

**Community Action toward the Desegregation of the
D.C. Public Schools, 1947-1954**

Allison Liotta

Advisors: Dr. Maurice Jackson, Ph.D. and Dr. Marcia Chatelain, Ph.D.
Honors program chair: Professor Howard Spindelw, Ph.D.

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I. Introduction

The scholarly conversation around school desegregation in the United States largely centers on the landmark 1954 Supreme Court decision in *Brown v. Board of Education of Topeka, Kansas*. Thereafter, schools across the country were ordered to desegregate “with all deliberate speed.”¹ Much has been written about the top-down implementation of *Brown* in individual cities and school districts across the United States, including in Washington, D.C. However, there has been comparatively little written about grassroots work promoting school desegregation and the contributions of individuals and families, especially before the *Brown* decision.

The Consolidated Parent Group, Inc. (CPG) served as the most important grassroots organization addressing school desegregation in the District before the *Brown* decision. It was, in effect, the organization that pulled together the major community-level push for integration and hired the lawyers who argued the Supreme Court case that mandated school desegregation in the District. The group evolved from the Browne Junior High School Parent Group, founded as an offshoot of the Browne Parent-Teacher Association to more militantly advocate for the equalization of school facilities and resources. Parents from other high schools and civil rights advocates were drawn to the organization’s work, and in February of 1948, the group reorganized under Browne parent Gardner L. Bishop. Members renamed themselves the Consolidated Parent Group, Inc. and began to question the validity of the policies promoted by the District Board of Education and school superintendent Hobart M. Corning, who they believed favored all-

¹ *Brown et al. v. Board of Education of Topeka et al.*, 347 U.S. 483 (1954).

white schools. As they grew with the support of Howard University lawyer Charles H. Houston, they decided to call for the integration of the DC Public Schools by 1950.

This thesis will examine the group's efficacy and argue that its leaders brought together a racially and socioeconomically diverse coalition of parents, advocates, and contributors under morally sound goals to call for improved opportunities for their children. To do so, I will first provide an overview of the history of the dual school system in the District of Columbia, from its beginnings at the start of the 1800s through the challenges it faced in the 1930s and 1940s. Next, I will examine in-depth arguments around school segregation in the 1930s and the 1940s with an analysis of scholarly publications and the influential report written by the National Committee on Segregation in Washington, "Segregation in Washington." Details concerning the Browne Parent Group's early community-based efforts for equalization and the Consolidated Parent Group's change in strategy toward desegregation will show that these grassroots actors won small victories that began to add up to meaningful change. I will analyze the work of the Consolidated Parent Group through the use of their records, archived in the Moorland-Spingarn Research Center at Howard University in Washington, DC. Few historians have delved into these records, let alone to provide an extensive analysis of the singular efforts of the Consolidated Parent Group.

Finally, I will look at D.C.'s desegregation lawsuit, *Bolling v. Sharpe*, a companion case to *Brown v. Board*, as the culmination of the CPG's efforts, highlighting the Consolidated Parent Group's work as providing lessons on effective community action, most notably that when many dedicated and diverse members of a community are united under a clear moral goal, they have the power to effect meaningful change.

II. The Development of the Dual School System in the District of Columbia

Grassroots efforts to desegregate the District of Columbia's public schools had to contend with a system that, since its inception in 1862, had kept black and white students separate. In the antebellum period, this segregation did not stem from evil intentions but rather circumstance and practicality in a slave society, as socially conscious individuals started classes in small schoolhouses and church basements to serve black children and adults. During the Civil War, the first bill to mandate black public schooling was enacted a month after the 1862 emancipation of the District's slaves, reflecting a consensus among most citizens that the exercise of freedom required adequate education. The law established what became known as the "dual school system," serving white and colored students separately and, at first, effectively.² However, the practice of school segregation soon showed its flaws, as controversies arose over disparate funding, overcrowding, and resource allocation within the system. Certain interests – those of white Congressmen and white school board members – influenced the system most. By the mid-1930s, it was evident that colored students had fallen far behind their white counterparts in terms of academic achievement. Against this backdrop, stakeholders within the colored school system began to organize to advocate the importance of educating their children at a level equal to that of white children during an era in which education offered one of the only opportunities through which blacks could achieve a semblance of equality in their civil rights.

² The terms "colored," and "Negro" as used to refer to African-Americans, though not in common use today, are reflective of the language and racial constructs of the time period this thesis covers.

The First Colored Schools, 1804-1861

In the early 1800s, the District of Columbia, a center of the domestic slave trade, counted among its population a significant number of both enslaved and free blacks.³ Though far from a safe haven for those of African descent, the city instituted black codes restricting the freedom of movement and action of slaves and free blacks that were significantly less strict than those across the South. In those slave states, state governments enforced curfews with strict penalties, tightly regulated manumission, and explicitly prohibited education for slaves and strongly discouraged it among free coloreds.⁴ Meanwhile, the District of Columbia, as the federal city, was exposed to and influenced by Southern and Northern interests alike. In the period leading up to the Civil War, as tensions flared over the national status of slavery, the city served as an example of the potential future of black-white relations in the United States.⁵

On May 3, 1802, a charter established the first municipal government of the City of Washington, paving the way for an 1806 provision of a government-funded permanent school system for whites aged six to seventeen.⁶ Ironically, the funding for an education system meant to ensure “the prevalence of pure morals” came from taxes on “slaves and dogs and licenses for carriages and hacks, ordinances retailing wines and spirituous

³ In the Compromise of 1850, “the South agreed to the abolition of the slave trade in the District”; Kenesaw M. Landis, “Segregation in Washington: A Report of the National Committee on Segregation in the Nation’s Capital,” 1948, 3; Alison Stewart, *First Class: The Legacy of Dunbar, America’s First Black Public High School* (Chicago: Lawrence Hill Books, 2013), 9.

⁴ Constance M. Green, *The Secret City: A History of Race Relations in the Nation’s Capital* (Princeton: Princeton UP, 1967), 19.

⁵ Howard Gillette, Jr., *Between Justice and Beauty: Race, Planning, and the Failure of Urban Policy in Washington, D.C.* (Philadelphia: University of Pennsylvania Press, 2006), 27.

⁶ “Records of the Government of the District of Columbia: 351.2 General Records 1838-1978,” National Archives, accessed February 22, 2015, <http://www.archives.gov/research/guide-fed-records/groups/351.html>.

liquors, billiard tables, theatrical hawkers and peddlers.”⁷ There was no similar moral impetus for colored education among municipal officials, but in 1807, three illiterate freedmen – George Bell, Nicholas Franklin, and Moses Liverpool – built the first black schoolhouse and hired a white teacher for the education of the District’s colored children. The creation of this first physical school spurred the subsequent establishment of several institutions for black children and adults by socially conscious citizens and missionaries in the decades leading up to the Civil War.⁸

Given that the City of Washington only legally provided for public funding for white education, these institutions were not usually established in facilities designated for the purpose of schooling, but rather in churches, citizens’ homes, and even outside when no indoor space was available.⁹ In the next four years, Northern or British white philanthropists created three new schools for colored students, but two were forced to close for lack of funding.¹⁰ By the time that local laborer Henry Smothers began to teach neighborhood children without charging them tuition, the city’s colored citizens always financially supported at least one school for their own. Moreover, many Washington Negroes, both children and adults, also attended Sunday school courses that often doubled as literacy instruction. In 1827, the priest at Georgetown’s Holy Trinity Church began to teach classes for colored boys and established a seminary for colored girls. Perhaps surprisingly, throughout the 1820s, those white and black students who could

⁷ Stewart, *First Class*, 11.

⁸ Green, *The Secret City*, 16; Stewart, *First Class*, 11; Donald Roe, “The Dual School System in the District of Columbia, 1862-1954: Origins, Problems, Protests,” *Washington History* 16 (2004/2005): 28.

⁹ Green, *The Secret City*, 24; Stewart, *First Class*, 11.

¹⁰ Green, *The Secret City*, 16-17.

afford it often attended majority white private schools together.¹¹ However, by the 1830s, separate public schools, open to any students in the District, had become a sort of tradition, given that black education was not legally prohibited but black students' attendance at white public schools was.¹²

Still, opportunities for colored children to receive a meaningful education were limited during the mid-1800s; it was rare that students were taught more than the "three R's" of "reading, 'riting, and 'rithmetic."¹³ In 1851, Myrtilla Miner, a white teacher from New York, moved to DC to establish a school for colored girls, and in December of that year she opened the Normal School for Colored Girls in a room rented from a freedman and paid for by northern Quaker missionaries.¹⁴ Miner began with only six pupils; within a month, that number increased to fifteen, and soon enough, as Washington's Negroes learned of the school that would provide their daughters with more than basic skills, that number grew to forty. To build her school's reputation as a successful black institution, however, Miner specifically sought out girls, often of mixed racial background, who had some previous level of education. Despite this effort, Miner and her students still faced violent reactions from white citizens. Under threats, Miner moved her school's location multiple times; her home was set ablaze and bricks thrown through her windows on several occasions; and her pupils were often verbally harassed on their way home from school at the end of the day.¹⁵

¹¹ Ibid., 23-24.

¹² Unlike in the South, where laws frequently prohibited black education itself; Gillette, *Between Justice and Beauty*, 21; Stewart, *First Class*, 14.

¹³ Stewart, *First Class*, 16.

¹⁴ Gillette, *Between Justice and Beauty*, 35-36.

¹⁵ Stewart, *First Class*, 15-20.

Moreover, because the District did not sanction black public schooling, Miner consistently had to seek alternative sources of funding. In March of 1854, after years of soliciting donations from liberal white donors, she opened her school in its own facility on N Street and New Hampshire Avenue NW. Inspired by this success, Miner later tried to establish a secondary school for colored students, but failed when whites, angered by the possibility of continued education for black students, organized to petition against her fundraising efforts.¹⁶ However, Miner was successful in expanding colored education in the District. Six of her former students went on to establish their own schools for blacks, and in 1863, the Miner Normal School was incorporated into the black public school system mandated by Congress in 1862. The school was later renamed and re-focused as the Miner Teachers College in 1929, training future black teachers to build and support the black school system into the 1940s.¹⁷

The Establishment of the Dual School System, 1862-1871

The second year of the Civil War, 1862, marked a watershed for the District's blacks, bringing emancipation and mandated public schooling for Washington's Negroes in April and May, respectively.¹⁸ Republicans in Congress pushed for increased funding for separate black public schools, and after the war, the Radical Republican faction, including Charles Sumner of Massachusetts, even began to advocate for integrated public

¹⁶ Ibid., 20-21.

¹⁷ Ibid., 23-24.

¹⁸ "Featured Document: The D.C. Emancipation Act," National Archives and Records Administration, accessed February 22, 2015, http://www.archives.gov/exhibits/featured_documents/dc_emancipation_act/; Stewart, *First Class*, 9.

schools.¹⁹ The 1862 law set up finance and governance structures for what became known as the “dual school system” in the District of Columbia. Ten percent of taxes on black citizens in Washington and Georgetown would be put toward funding elementary schools for colored children.²⁰ These schools would be governed by a Board of Trustees of the Colored Public Schools, appointed and overseen by the Secretary of the Interior and holding the same level of power over colored schools that the white Board of Trustees had over white schools. The system was separated as such because many white Washingtonians, though they may have recognized the necessity of an educated citizenry as a whole, preferred to keep their children separate from black children, and the white school board informally opposed the education of colored students, even in all-black schools.²¹

This administrative structure meant that the colored school system fell under the control of the federal government through the Secretary of the Interior, though funding for the system was financed entirely locally. Under the impression that black property ownership in Washington and Georgetown was more widespread than it actually was, Congress conjectured that the colored schools would receive approximately \$3,600 per year in funds, but the municipal government did not track separate taxation of blacks and whites. Instead of receiving their due, the black schools were allotted what municipal officials deemed fair funding, which amounted to \$265 from Washington and nothing from Georgetown in 1862.

¹⁹ Gillette, *Between Justice and Beauty*, 36-37; 61; 67.

²⁰ At this time, Washington and Georgetown were separate municipalities in the District of Columbia. They would later be unified under a “territorial” government; Roe, “The Dual School System in the District of Columbia,” 28.

²¹ Green, *The Secret City*, 67; Roe, “The Dual School System in the District of Columbia,” 28.

