent Wiley's statement ring true to you?

Putting together a system of schools took time. Some communities did not have any schools. Others varied in the length of their school year, salaries for teachers and the teachers' qualifications. We had to build towards such a system.

SLIDE 7: TABLE SHOWING NUMBER...

This is one of Superintendent Wiley's reports around the same time period. It is the beginning of patching a system together.

Even with these significant efforts, we also have serious problems. This system that the state is building is not for everyone.

SLIDE 8: CHAPTER 111. SLAVES...

It is only for white people, and because it is understood how powerful education is, the state enacted criminal penalties for attempting to educate people who are enslaved.

SLIDE 9: LEGISLATION

You might imagine that the Civil War would resolve this problem, but, instead, the state is in chaos. Those in power are the same people who took the Confederate stance in the Civil War. Rather than serving all children, they are willing to abolish the school system.

Less than a year after the Civil War, the General Assembly passed legislation in North Carolina to remove the only two positions that we had in the state. The legislature also eliminated the only designated funds at the state level for public education. And the General Assembly removed any local requirements for providing education.

SLIDE 10: FREEDMEN'S CONVENTION

And what was the response of communities? An important one emerged after the war. Black free and freedmen assembled at the Freedmen's Convention in Raleigh to chart a path forward. This community in North Carolina was one of the first of its kind in the South to come together.

SLIDE 11: CONSTITUTION OF THE EDUCATIONAL ASSOCIATION

One of the initiatives to come out of this gathering is the creation of the Education Association of the Colored People of North Carolina.

The object of this association shall be to aid in the establishment of schools from which none shall be excluded on account of color or poverty and to encourage unsectarian education in this state, especially among free men.

James Harris, a free man in Raleigh from before the war, pressed this concept forward. He was a prominent leader and was influential in creating an extensive grassroots effort among the newly free Black citizens to focus on the need for public education.

SLIDE 12: STATE CAPITOL IMAGE

Now it is time for us to arrive at the state capitol for the 1868 Constitutional Convention.

SLIDE 13: REGULAR REPUBLICAN TICKET

Delegates are elected from their region. What is going to keep the same people who were in power before the Civil War from showing up as delegates?

SLIDE 14: MILITARY RECONSTRUCTION ACTS

Congress. Having seen the Southern leadership's responses after the Civil War, Congress passed the Military Reconstruction Act of 1867. This Act mandated that those who had been loyal to the Confederate cause could not be in power. As a result, the Republican Party, which was known at the time as the anti-slavery, pro-abolition, Lincoln Party, wins 107 of the 120 seats. In addition, this is the first time that a significant number of Black candidates are elected to serve in an official capacity. Further, this unique coalition will be created with white delegates both from inside and outside of the state.

It is fair to say that this is a completely different group of people showing up to change the North Carolina Constitution. This is that sense of freedom and possibility. There are no enslaved and free: all are free. They have the votes. They can do what they think is right for the state.

SLIDE 15: ASHLEY PHOTO

One of these people is Reverend Samuel Stanford Ashley. He came from Rhode Island. He was a preacher and an educator.

SLIDE 16: WILLISTON SCHOOL

The Williston School in Wilmington is one of the many schools that he created when he came to North Carolina during the war as a part of the American Missionary Association.

SLIDE 17: DECLARATION OF RIGHTS

Now as a delegate, he chairs the education committee which gives him significant influence on the development of the education section of the constitution. But, here, he is responding to a report from another committee on the first article of the Constitution, the Declaration of Rights. This section includes fundamental rights such as the right to vote, to free speech and freedom of religion. Delegate Ashley offers an amendment on the floor of the convention.

The people have a right to the privileges of education, and it is the duty of the state to guard and maintain.

The provision is accepted.

SLIDE 18: ARTICLE IX, SECTION 2

He also proposes that we have a general and uniform system of education, using language he found in state constitutions in the mid-west.

SLIDE 19: LEANDRO V STATE

Together, these provisions capture the concept of the right to education. In 1997, the North Carolina Supreme Court referenced these provisions.

At the time this provision was originally written in 1868 the intent of the framers was that every child have a fundamental right to a sound basic education which would prepare the child to participate fully in society as it existed in his or her lifetime.