The second colored school law, enacted in 1864, attempted to solve the funding issues created by the first by paying proportionately per child between the ages of six and seventeen, black or white, from the city's total school fund. The school fund would also be supplemented by the District's federal courts, which contributed the money they collected from fines and forfeitures.²² The funds allocated to the black schools would be paid directly to the Board of Trustees of the Colored Schools, thereby establishing official precedent for the maintenance of the dual school system.²³ Though the second act seemingly ensured the adequate financing of the colored schools in the District, the distribution of funds was determined by a census taken in 1860. Other issues related to population increases, such as overcrowding and inequitable resource allocation, arose as southern black migrants, seeking to escape the oppression of Jim Crow, flooded the city after the Civil War, increasing the city's Negro population by 200 percent.²⁴ The number of black children seeking an education increased, but the proportional funding allotted to the colored system did not, ensuring significantly lower per-pupil expenditures than in the white system, where enrollment increased only slowly or even decreased at some schools.²⁵ Moreover, there was uproar over the mandate of proportional funding among the city's whites, who felt their taxes were being diverted for the purpose of black education. Many recently freed blacks did not own property, but sought to have their children educated in a system paid for by city property taxes; according to local estimates, blacks paid only two percent of what whites paid in taxes, but black student enrollment amounted to half of the total white enrollment. White citizens argued the

²² Green, *The Secret City*, 67-68.

²³ Roe, "The Dual School System in the District of Columbia," 28.

²⁴ Stewart, *First Class*, 28.

²⁵ Roe, "The Dual School System in the District of Columbia," 28.

expense of Negro education was unfairly dumped on them by Congressmen who had no legitimate stake in the status of the District's school system. The white city council, along these lines, withheld most of the funds designated for the colored schools, paying only \$628 out of the total school fund of \$25,000 in the 1864-1865 school year to the black system.²⁶

In 1866, appointed District Mayor Richard Wallach pled the city's case to the federal government, seeking aid for both white and colored schools. That summer, Congress designated the use of old army barracks for colored schoolhouses and allocated \$10,000 to build new facilities for black students. The law also included a provision that the Board of Trustees of the Colored Schools could independently sue the city for withheld or overdue funding. The city's whites were in uproar; in their view, Congress had entirely ignored their needs in favor of promoting a "Negro agenda." Mayor Wallach acerbically noted that Congress,

in its zeal for education [had given] to states and other territories, 78,130,000 acres of public land, which ... would yield the enormous sum of \$97,662,500, [but] to the District of Columbia, ... whose people it now inordinately taxes to educate the thousands of contrabands allured to this "paradise of freedmen" ... it has never given a foot of land or a dollar of money.²⁷

However, expanded government activity and private investment after the war improved the District's economic standing and rendered Mayor Wallach's argument unreasonable. In the fall of 1867, Congress approved a special census to recalculate public school enrollment and properly distribute funds along the mandated proportional lines. The data showed that more than three-fifths of the city's black population had migrated from the South since the previous census in 1860, and more colored students

²⁶ Green, *The Secret City*, 69.

²⁷ *Ibid.*, 85-86.

attended public schools than did white students. The municipality of Georgetown agreed to pay in full the funding it owed to the colored system, while Washington remitted \$34,000 of the \$51,000 it had withheld.²⁸ In 1867, Washington Negroes also gained suffrage, and began to turn out in huge numbers to vote. They elected seven black men to the city council to better represent their interests, including those around educational funding.²⁹

In 1868, William Syphax, one of the District's "Colored 400," was appointed the chairman and president of the Board of Trustees of the Colored Public Schools.³⁰ The "Colored 400" was a name given to Washington's wealthiest families by the colored newspaper the *Washington Bee*, who had often built their own private or church schools before the advent of black colored schooling. In turn, Syphax appointed another member of the "400," George F. T. Cook, as the colored system's first superintendent. Though Syphax had originally been an advocate for school integration, he was also a realist and during his tenure instead pushed to expand quality separate education for black students. In 1864, the colored public school system actually maintained only one schoolhouse and seven teachers; under Syphax's leadership there were seventy-five schools staffed by eighty-eight teachers by 1872. To build further support among socially conscious whites, Syphax's Board of Trustees named the new schools after leading white integrationist figures like Representative Thaddeus Stevens and Senator Charles Sumner, whose efforts in Congress helped regulate and support life for the District's freedmen.³¹

²⁸ Ibid., 86-87.

²⁹ Stewart, *First Class*, 25.

³⁰ Ibid., *First Class*, 27, 31.

³¹ Ibid., 30-31.

More schools, though, did not necessarily mean schools that functioned better. Northern missionaries, who had been heavily engaged with Negro schooling in the District before the war, had, under various wartime pressures, all but withdrawn from the colored schools by 1868. Only about a third of black students actually attended school, even though three months of schooling per year had been legally mandated in the city, and many of these students were chronically tardy. The Board of Trustees and the superintendent continually tried to work around inadequate funding and white opposition. As a solution to these issues, Senator Sumner proposed legislation to integrate the city's schools; however, the measure failed for two main reasons. First, in regard to the District's affairs, Congress was more interested in investigating a potential new governance structure. Second, Sumner's proposal lacked support among educated Negroes, who sought to build an effective but separate system to support their children and their teachers, who were simply not welcome within the white system.³²

In 1871, Congress unified the District's government as a "territorial" structure, thereby dissolving the separate municipalities of Washington and Georgetown and the separate colored and white school boards. Though the dual school system remained intact, separated into white and colored "divisions," it was now governed by a nine-member Board of Education. The racial and gender composition of the original board – four white men, two white women, two black men, and one black woman – remained the same over the next decades. The three Negro members usually voted in unison, as did the six white members; to pass legislation for the colored schools, the black board members needed the backing of at least two of the white members. Despite this new governance structure, funding to the public schools was still allocated proportionally per student,

³² Green, *The Secret City*, 99-102.

maintaining a “separate but equal” system. Indeed, during this time, the system was equal in regard to curriculum, teacher pay and promotions, and teacher quality. Black students in the District, by and large, enjoyed a rigorous course of study taught by highly trained Negro teachers and administrators.³³

The best-known of the black schools at the turn of the century was the Preparatory High School for Colored Youth, the first secondary school for Negro students, financed by the Miner Fund and founded in 1870 by Syphax and Superintendent Cook in the basement of the Fifteenth Street Presbyterian Church.³⁴ The school primarily served students from wealthy black families, who made up the majority of the one-third of colored children who were enrolled in the school system at this time. By the end of the Preparatory High School’s first year, it served forty-five students; by the end of its fourth year, more than one hundred students were enrolled. The challenges school administrators faced in finding adequate facilities were typical for colored schools at the time. After the first year at the Fifteenth Street Presbyterian Church, the Preparatory High School moved to Thaddeus Stevens Elementary School for the following year, but the primary school building could not support a growing number of adolescent students.³⁵ As the dual school system grew, overcrowding would continually prove a significant challenge to the adequate schooling of Negro students.

Successes and Challenges within the Dual School System, 1872-1943

After the Reconstruction period, the national impetus for civil rights faltered, and Congress put the District’s racial issues on a backburner despite increasing numbers of

³³ Roe, “The Dual School System in the District of Columbia,” 28-29.

³⁴ The Miner Fund was established in memory of Myrtilla Miner.

³⁵ Stewart, *First Class*, 31-33.

illiterate Southern migrants moving into the city. In 1876, the Radical Republicans who served on the District's congressional oversight committee attempted to push a platform condemning segregation in the city's public schools, but their proposal was generally ignored.³⁶ Even Washington's educated Negroes preferred to keep their children's schools separate. Moreover, within this system, Negro teachers, who were often actually overeducated for their positions because they could rarely find equitable employment opportunities in their fields of study, enjoyed a reputation of professionalism and received competitive salaries. As long as colored schools were funded equitably, few blacks contested segregation.³⁷ This view aligned in some ways to general white sentiment in the city, expressed by the *Washington Star* in the early 1880s:

[Black students] are spared the disadvantageous competition with white children of their own age who have had greater opportunities at home and elsewhere for advancement in their studies ... were the schools to be merged it would necessarily throw 165 colored teachers out of employment, as it could not be expected that the white school population of the District ... give up their teachers to make room for colored teachers ... Better let well enough alone.³⁸

Moreover, all of the public schools, white and black, were overcrowded, though the problem significantly impacted the city's 10,000 Negro children, more than 4,000 of whom could not find a space in any school in 1874.³⁹ Starting in the mid-1880s, some Negroes, in the vein of Booker T. Washington's ideology, began to argue in favor of vocational training as a means to educate more children in the District. In this way, starting with their children, Washington's blacks could improve their economic standing so that, in the future, they could better benefit from a more traditional academic

³⁶ Green, *The Secret City*, 115.

³⁷ *Ibid.*, 110.

³⁸ *Ibid.*, 134-135.

³⁹ *Ibid.*, 114.

education. In the meantime, the strain on schools that classically trained their students, like the Preparatory High School for Colored Youth, would ease up.⁴⁰ In 1892, the Preparatory High School moved to its first real schoolhouse on M Street Northwest near New York and New Jersey Avenues; accordingly, it was renamed M Street High School.⁴¹ The budget to open the new well-resourced school had been allocated by Congress.⁴² The school stayed true to its roots of providing a rigorous, classical education for students, employing teachers who were highly trained in their fields but, under Jim Crow laws, lacked opportunities for employment elsewhere.⁴³

It was in 1889 and 1890, however, that cracks in the so-called “equal” funding system began to show. Teachers in the colored system earned about ten percent less than their white counterparts even though they taught more students. The average annual salary for a colored high school teacher at this time was approximately \$750, while white teachers earned approximately \$75 more; while colored teachers taught classes composed of about forty-seven students, white teachers taught about forty-one at a time. Despite these obstacles, in 1899, students at M Street High School outscored their white counterparts at Eastern and Western high schools on the District test.⁴⁴ Naturally, given the racial tensions of the time period, these results stirred controversy among white citizens and school board members alike. In 1901, the position of the superintendent of the colored schools was downscaled to the “assistant superintendent of colored schools,” who would report to a single superintendent – the superintendent of the white schools.

⁴⁰ Ibid., 136.

⁴¹ Roe, “The Dual School System in the District of Columbia,” 29.

⁴² Stewart, *First Class*, 35.

⁴³ Ibid., 37.

⁴⁴ Green, *The Secret City*, 137-138.

George F. T. Cook, who had served as superintendent of the colored schools since 1868, resigned.⁴⁵

Five years later, as more Negroes migrated to the District in search of D.C.'s famed educational opportunities for blacks, it became evident that the biggest issue the newly consolidated board of education faced was overcrowding. M Street's school building, meant to house up to 500 students, had been running over capacity almost since its establishment. Teachers often taught double shifts to reach all students. The campus also lacked the amenities that the white high schools – Eastern, Western, and Central – enjoyed, such as gymnasiums and cafeterias.⁴⁶ For the 1916 school year, Congress appropriated \$550,000 to M Street High School for a new building; meanwhile, Central High School received \$1.2 million for the same purpose and secured a campus with a sports complex.⁴⁷ M Street High School moved to a small piece of land on First Street, between N and O Streets Northwest, and reopened as Paul Lawrence Dunbar High School with more than a thousand students and thirty-five teachers in October of 1916.⁴⁸ The school was ultimately well-resourced, with thirty-five classrooms, a large library, a small cafeteria, an auditorium, a greenhouse, science labs, two gymnasiums, and a pool.⁴⁹ Through the 1950s, Dunbar's academic standards remained exceptionally high compared to other segregated high schools across the country, consistently preparing students to pursue higher education.⁵⁰ The school's dynamic success, however, masked the challenges that the rest of the colored division experienced. By the end of World War I, it

⁴⁵ Green, *The Secret City*, 137-138; Stewart, *First Class*, 37.

⁴⁶ Stewart, *First Class*, 69.

⁴⁷ *Ibid.*, 72.

⁴⁸ The school was renamed for black poet Paul Lawrence Dunbar; Stewart, *First Class*, 76; Roe, "The Dual School System in the District of Columbia," 29.

⁴⁹ Stewart, *First Class*, 84-85.

⁵⁰ Green, *The Secret City*, 210.

became evident that across the District, space and facilities were inadequate for black students as enrollment continued to increase with black migration, and there were simply not enough colored teachers to teach colored students.⁵¹ While the white schools were also overcrowded, the white division received funds to build new facilities, while black students were shuffled into old white buildings.⁵² By the 1930s, Negroes were questioning the quality of education that resulted from students' confinement to decaying schoolhouses. Black parents, even wealthy ones, noticed that their children lacked a sufficient basis of fundamental skills to succeed at the secondary level. Many students were simply being left behind in an example of educational triage; with limited resources available, students who were truant, mentally challenged, or emotionally disturbed were often cast aside in favor of gifted and talented students.⁵³ Indeed, by the end of the decade, secondary education across the country was the schooling level at which most black students received an education that was less than adequate, in regard to curriculum and resources, compared to the education their white counterparts received.⁵⁴

In 1935, Dr. Howard Long, a member of the colored school division's research unit, began a study to compare the intelligence quotients (IQs) of black students in the District to their test results in order to determine whether black parents' complaints were legitimate.⁵⁵ Long had observed no change in the intelligence quotients of the District's black students, but had noted a downward trend in their levels of academic achievement

⁵¹ Roe, "The Dual School System in the District of Columbia," 30.

⁵² Green, *The Secret City*, 211.

⁵³ *Ibid.*, 244-246.

⁵⁴ John L. Rury and Shirley A. Hill, *The African American Struggle for Secondary Schooling, 1940-1980: Closing the Graduation Gap* (New York: Columbia University Teachers College Press, 2012), 8.

⁵⁵ IQ testing had previously been used to justify racial segregation in education based on theorized differences in racial intelligence; Green, *The Secret City*, 245.

since the study's inception. Southern migrant children, who had barely received any educational instruction under Jim Crow, had a hard time adjusting to the demands of the school system in D.C. He attributed his 1943 findings largely to "the effects of cultural socio-economic status of the pupils," and Superintendent Garnet C. Wilkinson, aware of cultural tensions between longtime black Washingtonians and recent southern black migrants, decided not to reveal the results of the survey to the public.⁵⁶

Either way, it was an unavoidable fact that the facilities and resources allotted to the colored school division could not sustainably support continually increasing black enrollment. Meanwhile, more white families moved outward to the suburbs, leaving significant physical space in the white school division. The separate schools were becoming more and more unequal, and at the same time, every question related to civic life in Washington – regarding housing, policing, governance, employment, and even recreation – grew racialized. To many black stakeholders, most aspects of daily life in Washington had become blatantly inequitable, including the provision of public education. At the end of the 1930s and into the 1940s, Washington's Negroes would begin to organize around the visible issue of school overcrowding.

⁵⁶ Ibid., 267-268.

III. The State of Segregation

Washington, D.C., as the nation's capital, served as a particularly salient case study for questioning the morality of segregation in the 1930s and 1940s. Over the course of the thirties, school segregation took center stage as the most significant area of discrimination experienced by Negroes across the country. Viewpoints provided by Negro scholars focused on the fundamental immorality of discrimination against black students, and empirical studies published by Howard Hale Long, an educational psychologist, examined the negative effects of segregation on the academic and social-emotional development of colored children in the District of Columbia. In 1947, responding to post-World War II pressures to ensure democracy at home, the Truman administration established the National Committee on Segregation in the Nation's Capital, which investigated the depth of the practice in all public facilities and accommodations across the city. With the publication of the report, titled "Segregation in Washington," in 1948, as well as the exposure of increasingly disparate numbers on per-pupil expenditures and overcrowding in the city's public schools, more voices joined the conversation in the District on school segregation to begin to advocate for concrete action from the ground.

Academic Conversation on Desegregation in the 1930s

Throughout the 1930s, most Washington Negroes did not actually feel strongly about school desegregation because the segregated system generally worked in their favor. It seemed to them that their children mostly benefited from separate schooling, where they were instructed by highly educated, professionally trained teachers who

believed in their potential and were not subject to competition from more advantaged white students. Where there were inequities, blacks in Washington preferred to advocate “equalization” of resources and facilities over integration.⁵⁷

However, at the national level, prominent figures expressed the view that continued discrimination in the public schools of the United States was untenable. Carter G. Woodson’s seminal work, *The Mis-Education of the Negro*, published in 1933, relied on his experience working with racially diverse student populations from the kindergarten through the university level, both domestically and internationally, to explore the ways in which segregated American schools had failed blacks across the country.⁵⁸ The term “mis-education” referred not only to the Negro’s lack of adequate public schooling, but to the inferiority complex Negro students inevitably developed over the course of their segregated educations. Asserting that “[t]his crusade [against segregated schools] is much more important than the anti-lynching movement, because there would be no lynching if it did not start in the school room,” Woodson details the experience of the average American Negroes in the public school system, explaining the reasons for their feelings of inferiority and lack of explicit development of self-efficacy and likening the structure of the dual school system to a continuation of slavery.⁵⁹ He observes that the original founders of colored schools were concerned more with the “social uplift” of the race rather than their “actual education.” As a result, the schools that

⁵⁷ Green, “The Secret City,” 246-247.

⁵⁸ Carter G. Woodson, *The Mis-Education of the Negro* (Trenton, NJ: The Associated Publishers, 1933), ix.

⁵⁹ In regard to self-efficacy, Woodson explains, “These institutions were concerned rather with life as they hoped to make it ... He was spending his time studying about the things which had been or might be, but he was learning little to help him to do better the tasks at hand,” 3, 11.

had been in operation since before the Civil War did little to actually ensure students' development, a necessary prerequisite before their societal transformation.⁶⁰

Throughout his book, Woodson blames the failure of the dual school system on the Negro's unfortunate mis-education. In a chapter titled "The Loss of Vision," he points out that immediately after the Civil War, though newly freed Negroes recognized a compelling need for meaningful education, they focused primarily on political rights like the right to vote and to hold elected office. Indeed, Radical Republican Senator Charles Sumner struck integrated schools from his proposed Reconstruction legislation not only because of white opposition, but also because of black preference for separate schools.⁶¹ Woodson ends with a call for a new educational system under new leadership, focused on teaching students about the innovative contributions of their African ancestors as a means of developing students' individual potential.⁶²

The *Journal of Negro Education*, established in 1932 by Howard professor of psychology and education Charles H. Thompson, picked up Woodson's call for change by seeking to detail the extent of inequity in the nation's colored schools and highlight the effects of discriminatory education on students themselves. Writers for the *Journal* who attempted to meet these ends faced tough odds; as stated in the 1935 yearbook edition, school segregation had already been legally challenged 113 times across the country (including in the District of Columbia), and in each of the forty-four cases that

⁶⁰ Woodson later founded "Negro History Week," the precursor to Black History Month, "NAACP History: Carter G. Woodson," National Association for the Advancement of Colored People, accessed May 3, 2015; Woodson, *The Mis-Education of the Negro*, 17.

⁶¹ *Ibid.*, 103.

⁶² *Ibid.*, 144, 147, 151.

directly questioned the constitutionality of segregated schools, the courts ruled in favor of their constitutional basis.⁶³

In general, articles published in the *Journal* during the 1930s provided different ways of arriving at the conclusion that school segregation had become an unfair practice, no longer questionably moral but distinctly immoral. Alain Locke's "The Dilemma of Segregation," published in the 1935 yearbook issue, argued that the temporary benefits of a dual school system, such as guaranteed jobs for black teachers and administrators, were no longer enough to rationalize its continued existence. Moreover, he noted that the notion of "separate but equal" in education was rarely actually realized because communities suffering from the effects of segregated schooling could not generally afford to invest in truly equitable facilities and other resources. In the vein of *The Mis-Education of the Negro*, Locke argued for "intelligent leadership," which "must be taught to see and regard as paramount the long-term interests [of the Negro community]" in order for meaningful progress to be made.⁶⁴ He promoted litigation as a critical strategy for desegregation, though recognizing distinctions in politics and schooling across the country, he urged that "[s]pecific communities must begin these campaigns, risk the odds of variation in the decisions because of local conditioning circumstances in the courts, face the difficulties of practical enforcement even after favorable decisions, and count upon retributive community sentiment and behavior in some instances."⁶⁵

⁶³ The *Journal of Negro Education* was published quarterly, and a "yearbook" edition refers to a publication in which all articles were written about the same topic (in this case, school segregation); Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* (New York: Vintage Books, 2004), 168-169.

⁶⁴ Alain Locke, "The Dilemma of Segregation," *The Journal of Negro Education* 4 (1935): 406-408.

⁶⁵ *Ibid.*, 407.

Locke was not alone in his call for legal action; in the same *Journal* issue, founder Charles Thompson wrote a piece titled “Court Action the Only Reasonable Alternative to Remedy Immediate Abuses of the Negro Separate School.” Taking the same interest in long-term outcomes for black students, Thompson opined that “to *segregate* is to *stigmatize*, however much we may try to rationalize it,” and that this discrimination almost always resulted from whites’ beliefs in their racial superiority.⁶⁶ As such, Thompson called for stronger action against segregation, asserting that “eschew[ing] any and all tactics that would challenge in any effective manner the unjust customs and practices of various local communities for fear of precipitating a ‘conflict situation’ seems to ignore the basic principle that public opinion never results in any other way.”⁶⁷

Howard Hale Long, a Howard- and Harvard-educated educational psychologist, took the approach of detailing the effects of school segregation on student outcomes, including intelligence quotients (IQs) and social-emotional development, specifically in the District of Columbia. His contribution to the 1935 yearbook issue of the *Journal*, “Some Psychogenic Hazards of Segregated Education of Negroes,” examined the functional effects of the practice on the development of students’ self-efficacy. He found that black students in the District suffered in regard to their conceptions of self and of democracy. Long explained that “[t]he total setting of the segregated school literally forces a sense of limitation upon the child. He is reminded of it whether in home, school, theatre, or on the streets . . . For him the symptoms of unavoidable limitation are as

⁶⁶ Chas H. Thompson, “Court Action the Only Reasonable Alternative to Remedy Immediate Abuses of the Negro Separate School,” *The Journal of Negro Education* 4 (1935): 433.

⁶⁷ *Ibid.*, 425.

ubiquitous as the air he breathes.”⁶⁸ Were schools to integrate, however, then all students would have the opportunity to develop the same fundamental values and capacities in order to sustain “democratic philosophy and practice.”⁶⁹ Long had argued a similar conclusion from a different line of research, published the previous year. In measuring the intelligence quotients of Negro elementary school students in DC, he found that it was not inferior native intelligence but a lack of equality of cultural (not just socioeconomic) opportunity – a fundamental democratic principle – that ensured that black students scored lower on IQ tests.⁷⁰ Long’s work was among the earliest to use empirical evidence to bolster arguments against school segregation; during the 1940s, researchers drew increasingly on numbers to make these arguments more salient to the general public.

Detailing Segregation in the 1940s

At the close of the Second World War, with soldiers, including Negroes, who had fought for democracy abroad coming home, the national conversation on racial segregation, particularly in the nation’s capital, the theoretical cornerstone of democratic practice, took on a more urgent tone. In 1947, the Truman administration selected Joseph Lohman, a professor in the University of Chicago sociology department, to head the National Committee on Segregation in the Nation’s Capital. He and his team were tasked with uncovering the depth of discriminatory practices in all areas of public life in the District. Over the course of eighteen months, the Committee collected data on the extent

⁶⁸ Howard H. Long, “Some Psychogenic Hazards of Segregated Education of Negroes,” *The Journal of Negro Education* 4 (1935): 343.

⁶⁹ *Ibid.*, 349.

⁷⁰ Howard H. Long, “The Intelligence of Colored Elementary Pupils in Washington, D.C.,” *The Journal of Negro Education* 3 (1934): 213, 220.

of segregation, and in 1948 they published a report which, though condensed, presented irrefutable evidence of discrimination against Negroes in Washington. Titled simply “Segregation in Washington,” part of the report’s power was that its “review of the steady degradation of Negroes from the 1870’s on, if not news to colored Washingtonians, dumbfounded many whites and worked upon the conscience of people who would have preferred to forget.”⁷¹ Its author asked, disquietingly, “[i]t has been eighty-six years since Abraham Lincoln signed the bill abolishing slavery in the capital. The three thousand have grown to over two hundred and fifty thousand. They walk the streets of the city. But are they free?” and answered easily, “[n]o. He is rejected by the innkeepers in the capital of the country that prides itself on individual rights.”⁷² The report examined increased black migration after Emancipation and ensuing discrimination in housing patterns as key toward maintaining various segregated systems, including dual schooling.⁷³ Its authors pointed out the hypocrisy of the federal government’s role in the segregation of the District, noting that “in the capital today, we send Negroes to school and tell them they have equal rights, and then deny them a chance to show what they can do,” and explaining that “[i]n a matter involving the rights of citizens in the capital, it is impossible for the United States Government to be neutral. It must adopt a policy in favor of treating Negroes as Americans, or help deprive them of their rights.”⁷⁴ Specifically, the Committee noted that if a “separate but equal” funding formula were not being executed fully in the District, where it was mandated by

⁷¹ Green, “The Secret City,” 286-287.

⁷² Kenesaw M. Landis, “Segregation in Washington: A Report of the National Committee on Segregation in the Nation’s Capital,” (1948), 3, 14.