MCCOLL

What do you think of that language for support of public education? Something you may hear more about at the state and national level is how courts approach interpretation of constitutions. One method is originalism, which is the concept that the courts go back to the time when constitution was created or amended and determine the nature and scope of the right based on the circumstances existing then.

This approach tends to minimize a right, because society has changed so much or grown so much.

But look at what they did here. Prepare the child to participate fully in society as it existed in his or her lifetime.

Students now face a very different future than those in 1868, yet this interpretation allows the constitution to move right along with changing educational needs.

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SLIDE 20: REV. JAMES WALKER HOOD

KEYES

Reverend James Walker Hood is another one of the delegates at this constitutional convention.

He was a free person before the war. During the war, he comes to North Carolina to establish AME Zion churches. He becomes visible across the state when he presides over the Freedmen's Convention in 1865.

SLIDE 21: "I AM OPPOSED..."

In a constitutional convention, it can be just as important what doesn't get passed as what does. Here, conservative voices were seeking to require segregated schools in the constitution. James Walker Hood vehemently disagrees.

I am opposed to putting it in the organic law. Make this distinction in your organic law, and in many places the white children will have good school people, while the colored

people will have none better or what will be but little than none.

North Carolina was one of the very few southern states that did not provide for segregated schools in its constitution. This will change when white supremacists regain power in the state.

SLIDE 22: ASHLEY PHOTO AND REPORT

But in 1868, after the convention, Ashley, as the first elected state superintendent under the new constitution,

SLIDE 23: HOOD ASSISTANT SUPERINTENDENT

and Hood as assistant superintendent for Colored schools will work together toward providing public schools for all students.

SLIDE 24: W.E.B. DU BOIS

One of the most thoughtful observers of this time period is W.E.B. Du Bois. He concludes,

It is fair to say that the Negro Carpetbag governments established the public schools of the south.

And so just to sit with that for a moment. Many of us haven't heard this part of our history. Yet it can change your sense of the story of public education if you understand what has enabled us to move forward.

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MCCOLL

If you are listening to this presentation because you care about education, then it is important to recognize the enduring constitutional right to public education created in this convention.

If you care about governance and democracy, this convention is an extraordinary example of a coalition formed across race, geography, and lived experiences.

SLIDE 25: HOW DOES HAVING...

A question that I hope you will leave this part of the presentation with is, how does having a sense of freedom and possibility for a better future affect what you say and do? Does it lead you to being more creative and bolder? Does one success lead to another success?

If instead, you feel the weight of the world on your shoulders – if you feel more oppression than freedom – are there things you can do to tap into that energy of possibility?

SLIDE 26: 1901 MAKING A WAY...

KEYES

Let's move forward to our next time period that is captured by the events in 1901. You will see the phrase, "making a way out of no way."

This is a civil rights phrase brought to use by Howard Thurman, an African American Christian theologian who spoke to the Black experience in the United States. The phrase expresses a resolve to address seemingly impossible situations - like when the government intentionally disenfranchises its citizens and creates intentional inequities.

SLIDE 27: JIM CROW

We are speaking of the Jim Crow South. This is a time of segregation by law and the use of power by white supremacists to terrorize and intimidate Black citizens. Oppression also includes creating barriers to participating in the economy so that Black communities disproportionately suffer in their overall health and welfare.

SLIDE 28: PLESSY V. FERGUSON

The segregation laws were given the blessing of the United States Supreme Court in 1896 in *Plessy versus Ferguson*. This opinion stood for the proposition that that separate but equal satisfies the constitutional protections of the 14th amendment.

SLIDE 29: HARLAN DISSENT

A revered feature of the justice system is that it provides a means for dissent. This is what Justice Harlan had to say.

But in view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens...

There is no caste here.

The humblest is the peer of the most powerful.

Once again, we can pause to ask ourselves, how does this language resonate today?

SLIDE 30: ESTIMATED PERCENTAGE VOTING FOR GOVERNOR

Leading to 1901, it is important to take note of the high rate of voting participation among Black men. If you look at the white male participation, it is mostly in the mid to upper 80 percent. Black male participation goes all the way up to 98%. It drops into the 60s when terrorists keep them away from the polls.

Why did it matter if Black males were voting in large numbers? They were able to elect Black officials who became a part of the fusionist strategy to promote shared interests. And they were able to elevate their concerns through the political process.

SLIDE 31: TWO MAPS

White supremacists seeking to regain power tried various tools to suppress the impact of the Black male vote, including gerrymandering. Here you can see how districts were shaped over time from reasonable-looking puzzle pieces to strange configurations --

SLIDE 32: MAP/WAYNE COUNTY

in order to isolate Black voters into limited districts. While this improved the odds, overall, for white supremacists, it made it much more difficult to get elected in a district that now was made up of a majority of Black voters. This was the circumstance for Charles B. Aycock, who sought to be governor.

SLIDE 33: CONSTITUTIONAL AMENDMENT

He advanced another tool -- the literacy test: an eligible voter could be asked to read and write any part of the Constitution and if he failed to do so to the satisfaction of the official, he was denied the opportunity to vote.

SLIDE 34: GRANDFATHER CLAUSE

White men were grandfathered in until the year 1908 so that if they were illiterate, they would have time to learn to read.

SLIDE 35: N.C. ILLITERACY RATES

With this provision, Charles Aycock saw it as a way to incentivize white people to obtain an education and to support public schools. Why would this work? Well, the illiteracy rate among black males is over half -- which will help make disenfranchisement possible. Among white males, one-fifth will not be able to vote if they do not learn to read.

SLIDE 36: CHARLES B. AYCOCK

Here is how Aycock spoke about it in a speech for governor:

We have taught them much in the past two years in the University of White Supremacy, we will graduate them in August next with a diploma that will entitle them to form a genuine white man's party. Then we shall have no more revolutions in Wilmington; we shall have no more dead and wounded negroes on

the streets, because we shall have good government in the State and peace everywhere. But to do this we must disfranchise the negro. The amendment to the Constitution is presented in solution of the problem. The Democratic party knows the truth -- it is certain that the unlettered white man is more capable of government than the negro. But the opponents of the Amendment attack it on another ground. They say that every child who comes of age after 1908, white and black, must be able to read and write before he can vote. This is true. The schools are open and will be for four or more months every year from now to 1908. The white child under thirteen who will not learn to read and write in the next eight years will be without excuse. I tell you that the prosperity and the glory of our grand old State are to be more advanced by this clause than by any other one thing. Speak the truth, "tell it in Gath, the streets of Askelon" that universal education of the white children of North Carolina will send us forward with a bound in the race with the world. With the adoption of our Amendment after 1908 there will be no State in the Union with a larger percentage of boys and girls who can read and write, and no State will rush forward with more celerity or certainty than conservative old North Carolina.

Was the provision effective in disenfranchising Black male citizens? Completely.

SLIDE 37: ESTIMATED PERCENTAGE VOTING FOR GOVERNOR

Voting dropped to literally zero percent of Black males. This was accomplished by the combination of the literacy test, the discretion given to local agents in administering it and terrorism at the voting polls. And what about education?

SLIDE 38: IMAGE OF STATE CAPITOL

Well, it was a big campaign.

The Great Campaign for Public Education, as it was called. And you may have heard the phrase of a schoolhouse built every week. That's from this era.

SLIDE 39: SEND YOUR CHILDREN TO SCHOOL

Here is one of the news clips from the time period.

Next Monday will be an important day in Anson. The County Board of Education having decreed that all the public schools of the county shall open their doors that day.

It is a painful truth that many of our people have not, in the past, taken that lively interest in public education, which its importance demands. The white parents of the county should be informed that their children, who come of age after 1908, cannot vote unless they can read and write. Surely there is no white parent in Anson County and not have the privilege of the schools provided for them.

SLIDE 40: JAMES Y. JOYNER

The leader of this campaign is the elected state superintendent, James Y Joyner.

SLIDE 41: STATE SUPT TO SPEAK IN BERTIE CO.

He has a full schedule speaking at rallies and campaigns.