⁷³ *Ibid.*, 22-23.

⁷⁴ *Ibid.*, 57, 59, 39.

Congress, then this kind of formula was untenable.⁷⁵ The report also promoted the idea that segregation in schooling one of many levels of discrimination upon which other levels were built:

In many ways, the color bar in the public schools is basic to discrimination elsewhere. Education has always been central to Americans. The public school system has been the great instrument by which we hoped to overcome inequalities of birth and station, and give each American an equal chance to make good. It has been the great unifying principle of the Republic. When the public schools of the capital are used instead to divide citizens on racial lines, to perpetuate inequalities, to increase them, and worse, to justify them, then the time has come to consider what kind of an America we want to build for the future.⁷⁶

Ending with the assertion that an integrated school system was indeed possible to establish and maintain in the District, the report concluded with a moral call for desegregation, holding that:

When people are divided by a master-race theory, liberty and justice are impossible. Nowhere is this plainer than in the capital, where one-quarter of the population is segregated according to color. Here we have been building ghettos of the mind, body, and spirit ... They are built behind walls of the segregated school system where children are taught not to know each other ... The ghettos of the spirit are hardest to define, but their darkness is the worst. These are blank spaces in a common humanity where men step on each other and take pride and profit in doing so. These are the ghettos that cramp the soul of the nation in the place of its pride, and lessen the meaning of its life. In the Nation's Capital, we must mean what we say, and give people of all races and colors an equal chance to life, liberty, and the pursuit of happiness. We must arrange it so that children, both white and colored, can stand together as they look to the Stars and Stripes, and recite: *I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation Indivisible, with Liberty and Justice for All.*⁷⁷

Although staunch segregationists remained, perhaps expectedly, unconvinced, the report was more influential toward “breaking the hard core of racism in Washington” than any

⁷⁵ Ibid., 76.

⁷⁶ Ibid., 80.

⁷⁷ Before the Pledge of Allegiance included “under god”; Ibid., 91.

other single publication because it provided an undeniable moral argument in favor of desegregation.⁷⁸

Indeed, the data on discriminatory practices across the District that came to light during the postwar period, especially in regard to schooling, was hard to ignore. Even Washington Negroes who had previously preferred separation to integration came to realize the true extent of the inequality inherent in and reproduced by the dual school system.⁷⁹ As Mary Morton wrote in a 1947 issue of the *Journal of Negro Education*, “[t]he ‘separate-but-equal’ concept to which the public school system of the District of Columbia is committed, is at this writing suffering from one of the most complete breakdowns of its existence. Inequities begin with the top level of organizational structure and work down to the level of distribution of supplies.”⁸⁰ First, per pupil expenditures, last determined by the 1940 census, grew increasingly unequal. The amount of money spent on white students and black students as distinct groups remained the same, even as the number of white students in the District’s public schools decreased by 13.9 percent between 1937 and 1947 as more white families left for the suburbs and the number of colored students increased by 18.8 percent in the same period as more Negro families migrated to the city.⁸¹ In 1947, the per pupil allotment for a white child was \$160.21, while for a black child, it was \$120.52.⁸² In regard to personnel, black schools at every level ran short on teachers. Morton estimated that based on anticipated enrollment for the 1947-48 school year, 109 more black teachers would need to be hired to ensure

⁷⁸ Green, “The Secret City,” 287-288.

⁷⁹ *Ibid.*, 298.

⁸⁰ Mary A. Morton, “The Education of Negroes in the District of Columbia,” *The Journal of Negro Education* 16 (1947): 329.

⁸¹ *Ibid.*, 330.

⁸² Green, “The Secret City,” 298-299(?).

class sizes equitable with smaller white classes. At the secondary level, all courses suffered the effects of too few teachers; oftentimes, teachers who had earned their expertise in other fields were pulled to teach English classes of fifty to sixty students, and for the sciences and the arts, students were often taught by teachers qualified to teach other subjects in cramped quarters that did not allow significant exploration of these subjects.⁸³

It was overcrowding, though, that was perhaps the most critical issue at stake. Students simply could not learn as effectively when crowded into classrooms. During World War II, when public money was diverted to the war effort, the superintendent of schools halted all new school construction, ensuring that existing schools would remain over capacity.⁸⁴ With few spaces for too many pupils, most students in the colored school division received less than the full day of instruction required by District law and instead attended class in part-time shifts. In 1947, the District's sixteen colored elementary schools held 3,258 students who were taught in eighty-seven, three-and-a-half-hour part-time classes, while in the white elementary schools, only 413 pupils were taught part-time. At the junior high school level, the colored schools were over capacity by 2,243 students, and every student attended classes part-time, while the white schools were actually under capacity by 1,851 spaces, and no student was taught part-time.⁸⁵ Not only were the Negro schools overcrowded, but the facilities themselves were inadequate in terms of space and resources; for example, the colored school division had only one athletic field for all of its high schools, and each school had a poorly equipped

⁸³ Morton, "The Education of Negroes in the District of Columbia," 333-334.

⁸⁴ Roe, "The Dual School System in the District of Columbia," 32.

⁸⁵ Morton, "The Education of Negroes in the District of Columbia," 332; Green, "The Secret City," 298-299.

gymnasium, while each of the white high schools and most of the junior high schools had athletic fields and nicer gymnasiums. In continued attempts to reduce overcrowding and appease black parents as more Negro families moved into the city and more white families moved out, the District Board of Education had transferred ten formerly white schools to the colored division since 1926. However, most of these buildings were already old, their facilities and equipment out-of-date.⁸⁶ Moreover, Washington Negroes were unconvinced by the Board's seeming generosity, recognizing the transfer approach as a means to continue the practice of segregation in education and provide white children with continued access to the best facilities.⁸⁷

Morton argued that much of the discrimination produced by the dual school system stemmed from its administration. Personnel in the colored school division were overworked compared to their white counterparts: the colored schools were overseen by three administrators, a first assistant superintendent and two associate superintendents, while the white schools were overseen by five, one first superintendent, three associate superintendents, and a chief examiner. The entire school system was overseen by a single white superintendent, and under his office were ten additional administrative offices, each responsible for the management of different aspects of both the white and colored schools. Each head of the ten offices as well as every member of their professional and clerical staffs were white.⁸⁸ As Woodson argued in *The Mis-Education of the Negro*, white leadership of systems meant to serve black students is inconsistent with the notion that education is meant to produce successful members of society who have developed a

⁸⁶ Morton, "The Education of Negroes in the District of Columbia," 333.

⁸⁷ Roe, "The Dual School System in the District of Columbia," 32.

⁸⁸ Morton, "The Education of Negroes in the District of Columbia," 329-330.

healthy sense of self and self-efficacy.⁸⁹ In these systems, Woodson explained, “Negroes are always such a small minority that they do not figure in the final working out of the educational program. The education of the Negroes, then, the most important thing in the uplift of the Negroes, is almost entirely in the hands of those who have enslaved them and now segregate them.”⁹⁰

Segregated Education as the Best Place of Attack

Despite Negro parents’ still-salient fears that integrated schools would subject their students to social-emotional stress and unfair competition from white students, by 1947, Washington’s blacks recognized the critical role the separate school system played in maintaining their perceived inferiority and their need for better opportunity for their children. Indeed, all segregated public facilities in the District – from restaurants to hotels to recreation centers – ultimately stemmed from the discrimination that began at the level of the school system, producing generations of Negro citizens held down by lack of access to social and cultural capital.⁹¹ As such, efforts to meaningfully break Jim Crow systems in the city would necessarily start with the schools. At the end of the 1940s, black parents, using already-established grassroots institutions like parent-teacher associations, began to call for community action, with new and explicit protest strategies to draw public attention to the inequities of the dual school system.

⁸⁹ Woodson, *The Mis-Education of the Negro*, 128.

⁹⁰ *Ibid.*, 22.

⁹¹ Morton, “The Education of Negroes in the District of Columbia,” 339.

IV. Community Advocacy and Early Litigation Efforts, 1947-1948

By 1947, parents with children in the colored school system found issues of inequity, from the inadequacy of facilities to the necessity of double shifts, increasingly impossible to ignore. Overcrowding in particular was a visible manifestation of the inequality inherent in the dual system, and as such, it served as an effective point of protest directed at the Superintendent of Schools, Hobart M. Corning, and the Board of Education.⁹² Browne Junior High School, the District's most overcrowded school, had an active Parent-Teacher Association (PTA) that began to call explicitly for relief for its many pupils.⁹³

Employing protest strategies like petitioning, filing suit against administrators in the dual system, and ultimately, striking, the Browne PTA drew attention to crisis-level conditions at the junior high school. Built to educate 888 students, by February of 1947, Browne Junior High School held almost twice its capacity, housing 1,707 students who attended classes in part-time, staggered double shifts instituted by the Board of Education, which saw the program as a viable solution. In reality, though, this policy did not fulfill the District statute that all students in the city receive a full day – or six hours – of instruction.

Soon, a group of individuals broke away from the Browne PTA to form a new group aimed to not only address overcrowding in the schools but to also explicitly end the racial segregation that separated children in the city's public schools and recreation areas. Re-naming themselves the Consolidated Parent Group (CPG) and led by Gardner

⁹² Roe, "The Dual School System in the District of Columbia," 32.

⁹³ For more information about the history of parent-teacher associations in the United States, see "National PTA History," National Parent-Teacher Association, accessed May 3, 2015, <http://www.pta.org/about/content.cfm?ItemNumber=3465>.

Bishop, a representative of the everyday working people of the District, and lawyer Charles H. Houston, renowned for his civil rights work, this more concentrated group of dedicated and diverse parents and community members moved away from the tactic of petitioning for better resources in favor of promoting desegregation and integration across the city.

The Battle Over Browne Junior High School and Carr v. Corning

In the post-war period, Browne Junior High School and its overcrowding problem served as a testing ground on which different organizations tried out a variety of advocacy strategies. The D.C. chapter of the National Association for the Advancement of Colored People (NAACP) went straight to Congress, attempting to influence the House Subcommittee on D.C. Appropriations, and the Committee for Racial Democracy in the Nation's Capital were among the first groups to propose legal action against organizations that perpetuated discriminatory practices. Neighborhood civic associations and individual parent-teacher associations took a more localized approach, fundraising for their local schools and writing letters to the Board of Education to petition the school system's governing body for equal resource distribution.⁹⁴

The Browne Parent-Teacher Association, however, took a different approach. Its president, James Carr, led the charge to petition the Board of Education to allow black students to transfer from Browne to Eliot Junior High School, the closest junior high school to Browne, which had emptied out with white flight to suburban Maryland and

⁹⁴ Marya A. McQuirter, "'Our Cause is Marching On': Parent Activism, Browne Junior High School, and the Multiple Meanings of Equality in Post-War Washington," *Washington History* 16 (2004/2005): 67-69.

Virginia and now had a few hundred extra spaces for students.⁹⁵ Carr and attorney Leon A. Ransom of the District chapter of the NAACP, supported by Howard University education professor Dr. Martin D. Jenkins, presented the petition to the school board at their meeting on April 16, 1947. When Superintendent Hobart M. Corning published his official response two months later, attorney Ransom returned to the Board of Education meeting to advocate on behalf of Carr and other Browne parents, declaring that Corning's response "admits all the major premises of the complaint, but fails to make any specific recommendations for the relief desired." Only two of the nine board members, Velma G. Williams and George E. C. Hayes, agreed with Ransom's assessment; however, the rest of the board voted to accept Corning's report.⁹⁶

In line with Corning's response, the Board of Education reassigned more old white schools to the colored school division, though these efforts did not appease black parents like Carr. Blow Elementary School and Webb Elementary School were designated to relieve the overcrowding at Browne Junior High, which left parents dissatisfied for several reasons. First, Blow and Webb were not as close to Browne as Eliot was, and students would be required to walk between Browne and Blow and Webb, no matter the weather conditions. Second, as elementary schools, Blow and Webb did not have the same resources that Eliot, which was designed for older students, did, like libraries, cafeterias, gymnasiums, and workshops. Several classrooms at Blow had damaged blackboards, while there were no lockers, closets, or male bathrooms at Webb. Most significantly, funneling students to Blow and Webb would not fully relieve overcrowding at Browne; six hundred students would still receive their education in part-

⁹⁵ Roe, "The Dual School System in the District of Columbia," 33.