SLIDE 42: LETTER TO LOCAL SUPERINTENDENT

He also gives guidance to local superintendents. In response to a letter received from a superintendent, Joyner responds:

The negro schools can be run for much less expense and should be. In most places it does not take more than one fourth as much to run the negro schools as it does to run the white schools for about the same number of children. The salaries paid teachers are very properly much smaller, the houses are cheaper, the number of teachers smaller If quietly managed, the negroes will give no trouble about it.

So that's the intentional inequities. It answers the question of whether inequities were an intentional strategy or an unforeseen consequence of an agenda. The result of intentional inequity is stark. Here's what it looks like:

SLIDE 43: PUBLIC SCHOOL APPROPRIATIONS

The 1910 state budget allocates more than two and a half times as much for white students as it does for Black students.

And remember that Black males are disenfranchised and women have not yet gained the right to vote. It is not possible to use the democratic process for expressing concerns about these inequities.

If your "back is up against the wall" what do you do?

SLIDE 44: MAKING A WAY OUT OF NO WAY: NAACP

You might organize to create some political and legal power. The NAACP, founded in 1909, is just getting started in 1910. W.E.B. Dubois joins them that year as well and effectively uses his role as

head of publications and research to further speak to freedom through political rights.

One of the areas that the NAACP will address through lawsuits is the failure of school districts to uphold the equal part of the "separate but equal" language in *Plessy versus Ferguson*.

SLIDE 45: MAKING A WAY OUT OF NO WAY: JEANES TEACHERS

Another approach in a time period like this is to stay under the radar while moving an agenda forward.

That is one way to understand the extraordinary success of the Jeanes Teachers – and why so many of us do not know anything about them. Anna Jeanes was a Philadelphia Quaker woman. With her family's fortune, she gave a million dollars to improving opportunities for Black students, families and communities in the South by funding African American educators – mostly women – to give guidance and instruction within the white school systems.

That million dollars would be about 30 million in today's dollars. The state had a supervisory and coordinating role. The local school system -- the superintendent, the white board of education -- would have to agree to hire the Jeanes teacher.

While it varied from place to place, often the Jeanes teacher would supervise the education for Black students in their segregated schools. The Jeanes teachers rarely had specific, positional authority. In fact, it was important that these teachers could discretely interact with the white political structure. Even with these limitations, Jeanes teachers were heavily involved in the hiring and evaluation process, training of teachers, and establishing curriculum. In essence, they frequently acted as the de facto superintendents of Black schools.

SLIDE 46: MAKING A WAY OUT OF NOW WAY

Perhaps you know of Rosenwald schools. To gain access to the funds for building better schools required support from the Black community. Who made that happen? Often it was the Jeanes Teachers.

SLIDE 47: JORDAN IMAGE AND QUOTE

Carrie Jordan, Jeanes Teacher in Durham, North Carolina describes the process in her 1924 annual report.

"We found many of the school houses in such poor condition that they were really unfit for use..."

By explaining to the patrons in these communities the splendid offer of Mr. Rosenwald to assist them in obtaining new buildings, much interest was aroused ..."

SLIDE 48: HOW DO YOU SUPPORT

MCCOLL

And so that's a question that this time period leaves us with: how do you support public education – or any other feature of our democracy -- in a time when those in power are taking away rights and intentionally creating inequities -- when you feel your back is up against the wall? What additional strategies do you consider? How do you build community? How do you maintain your resolve?

SLIDE 49: 1956 HOPE MEETS RESISTANCE

KEYES

We move on to our third time period, "hope meets resistance." In 1956, North Carolina must determine how to respond to the mandates of Brown versus Board of Education.

SLIDE 50: BROWN V. BOARD OF EDUCATION

In this unanimous opinion in 1954, the United States Supreme Court declared, "We conclude that in the field of public education, the doctrine of separate but equal has no place." *Plessy versus Ferguson* is overturned in public schools.

By doing so, the Supreme Court adopted the dissent written by Harlan and made it the majority opinion.

SLIDE 51: THURGOOD MARSHALL STRATEGY CONFERENCE

Here is a photo published a few days later. You might recognize the man in the short-sleeved shirt and the tie. That's Thurgood Marshall, a lead legal strategist of the NAACP in dismantling of segregation – who later becomes a Supreme Court Justice.