⁹⁶ McQuirter, "Our Cause is Marching On," 70-71.

time shifts. Rather than set a precedent for desegregation by transferring students to Eliot, the school board pushed ahead with its plan to move Browne students back and forth to Blow and Webb.⁹⁷ This new plan would be implemented on December 3, in the middle of the school year, with students divided into four groups that would attend the three schools in different shifts. Both teachers and students would have to shuttle back and forth between classes.⁹⁸

Carr called a mass meeting of the Browne PTA at the end of November of 1947 to gather support and funding for an equalization lawsuit against the school board before the proposed plan for transfers to Blow and Webb became effective.⁹⁹ Carr's daughter, Marguerite, served as the plaintiff representing Browne students and their parents, and the PTA hired black attorney Belford Lawson, who had previously worked with the New Negro Alliance, to argue that the Board of Education had not complied with the "separate but equal" principle of schooling required by the decision in *Plessy v. Ferguson* because it did not send students to Eliot.¹⁰⁰

Gardner Bishop was a working-class parent whose daughter, Judine, attended Browne as well. Bishop went to the mass meeting but was not satisfied with what he heard and saw. He understood the Browne PTA comprised middle-class black parents who looked out for themselves rather than for working-class and poor black families in the District.¹⁰¹ Bishop had grown up in North Carolina resenting the pressures of segregation and the whites and upper-crust blacks alike who perpetuated discrimination.

⁹⁷ Roe, "The Dual School System in the District of Columbia," 33-34; McQuirter, "Our Cause is Marching On," 72.

⁹⁸ McQuirter, "Our Cause is Marching On," 72-73.

⁹⁹ Roe, "The Dual School System in the District of Columbia," 33.

¹⁰⁰ Kluger, *Simple Justice*, 514-515; Roe, "The Dual School System in the District of Columbia," 33.

¹⁰¹ Roe, "The Dual School System in the District of Columbia," 33.

Turning down the opportunity to go to the colored state college in Orangeburg, South Carolina out of fear of the southern brutality that Jim Crow inspired, Bishop instead moved to the District in 1930 and took a job as a barber in a white shop. He abandoned the white barbershop after one of his customers told him a racist joke in favor of a lower-paying but more dignified job in a black shop. There, as he became a part of Washington's alley life, Bishop was known as "the U Street barber" and found a comfortable home. In reference to attitudes he observed in other parts of the city, though, he used the term "double Jim Crow" to refer to the desire of both white Washingtonians and colored Washingtonians to rid the city of its black drunks, prostitutes, and gamblers. Bishop, however, viewed the District's underclass as including more genuine people than the black community leaders bred by organizations like the NAACP, which drew largely from the middle class to establish its base. With a teenaged daughter at Browne who only attended school on a shift, Bishop's disdain for this kind of leadership grew. After the PTA meeting about the equalization lawsuit – Bishop's first such meeting – he remained unconvinced that the legal strategy proposed would benefit working-class and poor black parents. "We knew the case wasn't going to work ... but nobody asked us what we thought because we were nothin'!" he explained. "Nobody gave us a chance to speak. What we wanted was relief, not lawsuits with \$500 fees for the lawyers."¹⁰² Nevertheless, the PTA proceeded with its plan to sue and filed *Carr v. Corning*, named for Carr's daughter and for the Superintendent of Schools, when Marguerite was denied a place at Eliot Junior High School, the school to which she lived closest, when she attempted to

¹⁰² Kluger, *Simple Justice*, 513-515.

transfer from Browne. Belford Lawson argued that Marguerite was denied her right under District law to receive a full day of instruction at the school nearest her home.¹⁰³

At the same time, the Citizens' Emergency School Committee, which comprised eight civic associations, one citizens association, two teachers' union affiliates, and three parent-teacher associations, formed in response to the transfer proposal and filed what was known as the "Browne Students' Suit," named for students Betty Portal, Arthur Taplett, and Charles David Nelson and argued by attorney Leonard Hayes. The Students' Suit asked for an injunction against the transfer of Blow and Webb elementary schools to the colored division; like *Carr*, it did not address the constitutionality of segregated schools themselves.¹⁰⁴

The Browne Parent Group and Striking a "Blow" Against Board of Education Policy

The parents involved with the Browne Students' Suit, however, wanted to do more. The day after Hayes filed suit, a group of parents, separating themselves from the Browne PTA, met at Jones Memorial Methodist Church to discuss taking collective action on their own terms. More than one hundred and sixty parents, calling themselves the Browne Parent Group, agreed to keep their children home instead of attending Browne, Blow, or Webb, and signed a petition to signal their commitment to the strike "until the Board of Education justly performs its duty by designating for the use of our children educational facilities which will be adequate relief from part-time schooling – inflicting no jeopardy on the life, limb or health and educational growth of our children."

The strike began on December 3, 1947, when Gardner Bishop, selected as the group's

¹⁰³ Green, *The Secret City*, 300; Roe, "The Dual School System in the District of Columbia," 34-35.

¹⁰⁴ McQuirter, "Our Cause is Marching On," 73-74.

spokesman, presented the petition to the Board of Education. Meanwhile, outside the Franklin Administration Building, where the school board meeting was held, a dozen parents picketed with signs. During his presentation, Bishop defended the one hundred and sixty parents who signed the petition, declaring that,

They are not communists. They were not communistically inspired. They are everyday working parents, good Americans. They have become indignant and they feel that they have a just right to be because they believe that their children have been put by your actions to undue hardships to pursue their schooling. They formed themselves together and drew up this petition without any organization, without any legal advice, just of parents.

Bishop had found his place as a leader in an organization that sought symbolically to buck the heavy-handed influence of middle- and upper-class blacks in favor of advocating for the views of “everyday working parents.” That being said, many of the parents who signed the petition came from various parts of the city, not just its most underserved areas, owned their own homes, and worked for the federal government or in private industry. Moreover, several petitioners had significant organizing experience.¹⁰⁵ Either way, parents’ commitment to the act of civil disobedience served as a reclamation of their authority in the face of the school board’s disregard for providing an equitable solution to the massive overcrowding issue pupils faced at Browne.

On December 4, the day after the start of the strike, the Browne Parent Group came together again at Jones Memorial Church to discuss the first two days of their protest and what they thought the next steps should be. Some parents, like James Williams, expressed concern over fines levied under the terms of the District’s 1925 compulsory education law, against parents who kept their children from receiving some kind of regular instruction and argued that group funds should go toward paying fines

¹⁰⁵ McQuirter, ““Our Cause is Marching On,”” 74-75.

rather than lawyer fees. Others, like Eulalia C. Matthews, picked up this line and encouraged fellow Browne Parent Group members to accept fines and even imprisonment to fight segregation in the schools. This use of striking as a tactic was a familiar one in the District; a few years earlier, white parents in the Northeast quadrant of the city had enacted a strike at their school, and the Committee for Racial Democracy had previously picketed outside of the National Theater. What was unique about the Browne Parent Group strike was that Negro parents moved in favor of direct action despite the promotion of legal strategies by other, more established black-led organizations. In the end, the Parent Group reaffirmed its commitment to continued picketing outside Board of Education meetings and school buildings and striking with their children.

The next day, December 5, parents took up positions outside of Browne, Blow, Webb, and the Franklin Administration Building under the leadership of Eulalia Matthews. Those picketing outside Blow and Webb held signs that declared, “Junior High Schools for Junior High Students,” “No Second Class Schools for First Class Pupils,” and “Equal Facilities for All Children.” The strike effectively kept most students home from school; in the morning, only forty-three students went to Blow, and only forty-two to Webb, and by the afternoon, only five students showed up at Webb, and none at Blow.¹⁰⁶ The Browne Parent Group also circulated a letter to Browne Parents while its members picketed, which proudly declared, “CONGRATULATIONS! So far, we have had practically 100 percent cooperation! We must have adequate schools for our children.” The letter reiterated the issues at stake: that “[o]ur children are forced to walk 9 to 15 blocks between classes each day,” “[t]he heating system of the Blow school is inadequate,” “[t]he Blow and Webb schools have no facilities for shops, no gymnasium,

¹⁰⁶ McQuirter, “Our Cause is Marching On,” 75.

no cafeteria, no lockers, no library ... facilities that are necessary for all Junior High Schools,” “[t]he water foundations, toilet facilities are designed for elementary school children, and are woefully inadequate for Junior High use,” “[o]ur children are exposed to weather and traffic hazards ... must change classes regardless of the weather ... must cross Benning Road,” “[t]his transfer has been rushed and has disrupted the schedules of our children ... [s]ome have altogether new teachers in the middle of a semester,” “[o]ur children, in walking to and from classes ... are tempted to skip classes and thus contribute to juvenile delinquency,” and “[t]he buildings are dirty, drab, and not properly equipped for Junior High School children.” This list reflected parents’ concerns for a variety of aspects of students’ education, from their basic safety to their academic progress and their social and emotional development. The letter ended with a reminder to parents that

[w]e are not violating a law by keeping our children home. The Board of Education has violated a law by not providing adequate school facilities for our children ... It has been suggested that fines may be imposed on parents. We have more than \$5,000.00 at our disposal to pay any fines that come up. Don’t let the threat of fines scare you. We have also made provisions for those children whose parents are working.¹⁰⁷

Reassured that the Parent Group had the means to provide for them, the strike gathered more parent supporters. Additionally, other prominent Negro figures across the District pledged support and made donations to the strike fund, including Dr. W. Montague Cobb, a Howard University medical professor; William O. Woodson, the president of the Capitol View Civic Association; and Edgar G. Brown, the director of the National Negro Council and head of the government employees union.

¹⁰⁷ Browne Parent Group to membership, 5 December 1947. Consolidated Parent Group, Inc. Records, 1947-1954. Moorland-Spingarn Research Center, Howard University Library.

However, not all Washingtonians involved in the fight against inadequate school conditions were supportive of the strike. Attorney Leonard Hayes withdrew the complaint for the Browne Students' Suit because he disagreed with the Browne Parent Group's approach of "tak[ing] the law into their own hands" rather than letting the matter be settled by the courts. Black school board member George E. C. Hayes also voiced his concerns at a board meeting, asserting that, "I cannot think the way to meet this situation is for parents to advice [sic] children to disobey the law. We should inveigh against segregation whenever possible but I do not think that as a minority group we have a right to ask that law be enforced by violating it." Browne Junior High School principal William B. Stinson, meanwhile, pushed parents to bring their students back to school, whether they were attending Browne, Blow, or Webb. He sent letters to parents denouncing the efforts of the Browne Parent Group; in response, the Parent Group sent their own letter to Browne parents in which they declared, "Our strike has been overwhelmingly successful ... CONTINUE TO KEEP YOUR CHILDRE HOME. WE ARE WINNING! OURS TOGETHER."¹⁰⁸

At the December 15 school board meeting, the Browne Parent Group proposed a plan to transfer Eliot Junior High School or Eastern High School to the colored school division to relieve overcrowding at Browne. Both Eliot and Eastern housed fewer students than their stated capacities: Eliot had more than two hundred additional spaces, while Eastern would have twelve extra rooms once the white children who had been transferred from Blow and Webb to the Eastern Elementary unit returned to their original schools. As Browne Parent Group member Nellie V. Greene explained, this plan was about redistributing resources in the name of equality; she claimed that "[t]he average

¹⁰⁸ McQuirter, "Our Cause is Marching On," 76.

black parent does not give a hoot about his child going to a white school, but he does not want the fact that his child must be segregated used as an excuse for his being given sub-standard, obsolete, hand-me-down school facilities abandoned by whites.”¹⁰⁹

Superintendent Corning and the school board rejected the proposal on the grounds that a “room-by-room check of Eliot and Eastern shows that the two schools cannot be consolidated to free one of the buildings for Browne students” without cutting music and science classes for the white students at Eliot and Eastern. Because upper-middle-class white parents with students at the two schools would inevitably be angered by the transfer, Corning argued that he did not want to “create racial animosity.”¹¹⁰

The Strike Loses Steam

Over the holidays, the Browne Parent Group temporarily stopped the strike, promising to resume picketing once school started back up on January 5 of the new year. In the intervening weeks, the school board’s attendance division sent truant officers to the homes of the hundreds of families who had kept their children home in accordance with the strike. This scare tactic was effective; on January 5, there was a significant increase in the number of children who showed up to school at both Blow and Webb as parents faltered in their belief that they could effect meaningful change through protest. The Browne Parent Group tried to renew parents’ faith by highlighting the significance of their battle; Gardner Bishop reminded parents that “[t]he children may lose half a year in school but that is not so bad as the fact that for the last 20 years the Negroes have had

¹⁰⁹ Greene, however, among others in the Browne Parent Group, personally believed that “this intolerable situation is brought on by the evil segregated system, which daily is growing more expensive to taxpayers, more troublesome and more disgraceful.” McQuirter, ““Our Cause is Marching On,”” 76.