You will see at the top of the slide that the photo comes from Pittsburgh Courier, the newspaper with the highest number of Black subscribers in the country.

At the bottom right, you can see a photo attribution given to Rivera.

SLIDE 52: ALEX RIVERA

This is Alex Rivera, a southern correspondent and photojournalist for the Pittsburgh Courier, based in Durham, North Carolina. He is tasked with following the aftermath of the *Brown* decision. Here are some of his headlines.

SLIDE 53: HEADLINES

*Teacher approves integration work in Tar Heel school.
Integration, it does work.
U.S. teachers vote yes on integration.
Dover High School integrated without any trouble at all
Segregation in West Virginia education is as dead as the do do
bird.*

MCCOLL

Notice how hopeful these stories are. They offer a shared vision of how we can move forward after *Brown*. If we only remember what happened -- the very slow struggle towards desegregation that was marked with violence and obstruction -- then we don't fully appreciate the tension of this time period of hope and resistance.

SLIDE 54: GOVERNOR HODGES

KEYES

In North Carolina, some of that resistance comes from Governor Hodges. Part of his strategy is to skirt the opinion by encouraging voluntary segregation - as opposed to segregation by law - and to attack those who challenged him. Here is part of his speech.

In spite of this outstanding record of good race relationships here in North Carolina, we are being made the object of a campaign by an organization which seems determined to destroy our interracial friendship and divide us into camps of racial antagonism.

This organization is known as the NAACP.

Those who would force this state to choose between integrated schools and the abandonment of the public school system will be responsible if in the choice we lose the public school system.

SLIDE 55: RIVERA FOR FIFTY YEARS

And Rivera responds.

The Negro knows that much of his progress is due directly to the relentless struggle of the NAACP to secure his rights. They know that the NAACP fought lynching to a standstill, beat the lily-white primaries, knocked out the all-white juries, won equal salaries for Negro teachers, removed the curtain from trained diners, had declared unconstitutional the restrictive covenant in housing, paved the way for integration in the military, opened the doors of the state universities, and provided other opportunities too numerous to mention.

For 50 years the Negro begged for equal facilities, guaranteeing him under the willow, the wisp, separate but equal law. What did he get for his trouble? Insults, threats, and an educational system that has sealed the genius of generations of Americans.

SLIDE 56: COMMUNISM HITS SOUTH

Not everybody saw it the way Rivera did. Some connect integration with communism. This is a reminder that while Cold War tensions had relaxed some by the mid-fifties, it is still an easy trigger for fear.

SLIDE 57: WESLEY CRITZ GEORGE

This copy of the newspaper belonged to Wesley Kurtz George. He was a professor in the anatomy department at the University of North Carolina. Reminiscent of the efforts during World War II, George sought to provide a scientific basis for white superiority as a basis for defying *Brown*.

SLIDE 58: RACE, HEREDITY, AND CIVILIZATION

He creates a seven-page document called "Race, Heredity, and Civilization." Here is one excerpt from it.

When we bring young people of the two races together in intimate social relationship we promote the protoplasmic mixing of the races. This will result, as generations come and go, in the production of an ever increasing proportion of mixed breed people and a lessening of pure strains. In my judgement, one of the consequences will be the deterioration and probable destruction of the creative genius of our people.

SLIDE 59: THE CHARLOTTE NEWS

George is successful in reaching powerful audiences.

Your stand on segregation will, in my humble judgment, reflect more credit on a university that has happened in many years. Feel at liberty, please, to submit your fine work.

That's Rodman. He is the head of the finance committee, one of the most powerful committees in the General Assembly.

I have greatly enjoyed reading your article entitled "Race, Heredity and Civilization." The article is an excellent contribution to this subject, and I hope it will be widely read.

That's I. Beverly Lake, who later runs for governor.

I have read with much interest your statement entitled Race, Heredity, and Civilization.

That's Sam Irvin, U.S. senator from North Carolina, who becomes an important contributor in fashioning a response to *Brown* from Southern Congressmen.

Even school boards express an interest.

Some time ago, you were gracious enough to send me a copy of your paper, Race, Heredity, and Civilization. It is excellent and quite thought-provoking. As we are face-to-face with this

in our Charlotte school board, I would like to have one dozen copies of this paper for use with our school board and administration.