¹¹⁰ McQuirter, ““Our Cause is Marching On,”” 76.

terrible schools. We must take the chance of the half-year loss in education.”¹¹¹ While this argument for the collective good was certainly valid, the Browne Parent Group had a difficult time convincing parents to set aside the current needs of their individual children for the long-term good of Negro children in the District.

However, over the holiday break, members of the Browne Parent Group steering committee had predicted that adherence to the strike would decrease, and to bolster their program, set aside previously acknowledged class differences and began attending D.C. NAACP meetings. Parent Group leaders Dr. Frank Davis and Mrs. Joy P. Davis met with lawyers Charles H. Houston and James Nabrit, Howard University president Mordecai Johnson, Dr. Martin Jenkins, and Elmer House, who had served as chair of the Citizens’ Emergency School Committee. The D.C. NAACP set the goal of bringing these different parties, all engaged in the battle at Browne, together under a united front. By this point, in addition to the Browne Students’ Suit’s withdrawal, *Carr v. Corning* had also been dismissed in the District Court, and the NAACP sought to develop a new approach for legal redress.¹¹²

More transparently, other working parents, stressed by the length of the strike, started to voice their desire for professional legal help.¹¹³ Trusting Gardner Bishop as a representative who would keep their best interests in mind, they asked him to approach attorney Charles Houston on his own. Houston, who had constructed the NAACP’s original “equalization” strategy, had developed a reputation as an ardent fighter against

¹¹¹ McQuirter, “Our Cause is Marching On,” 77.

¹¹² McQuirter, “Our Cause is Marching On,” 78.

¹¹³ Genna R. McNeil, “Community Initiative in the Desegregation of District of Columbia Schools, 1947-1954: A Brief Historical Overview of Consolidated Parent Group, Inc. Activities from *Bishop* to *Bolling*,” *Howard Law Journal* 23 (1980): 5.

discrimination in the District.¹¹⁴ Bishop and the Browne Parent Group were at first wary of Houston's ties to the NAACP, believing that as a "big person," or an upper-class Negro who engaged issues of discrimination through the law, Houston would have little sympathy for their perspective.¹¹⁵ What they gave Houston credit for, though, was that he had spent his legal career passionately advocating for equity, framing Negroes' historic struggle against discrimination in terms of the unfulfilled promises written into the Constitution of the United States.¹¹⁶ Houston had originally joined forces with the NAACP in 1934, inspired by the progressive attitude of the Franklin D. Roosevelt administration and the spotlight on Washington, D.C. as a testing ground for questions of equality. He was a District Board of Education member in the 1930s, which gained him credibility with the city's white community, but had also stated for the Board's record his opposition to the practice of segregated schooling, which gained him the respect of Washington's blacks.¹¹⁷ Indeed, Charles Houston, for both his philosophy and qualifications, seemed like the perfect representative for a faltering movement.

Gardner Bishop set aside his reservations and attended an NAACP meeting in which Charles Houston was billed as a speaker. Bishop stayed until the end of the meeting to approach Houston one-on-one and ask for his aid. Houston responded by wrapping an arm around Bishop's shoulders and saying, "I know you, Bishop ... and I'd like to help."¹¹⁸ Houston invited Bishop to his home that evening, and the following night they met with the leadership of the Browne Parent Group to discuss their progress, including their successful mobilization of over one hundred parents; challenges,

¹¹⁴ Roe, "The Dual School System in the District of Columbia," 35.

¹¹⁵ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 28.

¹¹⁶ Kluger, *Simple Justice*, 105-106.

¹¹⁷ Kluger, *Simple Justice*, 158-159; McNeil 29

¹¹⁸ Kluger, *Simple Justice*, 517.

including their various opponents and the waning popularity of the strike; and the parents' hopes for their children's futures.¹¹⁹ Houston, despite the Parent Group's very limited funds and what Bishop perceived as his ignorance about the parents' work, agreed to take on their case.¹²⁰ Together, Houston, Bishop, and the representatives of the Browne Parent Group decided to end the strike, but to present it to the rest of the Parent Group's membership as "at the insistence of your lawyer."¹²¹ Two hundred parents had kept their children home from school for every day of the strike.¹²² Houston's presence, as an active civil rights lawyer and former school board member, at the mass meeting where this information was relayed, provided reassurance to parents whose enthusiasm was dragging.¹²³ He communicated his belief that the only way to effectively battle segregation was through litigation that directly addressed the issue, rather than through cases that circled around its constitutionality by petitioning for equalization. While not all of the members of the Parent Group were convinced that advocating desegregation would be effective, Houston's passion and reported skill led them to accept his strategy as worthwhile.¹²⁴ Moreover, Houston had already filed suit against school board president Marion Wade Doyle in the U.S. District Court of the District of Columbia, with Gardner Bishop and his daughter Judine as plaintiffs. He argued that "where the Board has a plain demonstration of inequality, refuses to correct it and instead perpetuates inequality because of race, the Board no longer acts in good faith but maliciously and the statute

¹¹⁹ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 29.

¹²⁰ "He wanted to know everything about us," Bishop recalls, "how we got our printings and mailings done, who paid for what, what we were really after. He seemed terribly concerned – and terribly ignorant about us. He had never been associated with our kind of people before"; Kluger, *Simple Justice*, 517.

¹²¹ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 29.

¹²² McQuirter, "Our Cause is Marching On," 79.

¹²³ Kluger, *Simple Justice*, 517.

¹²⁴ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 29.

offers no protection.”¹²⁵ Meanwhile, the board added Turner Elementary and Merritt Elementary to their list of Browne annexes and enacted a new distribution plan to give each Browne student a full day of instruction in one of five buildings, including Blow and Webb. Still, though, these elementary-level facilities did not provide the resources that junior high school students and courses required. Additionally, as a result of relieving overcrowding at Browne, eight classes worth of students at Burrville Elementary School and Smothers Elementary School were put on part-time schedules to accommodate former Merritt students.

The Browne Parent Group, with the renewed goal of seeking legal redress, renamed itself the Browne Junior High School Parent Group for Equality of Educational Opportunity. Gardner Bishop, Frank and Joy Davis, and Hannah P. Harris served as its leaders, and they sought a broader base of support than just parents of Browne students.¹²⁶ A letter from Joy P. Davis, who served as chairwoman of the Parent Group for Equality, circulated among Washington’s Negro community, asking, “Will you help us secure and safeguard the elementary rights of equal educational opportunity guaranteed to us by the Constitution[?]” to gain moral support and donations for the organization’s legal battle.¹²⁷ Bishop, who held the position of Chairman of the Finance Committee for the Legal Defense Fund and who by now had earned a reputation as a community advocate, also sent a letter but directly to parents with students at Browne, pointing out that “[t]he Superintendent of schools and the Board of Education are defendants in a suit in which you are the plaintiff. Mr. Charles W.[sic] Houston is your

¹²⁵ McQuirter, “Our Cause is Marching On,” 78-79.

¹²⁶ McQuirter, “Our Cause is Marching On,” 79.

¹²⁷ Joy P. Davis to membership, Consolidated Parent Group, Inc. Records, 1947-1954. Moorland-Spingarn Research Center, Howard University Library.

lawyer. This suit is to force the Board of Education to provide equal schools for all children. It also asks damages for injury done to your child by the Board's refusal to provide equal [schooling]." He appealed that

[y]ou must help finance your case. The public will help. They have already contributed over \$800 in cash and pledges. A good education is basic to the health and happiness of your child. Please send your contribution NOW for this worthy cause. ... Remember, this is your fight – for an equal educational opportunity for your child. Make a sacrifice, if necessary.¹²⁸

In February 1948, the group renamed itself as the Consolidated Parent Group, Inc. (CPG), with the explicit aim of “abolish[ing] racial segregation and other discriminatory practices now imposed upon minority groups in the public schools and recreational areas in the District of COLUMBIA.” With a continued emphasis on the effort of raising funds for legal battles, the CPG’s constitution stated that “[a]ny person may become a member of the organization by paying an advance sum of at least one dollar.”¹²⁹ The new title more explicitly reflected the desire to develop a larger constituency – not just Negro parents of students at Browne Junior High School, but parents of children in schools across the District – and also the founding members’ belief that parents should continue to serve as the primary voice when it came to advocating improvement of their children’s schooling. With this renewed focus and the militant spirit carried over from the original Browne Parent Group, Gardner Bishop, Charles Houston, and the Consolidated Parent

¹²⁸ Gardner Bishop to membership, Consolidated Parent Group, Inc. Records, 1947-1954. Moorland-Spingarn Research Center, Howard University Library.

¹²⁹ Constitution of the Consolidated Parent Group, Consolidated Parent Group, Inc. Records, 1947-1954. Moorland-Spingarn Research Center, Howard University Library.

Group were ready to take on issues of inequity in other colored District schools and in the system as a whole to, as in their motto, “give the child a fair chance.”¹³⁰

¹³⁰ Annual report, undated, Consolidated Parent Group, Inc. Records, 1947-1954. Moorland-Spingarn Research Center, Howard University Library.

V. The Consolidated Parent Group, Inc., 1949-1950

For its first official campaign, the Consolidated Parent Group, Inc. looked to overcrowding at the high school level. Most of the white high schools were under capacity, as white families moved out to Maryland and Virginia after World War II, while Cardozo High School, one of the Negro high schools, had been significantly over its 850 student capacity since 1940, with its student population continually increasing. In 1949, Cardozo held more than 1,700 students, and its heating, plumbing, and electrical systems were in disrepair. Indeed, the Cardozo building was in such poor condition overall that the school was in danger of losing its accreditation. Black community advocates had been lobbying the Board of Education for twenty years to build a new high school to relieve overcrowding at all of the black high schools – Cardozo, Dunbar, and Armstrong Technical – but the proposed Spingarn High School was slow to materialize. The CPG targeted Central High School, one of the schools in the white division with a declining enrollment, as a school to transfer to the colored division instead. Established in 1916, Central originally maintained a high level of enrollment, but with the construction of three new high schools in the Northwest quadrant of the city over the course of the 1930s, its student population began to decline. In 1949, Central only housed 1,400 students, but it had room for 1,950. Students from Cardozo, proposed the Consolidated Parent Group, could be reassigned to Central, which was only a few blocks away at 13th and Clifton streets.¹³¹ Gardner Bishop, president of the Consolidated Parent Group, submitted a petition of 50,000 signatures to the school board requesting to transfer Central to the colored school division as a replacement for Cardozo.¹³²

¹³¹ Roe, “The Dual School System in the District of Columbia,” 35-36.

¹³² Kluger, *Simple Justice*, 518.

However, the reaction to this suggestion proved more contentious than expected. Central High School was not just a schoolhouse, but after school hours also served as a community recreation center, complete with tennis courts, gymnasiums, athletic fields, and a swimming pool, for whites throughout midtown. Members of the Central High Alumni Association, still loyal to their alma mater, started a campaign against the Consolidated Parent Group's proposal, igniting a firestorm among current students and families as well as community members and staging a battle that would prove to be inflammatory and racially divisive. The Alumni Association instead backed a plan to remodel Central High as a white two-year technical college, supported by data from the Strayer Report, which showed that Central's building was no longer in proper condition to support a comprehensive high school.¹³³

The Consolidated Parent Group also used data from the Strayer Report to bolster their side arguing against the inequities across the dual system as a whole. The Strayer Report had been commissioned by the Board of Education and published in 1949. The Board received a \$100,000 appropriation from Congress and employed Dr. George Strayer, professor emeritus of the Columbia University Teacher's College, to conduct a survey to assess the facilities, resources, personnel, and practices of the District's schools at all levels. Strayer and his team of twenty-two researchers published a one thousand page report, with data that proved that the colored school division suffered from poorer conditions than those in the white school division.¹³⁴ The Negro schools by and large ran over capacity and were housed in older, dilapidated buildings; forty percent of buildings in the colored school division were fifty years or older, while only twenty-five percent of

¹³³ Roe, "The Dual School System in the District of Columbia," 35-36.