SLIDE 60: GALLUP POLE

In this tension of hope and resistance, we should note that Southern whites are out of sync with the rest of the country. Looking at southern whites, the approval of *Brown* is just 16 percent, disapproval 80 percent.

If we look outside the South, we see something very different. 71 percent approve of *Brown*. 24 percent disapprove.

SLIDE 61: CONGRESS EMBLEM

This creates a challenge for Southern leaders. They don't want the federal government to withhold education funding for failure to comply with *Brown*. Many Southern Congressmen also held powerful seats in committees and did not want to risk losing their positions.

The collective decision is to prepare what became known as the Southern Manifesto. It has no legal significance, but Southern Congressmen would sign on to the document that would be included in the Congressional Record. It would be their explanation to the world -- a message to stay out of our business in the South.

SLIDE 62: SAM ERVIN

North Carolina Senator Sam Ervin is a chief architect of the Manifesto.

The signatories ... have shown that serious, conservative level headed Southerners – not just a hot-headed few are opposing the court's decision in a cool, deliberate manner.

SLIDE 63: SOUTHERN MANIFESTO DECLARATION OF CONSTITUTIONAL PRINCIPLES

Here is a brief excerpt from the Manifesto.

We regard the decision of the Supreme Court in the school cases as a clear abuse of judicial power.

It climaxes a trend in the federal in derogation of the authority of Congress and to encroach upon the reserved rights of the states and the people. If you read the whole thing, you would find that they don't talk about racism. What they talk about is power, which becomes a sort of coded way for dealing with things.

SLIDE 64: SOUTHERN MANIFESTO SIGNATURES

Not everybody signs, but most of them did. 82 of 106 congressmen sign, 19 of the 22 senators.

SLIDE 65: MANIFESTO STATE CHART

Many of the Southern States express unanimous approval. Texas is the outlier in low participation. In North Carolina, nine of the twelve sign on to the Manifesto.

SLIDE 66: MANIFESTO NORTH CAROLINA CONGRESSMEN

If we look more closely at these three, Harold Cooley is a lawyer who essentially agrees with the sentiment of the document but disagrees with certain passages.

SLIDE 67: CHARLES DEAN

Charles Dean opposes on principle.

I do not have to remain in Washington but I do have to live with myself. I shall not sign my name to any document which will make any man anywhere a second-class citizen.

That's the Harlan dissent, isn't it? Does it still ring true?

SLIDE 68: THURMAN CHATHAM

And here is Thurman Chatham, a prosperous business owner and war veteran who had served multiple terms in Congress.

I, personally, will not sign anything that will tear down the power and the prestige of the court as the final arbiter of justice. We sometimes forget that in a country ruled by a dictator, the courts are destroyed first.

We can ask the same question: does this ring true?

SLIDE 69: LETTERS

And many people appreciate their courage. Thurman Chatham's files in the state archives held many such letters. Here are a few.

Please let me express my deep appreciation. Your words are words of wisdom and statesmanship. You will face bitter criticism as you are aware, but you have much very much support and gratitude.

Us duckers and trouters are right proud of the way you spoke up on the Southern Manifesto. In an election year, it required

a good deal of courage and character to take the unpopular side of such an emotional issue. I have an idea many congressmen and senators simply adding their names to the list rather than book the top.

I'm a school teacher and I find it hard to teach students to obey and respect our laws when at the same time many of our political leaders are openly showing very little respect for our laws.

SLIDE 70: DEMOCRATIC PRIMARY DEAN

Refusing to sign the manifesto came at a cost to them - With what would otherwise have been easy primaries, they both lost their elections -

SLIDE 71: DEMOCRATIC PRIMARY CHATHAM

SLIDE 72: CHATHAM SAYS RACE

Due to race.

SLIDE 73: MEMORANDUM FROM W.W. TAYLOR

While these issues are playing out in Congress, North Carolina must develop a response to Brown. The General Assembly creates a committee, commonly known as the Pearsall Committee based on the name of the chair, Thomas Pearsall. Its formal name is the North Carolina Advisory Committee on Education. Here is one of the memos during their deliberation.