¹³⁴ Paul Cooke, "Review of The Strayer Report, The Report of a Survey of the Public Schools of the District of Columbia by George Strayer," *The Journal of Negro Education* 19 (1950): 65.

white school buildings were. Teaching loads in the colored division were heavier; black teachers taught an average of 711.3 pupil-hours per week to white teachers' average of 548.1 pupil-hours per week. At the elementary level, more than eighty percent of classes in the colored schools had more than forty students, while in the white schools, about sixty-eight percent of classes had more than thirty students. Negro children also spent fewer hours in the classroom than did white children; some colored pupils only received instruction in shifts for three hours a day.¹³⁵ Most distressingly, the report found that students in the colored school division had higher rates of failure and even mortality.¹³⁶

The publication of the Strayer report used hard data that reinforced assertions made the previous year in "Segregation in Washington," the pamphlet published by the National Committee on Segregation in the Nation's Capital, which had drawn the attention of many of Washington's whites to the severity of the discrimination experienced by Negroes in public accommodations across the city. The numbers proved definitively to the city's taxpayers, both white and black, that the dual school system was unnecessarily costly. Moreover, the Strayer report supported the National Committee's primary contention – that the dual school system supported discriminatory practices across the city. White and Negro children never had opportunities to interact in schools or recreation areas, and their separation, which continued through the university level, ensured that the entire social structure of the District remained racially divided.¹³⁷

However, the Strayer report stopped short of declaring the dual school system in and of itself as morally problematic or the segregation of schoolchildren unconstitutional.

Paul Cooke, an English professor at the District of Columbia Teachers College, published

¹³⁵ Stewart, *First Class*, 170-171.

¹³⁶ Cooke, "Review of the Strayer Report," 65.

¹³⁷ Green, *The Secret City*, 301-302.

a review of the report in the *Journal of Negro Education* in which he criticized it on the grounds of questioning whether

a ‘complete survey of the public-school system’ [can] ignore the cost of a dual school system, its legal basis, the psychological effect on white and Negro children, its effect on international relations, its contradiction of the meaning of American democracy, as well as its limitations in providing full educational opportunity for the Negro minority ... This comprehensive study, it may be concluded, is not valid because it ignores direct study of the dual school system.¹³⁸

The Consolidated Parent Group, nevertheless, used data from the Strayer report to call for action. On the cover of an official pamphlet, the CPG implored parents across the District to “Wake Up ... and Fight! It’s YOUR CHILD That Needs Help. Will You Give It?”¹³⁹ Inside the pamphlet, the CPG pointed out some of the inequities in the dual school system:

We have stressed overcrowding but this is not the only glaring inequality. Although the Strayer Report states that Negro children fall below the standard of achievement of the white children in reading, arithmetic and language, there has been no reading clinic established for Negroes as has been established for white children. In the colored junior high schools neither ungraded classes nor sight conservation classes exist for colored children, but in the white junior high schools they do exist for white children. Although Negro children are provided with proportionately less guidance service than the whites, the pupils in the former have more serious and numerous problems of social and vocational adjustment.¹⁴⁰

According to the Strayer report, the CPG noted, the entire school system needed a significant infusion of funds to bring its facilities up to acceptable standards, but the white school division only needed \$9 billion, while the colored school division needed \$29 billion.¹⁴¹

¹³⁸ Cooke, “Review of the Strayer Report,” 65.

¹³⁹ Pamphlet, undated. Consolidated Parent Group, Inc. Records, 1947-1954. Moorland-Spingarn Research Center, Howard University Library.

¹⁴⁰ *Ibid.*, 1.

¹⁴¹ *Ibid.*, 1.

To convince citizens across the District of their viability and efficacy as an organization, the Consolidated Parent Group also highlighted its six major accomplishments thus far in the pamphlet, including that they:

1. Petitioned the Board of Education for abandonment of the double shift schedule at Browne Junior High School. It was abandoned.
2. Refused to submit to order of Board of Education sending Browne Junior High School children part of the school day to the Blow and Webb schools, requiring them to cross Benning Road and move from school to school in all kinds of weather. This practice was stopped.
3. Filed a brief with the Attorney General in support of the National Park Service positions that District playgrounds on National Park Service properties may not be segregated. The matter is still pending.
4. Moved to have the District Attorney attack the practice of holding 'District high school championship' title games played when colored schools were not permitted to compete. Parties were notified that this practice would be attacked in the courts. Advertising was changed.
5. Appeared before the Subcommittee for the District of Columbia of the Senate Appropriation Committee to secure a total authorization of \$3,600,000 for Spingarn High School and replacement of the existing appropriation which the House deleted. Senate action is pending.
6. Instituted suit against the Board of Education for the injury inflicted on colored children because of unequal educational opportunities offered them. Suit is in progress and depositions are being taken.¹⁴²

These efforts were all contributions toward the CPG's ultimate goal, which they defined as "[e]qualization of educational and recreation facilities between white and colored children in the Nation's Capital."¹⁴³

To this end, the CPG submitted a list of demands to the Board of Education, requesting completion by September 15, 1949. These included that the board:

1. Accommodate all children of kindergarten age in Divisions 10-13
2. Make available to all children vacancies in schools nearest them
3. Make available to all children schools designed for their specific age level
4. Make available to Divisions 10-13 space comparable to number of children served
5. Provide for problem children and slow learners in

¹⁴² Ibid., 3.

¹⁴³ Ibid., 3.

ungraded classes on Junior High School level in Divisions 10-13 6.
Eliminate over-crowded classes without resorting to double shifts.¹⁴⁴

This list reflects direct concern for the people who mattered most in the battle over school segregation: the children repeatedly treated as lesser priorities in the dual system, and their parents, who sought an avenue to amplify their voices. Indeed, the Consolidated Parent Group provided just that: a space for Negro parents across the District to join together, in an organization that valued their opinions and insights. As Gardner Bishop's personal appeal in an annual report asserted,

There have been many attempts by various groups to change this system and to bring about so-called equalization. Most attempts have failed because of the self interest [sic] of individual leaders. Too often they compromised [sic] because of lack of courage and public resentment. But the Consolidated Parent Group gives you its record as proof that here is an organization determined not to sacrifice the welfare of one single child for any reason.¹⁴⁵

The report also contained a section titled "observations by parents," which highlighted individual parents' moral appeals, concerns, and stories of success in the fight against discrimination. Charles Houston, as a leader of the CPG, also had a quote published in this section which asserted his faith in the parents' ability to bring about change, claiming that, "The fence can be moved, and I believe concerted effort of the Consolidated Parent Group, with the proper support of its members and the public can and will do the job."¹⁴⁶ Indeed, Houston and Bishop made a formidable pair, together at the head of the CPG; as a member of Washington's wealthy Negro community, Houston was comfortable

¹⁴⁴ Divisions 10-13 composed the colored school division of the dual school system. Petition for Equality of Educational Opportunity. Consolidated Parent Group, Inc. Records, 1947-1954. Moorland-Spingarn Research Center, Howard University Library.

¹⁴⁵ Annual report, undated. Consolidated Parent Group, Inc. Records, 4.

¹⁴⁶ *Ibid.*, 1.

courting District officials, while Bishop swept around the city, acting as confidant and spokesman for everyday black parents.¹⁴⁷

While Gardner Bishop and members of the CPG were busy advertising their gains and their goals to the wider District community, circulating petitions, attending school board meetings, and writing letters to Superintendent Corning and school board officials, Charles Houston was hard at work gathering a base of legal professionals and educational experts for support. He reached out to Harry Merican, a civil libertarian lawyer who had worked previously on cases about racially restrictive housing covenants; Charles Thompson, the dean of the Howard School of Education; and Ellis Knox, a professor at the Howard School of Education. With these well-known, respected figures, Houston began to consolidate the knowledge and skills the group needed to effectively stand up to the superintendent and the school board, as well as to sway white public opinion toward their cause.¹⁴⁸ Merican helped collect and prepare depositions; Thompson and Knox crafted deposition questions and provided data analysis to support arguments. While Houston provided his own services for free and personally paid for legal fees, the others were compensated for their work, though minimally. The Consolidated Parent Group, though, was running on limited funds. Their wide circulation of communication materials and petitions, as critical as it was to their strategy of reaching a broad base of District citizens, was expensive. CPG treasurer James Haley highlighted the need for significantly increased fundraising efforts by pointing out that the group only had fourteen dollars in its bank account.¹⁴⁹

¹⁴⁷ Kluger, *Simple Justice*, 518.

¹⁴⁸ Roe, "The Dual School System in the District of Columbia," 35; McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 32.

¹⁴⁹ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 32-33.

Unfortunately, the District chapter of the NAACP was unwilling to offer its financial backing. However, many of its members made individual donations, as did Houston's colleagues and friends from Howard University – ironically enough, Washington Negroes who Gardner Bishop would have previously derided as “big people.” Additionally, Jones Memorial Methodist Church, where the CPG held its first meetings, continued to serve as a pillar of community support and a base of communication, as did the Metropolitan Baptist Church. Both offered space for meetings at no cost, and during church services collected special offerings for the Consolidated Parent Group. The Murray Brothers Printing Company and the French L. Burke Company donated printing and editing services to defray the costs of distributing publications.¹⁵⁰ Even the poorest neighborhoods in the city came together for the CPG cause; charwomen and prostitutes ran raffles and put on parties to bring in a few dollars. The wide variety of groups invested in the CPG's success spoke to the salience of their goals to many interest groups and their efficacy in reaching a wide cross-section of the District's citizens. And, true to form, when the group had funds to spare, it used them to send Negro students to summer camp.¹⁵¹

Meanwhile, the Consolidated Parent Group's proposal to transfer Central High School to the use of Cardozo High School both brought out impassioned white opponents and inspired stakeholders at Cardozo to speak out. In a June 1949 edition of the *Washington Post*, Central Alumni Association President Edward T. Dunlap was quoted as saying, “We think that just because colored people are moving into certain areas that is

¹⁵⁰ Ibid., 33-34.

¹⁵¹ Kluger, *Simple Justice*, 518.

no reason for turning over buildings to them.”¹⁵² On the other side, a Cardozo teacher, in an anonymous op-ed in the *Washington Star*, used her “responsibility to those whom I teach” as justification for bringing to light “the situation that actually exists at Cardozo.” She questioned, “Have not our Cardozo students been subjected to enough of this educational farce in ‘the triple shift?’ Is their psychological, social and educational growth to be overlooked entirely just to satisfy the demands of those in Divisions 1-9? This is the thing that is ‘educationally unsound’ and ‘a major tragedy.’”¹⁵³ Charlotte A. Shorter, a Cardozo High student, wrote a piece for the *Post* simply titled “Cardozo Crowding,” in which she eloquently captured the issues at stake for various parties from the perspective of a child who had grown up in the segregated school system:

As a student of Cardozo High School I would like to express my reactions to the Board of Education’s decision to postpone a final vote on the transfer of Cardozo students to Central. I have never had the privilege of attending a high school that was adequately equipped or not overcrowded. For two of my three years at Cardozo I have attended school on a triple shift, and have been subjected to conditions that I never thought existed in a high school. Our desire for an adequate school building is not prompted by jealousy or selfishness. Whether the building assigned to us is Central or any school of proportionate size is irrelevant. The fact is that a building is desperately needed for 1700 high school students. To all those who oppose our receiving adequate facilities, I say come to Cardozo any day from 8:30 to 3:40 and see the obvious and unnecessary waste of time, effort and taxpayers’ money.¹⁵⁴

The Board of Education eventually transferred Central to Cardozo students in May of 1950. While white students were quietly accommodated in other white high schools, black students across the District as a whole actually experienced little relief from overcrowding. Some did return to full-time schedules, but most black high schools

¹⁵² “Central High Shift Draws Alumni Fire,” *Washington Post*, June 29, 1949.

¹⁵³ Divisions 1-9 composed the white school division of the dual school system. “Removing 500 Students No Solution to Cardozo Problem,” *Washington Star*, November 1949.

¹⁵⁴ Charlotte A. Shorter, “Cardozo Crowding,” *Washington Post*, February 8, 1950.

remained over capacity, while all of the white high schools except for one remained under-enrolled. At the new Cardozo building itself, the influx of a new freshman class – the largest in the school’s history – ensured that, despite the transfer, the school remained overcrowded. Until the school board addressed the issue of segregation directly, it seemed, conditions in the colored school division would remain dire.¹⁵⁵

Moreover, the previous month, a seemingly insurmountable tragedy struck the Consolidated Parent Group: Charles Houston, who had been hospitalized the previous year for overwork, died of a heart attack in April of 1950. In a press release following Houston’s death, Bishop wrote,

Charles H. Houston is a martyr. He gave his life for a cause. This is not an erroneous statement and the Consolidated Parent Group is the first to recognize the full truth of it. A study of his life will prove the fact that as if by fate he was dedicated to the cause of freedom and full civil rights for all people. He did what others talked of doing. His burning desire for right caused him to over-work, placing too much strain on a human heart. Houston found it an impossibility to let up knowing there was much to be done. He could not stop. A great brain can not [sic] help but think when the eyes convey to it the inequalities suffered by his people.¹⁵⁶

Having lost his unlikely but ultimately most trusted partner, Gardner Bishop faltered in his steady faith in the work of the Consolidated Parent Group and doubted his own ability to continue to lead the charge. However, Houston had not left Bishop without a roadmap. As he lay dying, he told Bishop to contact his Howard University colleagues James Nabrit and George E. C. Hayes; “[g]o tell ... [them] they owe me and [to] take your case,” he advised.¹⁵⁷ Bishop, ever slow to trust “upper-crust” Negroes, did not know Nabrit and Hayes, and was therefore disinclined to follow through on Houston’s

¹⁵⁵ Roe, “The Dual School System in the District of Columbia,” 38.