We believe that the task before us is to see to preserve education itself, not just the public school system. We believe that history will record that the principles of education in this trying time were those who took a realistic view of this problem and were willing, if necessary, to try new and drastic measures in order to preserve education for all our people. We recognize the possibility that as a last-ditch measure the public school system might be abolished fine though it is.

SLIDE 74: REPORT OF THE GENERAL ASSEMBLY

Several months later, in April, they issue their final plan. This will require an amendment to the Constitution and legislation to implement the plan. The plan calls for local student assignment, using "voluntary" school segregation. The plan also includes what they called a safety valve: "publicly funded grants to attend non-sectarian schools to avoid a child attending a school with mixed races." Or what we might now call vouchers. In addition, it would give a local unit authority to suspend operation of public schools.

Once again, North Carolina is willing to sacrifice providing a general and uniform system of schools to avoid integration.

SLIDE 75: DISAPPOINTED HODGE SUPPORTER

A special session of the General Assembly is held in July to seek approval of the legislation and authorization of a vote by the people on the Constitutional amendments. In the archival files for Governor Hodges, there is a hefty stack of correspondence regarding the proposal. One comes from an anonymous "disappointed Hodges supporter"

Due to family and political reasons, I cannot sign this letter.

Furthermore, if I see you tomorrow, I will assume the obsequious role or plight of a man in my position. At least I am not deceiving myself. I am a hypocrite and I know it.

You may convince yourself that you are on the side of truth and right, but don't ever think that you will fool the historians of the future. They will see you for what you are, one of a group of misguided souls that fought sincerely but nevertheless in ignorance and without foresight to hold back the progress of a great nation.

SLIDE 76: IRVING CARLYLE

Irving Carlyle, by contrast, is open about his views. In 1954, Governor Umstead had tapped him to take the vacancy in the U.S. Senate. Two days after the Supreme Court issued *Brown*, Carlyle ended a speech to the state Democratic Convention with a brief statement that the state should follow the directives of the Supreme Court. The comment cost him his seat. Sam Ervin filled the vacancy instead.

Two years later, as a prominent citizen and lawyer, he expresses his concern about the Pearsall plan. This particular speech is twenty pages long. Perhaps attention spans were different back then.

Here is a brief excerpt.

In the atmosphere largely created here at Chapel Hill and by our public schools, the people of North Carolina are accustomed to making up their own minds on public questions...From the mandatory duty to operate free public schools for all of the children to the permissive privilege to close them in any given locality is a long backward step that out never to be taken by North Carolina...As we struggle with this problem of the races, we should always remember that we now live in a changing world that is a community made up of

peoples that are preponderantly non-white. To live with our consciences, we must be willing to let others live up to the rights given to them by law.

SLIDE 77: SPECIAL SESSION, HODGES

At the joint session of the General Assembly, Governor Hodges addresses the legislators. His speech is about thirty minutes long. This is actual audio tape from the session.

Mr. President, Mr. Speaker, and members of the General Assembly, we face tonight one of the greatest crises which North Carolina has ever experienced and affecting at this moment the lives of over a million school children in our state.

Do not expect us to stand idly by as some have suggested, while our public schools are ruined in the course of a sociological experiment sought to be carried out at the expense of our children.

Let us consider for a few minutes the original source of the trouble that has made this special meeting of the General Assembly necessary. I refer of course to the Supreme Court of the United States and its school segregation decision. As you know, the 1954 decision by the Supreme Court overturned an interpretation of some 60 years standing placed upon the 14th Amendment by that court to the effect that separate but equal facilities did not violate the terms of equal protection contained in that amendment. We're going to use every legal means we can devise to ensure the effect that what we feel is an erroneous decision by the Supreme Court are not forced on this state in a fashion which would deprive us of our dearest possessions, namely our public schools.

We believe the overwhelming majority of parents can be relied upon to do what they think is best for their children. Furthermore, if conditions are ever so bad in a community that the people will vote to suspend the operation of their school, then conditions are so bad that their schools couldn't be operated successfully anyhow. Let me again make my position clear.

I do not agree with the Supreme Court decision, and I think it usurped the rights of the states and the Congress in its decision. I do not favor mixing the races in the schools, and I believe the vast majority of white and colored citizens feel the same as I do.

The General Assembly approves the plan. Voters approve the constitutional amendment. Remember that this is before federal

enforcement of voting rights so few Black voters would have participated.

SLIDE 78: PEARSALL PLAN 1956

One more observation. Creating these plans and reports is an opportunity to tell a version of history. Here is a version included in the Pearsall Plan report.

The white race has been almost fully responsible for the creation, development, and support of an educational system which has been now educating the Negro children of the state, all of them.

SLIDE 79: W.E.B. DuBOIS

By paying attention to history, we know another version by W.E.B. DuBois.

SLIDE 80: VOICE FOR PUBLIC EDUCATION

MCCOLL

This brings us to reflect on the time period around 1956. What would it be like to be a voice for public education in a time when you have a hopeful vision and those who are in control are resistant to change?

SLIDE 81: HOPEFUL VISION

Or we could simply say, what would it be like to have a hopeful vision when those who are in control are resistant to change?

SLIDE 82: NOW

And now, we can reflect on our own time period. How would you characterize the time we are living in - now? What does it mean to be a courageous leader - now? What would it look like to be an engaged citizen? - now?

SLIDE 83: LET HISTORY SPEAK

KEYES

That is for you to decide. You and your colleagues. You and your community. This presentation is about how to Let_History_Speak to us. How will listening to these voices help us as we make history together?

Here are some ways to think about it, including the particular messages from 1868, 1901, and 1956.

SLIDE 84: THE HISTORY OF CHANGE



If we let history speak, we can learn how change happens.

SLIDE 85: CONSTITUTIONAL RIGHT TO EDUCATION

The courts have upheld the education provisions in the constitution.

SLIDE 86: LITERACY TEST.

The federal Voting Rights Act of 1965 renders the literacy test invalid, although it remains in the North Carolina Constitution.

SLIDE 87: PEARSALL PLAN

The Pearsall Plan is ruled unconstitutional and it is eliminated when the constitution is substantially rewritten in 1971.

That's not a bad track record.

SLIDE 88: HARLAN DISSENT

Sometimes the arc is long.

When Harlan wrote the dissent in 1896, he had no way to know if it would ever make a difference. When you're in the minority, you don't know.

SLIDE 89: 58 YEARS LATER

It's 58 years later when his dissent becomes the majority in *Brown versus Board of Education*.

SLIDE 90: 100 YEARS LATER

It's a hundred years later that the rights of those who are gay are also found premised on Harlan's dissent.

SLIDE 91: COMMUNITY

MCCOLL

When history speaks, it reminds us of community. How are people coming together to support each other? To build a hopeful vision? To strategize? To act?

SLIDE 92: JEANES TEACHERS

I just do not know of a better example of people building community in difficult circumstances than the Jeanes teachers. If they could build community, so can we.

SLIDE 93: FUNDAMENTAL PRINCIPLES



KEYES

If we let history speak, it usually draws us back to our fundamental principles.

SLIDE 94: 109 YEARS LATER

In *Leandro versus State* in 1997, they're reaching back 109 years to the language.

SLIDE 95: 157 YEARS LATER

We're now 157 years - or maybe later as you contemplate this -- since that language was first written. The children who show up in our schools for an education have changed. Yet our fundamental principal for helping all students to prepare to live fully in society during their lifetimes has not.

SLIDE 96: JOIN THE VOICES

MCCOLL

And lastly, if we let history speak, we will hear an invitation to join. That is, an invitation to join authentic leaders who have the courage of their convictions. To consider what is possible in the times in which we live.

SLIDE 97: IMAGES

This slide looks a little tight, but they will make room for you.

Thank you.

SLIDE 98: LET HISTORY SPEAK

SLIDE 99: ORIGINAL DOCUMENTS...

Text of slide:

Thanks to Warren Keyes for narration and to the many people who offered their voices for this presentation. Thanks to Meghan Gerald for production of this recording.

Original documents and photos used in this presentation are from the North Carolina Division of State Archives and History; The Life and Speeches of Charles Brantley Aycock; the Southern Historical Collection, Wilson Library at the University of North Carolina at Chapel Hill; and the American Missionary Association Archives.

Photographs of Students:

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