¹⁵⁶ Press release, 1950. Consolidated Parent Group, Inc. Records, 1947-1954. Moorland-Spingarn Research Center, Howard University Library.

¹⁵⁷ McNeil, “Community Initiative in the Desegregation of District of Columbia Schools,” 35.

suggestion; moreover, Hayes, a former school board member, had been named as a defendant in a previous equalization lawsuit. Despite Bishop's reservations, the Vice President of the CPG, Burma Whitted, went ahead and made appointments for Bishop with the two new lawyers.

Bishop had substantial evidence to present to Nabrit and Hayes as to the worthiness of the Consolidated Parent Group's fight. From its inception in 1948 until Houston's untimely death, the CPG had effectively developed a broad, racially and socioeconomically diverse base across the District. By mobilizing families, students, and community members for equalization efforts, the group had already made dents in the argument that the dual system was an efficient way to maintain the city's schools. Though he did not fully realize it yet, Gardner Bishop had led significant efforts that set the stage for a national challenge to the constitutionality of school segregation itself. James Nabrit and George E. C. Hayes, when they joined the fight, would help Bishop take his cause all the way to the nation's highest court.

VI. A Shift in Focus: Segregation as Unconstitutional, 1950-1954

Gardner Bishop, at Charles Houston's behest, met first with attorney James Nabrit and detailed, "Charlie's wish that he should take over the [equalization] lawsuits and continue the fight."¹⁵⁸ Nabrit rejected Bishop's request for help out of hand, explaining his view that the equalization strategy was a weak one and ultimately a waste of time in the larger fight for meaningful equality. He did, however, offer to join with the Consolidated Parent Group if Bishop was willing to shift the group's strategy to desegregation rather than equalization. A bigger risk-taker than Houston had been, Nabrit was willing to challenge the system of segregation itself, not just its effects.¹⁵⁹ With George E. C. Hayes, who, as a former school board member, had experience navigating the intricacies of the dual school system, Nabrit and Bishop sought to take on the *Plessy* doctrine of "separate but equal" once and for all.¹⁶⁰ In a letter to the CPG membership, Bishop hoped to reignite the parents' spirits by memorializing Houston but also reassuring them that Nabrit and Hayes would serve them well:

The Consolidated Parent Group was adopted and re-designed by Charles H. Houston, and in the spirit of him has never feared to speak the truth and place the blame squarely where it belongs. We seek by numbers to show strength and unity, and believe by law we can change the whole wicked setup. In mourning his death, we glory in the inspiration that he gave. With us he awoke the entire city to the needs of our children ... You should feel proud because you have helped. Houston was proud of you and your courage ... Your donation and work has brought some relief and will bring complete victory ... Lawyer Geo. E. C. Hayes, former member of the Board of Education, a ceaseless fighter against Jim Crowism, and Lawyer James Nabrit, Jr., Instructor of Law and Secretary of Howard University, a devout opponent of segregation, have taken the torch that

¹⁵⁸ Kluger, *Simple Justice*, 519.

¹⁵⁹ *Ibid.*, 519-520.

¹⁶⁰ Stewart, *First Class*, 165.

was Charles H. Houston's. They were his choice, and with your aid and support we shall have victory!!¹⁶¹

The next step, the three men determined, was to find a case to use to argue against segregation.

Sousa Junior High School and Challenging Segregation

The last equalization case pending in the U.S. District Court for the District of Columbia, *Carr v. Corning*, had been sent to the Court of Appeals and ruled on in February of 1950 in favor of the defendant. In a two-to-one opinion, the Court of Appeals determined that school segregation in D.C. was constitutional. However, the dissenting judge, Henry Edgerton, provided a basis for arguing against segregation in future cases. He argued that the practice of school segregation was “even more arbitrary” than housing segregation, which the Supreme Court had outlawed in D.C. in 1917 with the ruling in *Buchanan v. Warley* on the grounds that it had no public purpose. Edgerton also pushed against the *Plessy* doctrine, using data from the Strayer report to support his moral argument, and declared,

School segregation is humiliating to Negroes. Courts have sometimes denied that segregation implies inferiority. This amounts to saying, in the face of the obvious fact of racial prejudice, that the whites who impose segregation do not consider Negroes inferior. Not only words but acts mean what they are intended and understood to mean ... Segregation of a depressed minority means that it is not thought fit to associate with others. Both whites and Negroes know that enforced racial segregation in schools exists because the people who impose it consider colored children unfit to associate with white children.¹⁶²

¹⁶¹ Gardner Bishop to membership, 1950, Consolidated Parent Group, Inc. Records, 1947-1954, Moorland-Spingarn Research Center, Howard University Library, 1-2.

¹⁶² Unfortunately to the plaintiffs, data from the Strayer report was not part of the official record in the case presented to the Court of Appeals, though its inclusions likely would not have changed the ruling that “separate but equal” in education was still legal; Kluger, *Simple Justice*, 518-519.

Edgerton also asserted that answering the question of segregation was ultimately the responsibility of the courts, not Congress, providing precedent for Nabrit's determination to take the battle over the dual school system all the way to the Supreme Court.¹⁶³

At the start of the school year in 1950, Gardner Bishop began to look at the newly built white John Philip Sousa Junior High School in the Southeast quadrant as a potential testing ground for an argument on desegregation. Like many schools in the white division, Sousa was under-enrolled and had space for a few hundred more students. The structure was remarkably well-equipped, with forty-two spacious classrooms, a large auditorium, a double gymnasium, a softball field, and seven basketball courts. Moreover, the only colored junior high school in Southeast was Browne, which was operating under a complicated schedule where students attended one of five schools; Sousa could offer relief from this setup.¹⁶⁴ On September 11, Bishop brought a group of eleven black teenagers to tour the new space and ask the principal, Eleanor McAuliffe, to allow their enrollment. When she denied them, the Consolidated Parent Group mobilized quickly, collecting hundreds of signatures on a petition asking Sousa to admit colored pupils, and presented the document to the school board. The board, inevitably, rejected the request.¹⁶⁵

One of the eleven students who went with Bishop to Sousa was Spottswood T. Bolling, Jr. His mother, Mrs. Bolling, was a widow and federal employee who worked at the General Services Administration. Spottswood Bolling, Jr. attended Shaw Junior High School in the Shaw neighborhood of D.C.; the building in which he took his classes was almost fifty years old and poorly equipped. Bolling's name, the first alphabetically,

¹⁶³ Green, *The Secret City*, 302-303.

¹⁶⁴ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 36.

¹⁶⁵ Kluger, *Simple Justice*, 522-523; Roe, "The Dual School System in the District of Columbia," 38.

headed the list of plaintiffs when Nabrit, Hayes, and the Consolidated Parent Group filed *Bolling v. Sharpe* against school board president C. Melvin Sharpe in the U.S. District Court for the District of Columbia on November 11, 1950.¹⁶⁶ Nabrit and Hayes bypassed the question of equality in favor of arguing that the Fifth Amendment of the Bill of Rights should hold for colored students in the District of Columbia. The plaintiffs' Fifth Amendment protection against deprivation of liberty had been violated by their exclusion from Sousa Junior High School on account of their race. The argument was unique; because D.C. was a federal city, the due process clause in the Fourteenth Amendment that protected individuals in the states from discrimination did not apply.¹⁶⁷ Gardner Bishop was quoted in a 1954 reflective piece about the *Bolling* case noting that, "What we were saying was that segregation was unconstitutional ... It was a bold position that we took, but Dr. Nabrit said it was legally sound. And I believed that he was right."¹⁶⁸ It was also a new position; other District-based challenges to the dual school system had only addressed equalization, not the practice of segregation itself.

In arguing the case before the District Court, Nabrit did not bother to point out the already-demonstrated inferiority of the resources provided to the colored school division. Instead, he sought to place the burden of proof with the Board of Education; he argued that they should be required to explicitly define a public benefit for continued racial segregation in the schools. Nabrit pointed out that Congress, which had originally established the District's school system, had never made an attempt to outline a purpose for the maintenance of the separate system; rather, the separation of the schools had been

¹⁶⁶ "D.C. group opened case in fall of '47," *Afro-American*, May 18, 1954; Kluger, *Simple Justice*, 522-523.

¹⁶⁷ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 37; Stewart, *First Class*, 161-162.

¹⁶⁸ "D.C. group opened case in fall of '47."

defined by custom, not the law as it had under Jim Crow in the Southern states. Lastly, Nabrit used Judge Edgerton's *Carr* dissent to bolster his case, reciting the judge's forward-thinking reminder that

[w]hen the Fifth Amendment was adopted Negroes in the District of Columbia were slaves, not entitled to unsegregated schooling or to any schooling. Congress may have been right in thinking Negroes were not entitled to unsegregated schooling when the Fourteenth Amendment was adopted. But the question what schooling was good enough to meet their constitutional rights 160 or 80 years ago is different from the question what schooling meets their rights now.¹⁶⁹

The lawyers for C. Melvin Sharpe defended the Board of Education's enforcement of the dual school system by pointing out that the student plaintiffs had never been denied attendance at their current junior high schools, just at Sousa. They invoked the majority opinion in *Carr v. Corning*, which had recently asserted the constitutionality of the city's dual school system.¹⁷⁰ Their argument was far less controversial than Nabrit's, and as such, Judge Walter Bastian ruled in April of 1951 against the Negro plaintiffs. He used as the basis for his decision that the *Bolling* case had not claimed any inequality between the District's white schools, including Sousa, and the city's colored schools, and that *Carr* had already set a precedent for the continued legality of segregation in D.C.'s dual school system.

The Consolidated Parent Group brought together an expanded team of Howard University counselors, including George M. Johnson, Dorsey Lane, Charles Quick, Herbert O. Reid, Sr., and James Washington, Jr., to bring the case to the United States Court of Appeals. The legal team began working on the appeal, while members of the CPG disseminated information and raised funds for the journey. During this process,

¹⁶⁹ Kluger, *Simple Justice*, 523-524.

¹⁷⁰ *Ibid.*, 524

James Nabrit received a phone call from the Clerk of the United States Supreme Court that changed the CPG's course. Chief Justice Fred M. Vinson wanted to pull *Bolling v. Sharpe* up to the nation's highest court to be heard with four other state segregation cases on its docket. These included cases from nearby Prince Edward's County, Virginia; Wilmington, Delaware; Summerton, South Carolina; and *Brown v. Board of Education* from Topeka, Kansas.¹⁷¹

The CPG team was able to bypass the Court of Appeals entirely with a *writ of certiorari*, but they faced a significant challenge in presenting a case to the Supreme Court: fundraising.¹⁷² From the fall of 1951 until the final arguments were made in December 1953, the Consolidated Parent Group worked to raise thousands of dollars to put toward the case. A variety of constituents donated to the cause, including parent-teacher associations, church organizations, the National Council of Negro Women, the American Veterans Committee, various black fraternities and sororities, laborers, and white businessmen. In total, more than 1,000 individuals became "contributing members" of the CPG over this period.¹⁷³ In a report published the month before the case closed, Gardner Bishop highlighted for the CPG's membership the significance of their continued dedication to the cause of anti-segregation toward raising funds from various individuals and groups, as well as the work that still needed to be done:

These [donors] and other persons were inspired by your actions and your desire to protect the children. They await now to see what action you make. Your first action should be to attend the meetins [sic] of the Group.

¹⁷¹ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 37-38; Roe, "The Dual School System in the District of Columbia," 39.

¹⁷² A *writ of certiorari* orders a lower court to pass its record on a case to a higher court for review; the Supreme Court uses *certiorari* often to pick the cases it hears; "Writ of certiorari," Legal Information Institute of Columbia University Law School, accessed May 3, 2015, https://www.law.cornell.edu/wex/writ_of_certiorari.

¹⁷³ McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 38.

We will be back to the Supreme Court only because we are indebted to many people. It has been a long hard fight. You have carried the ball in face of much criticism. We must begin now to plan on correct procedure in event you win your case.¹⁷⁴

Bishop and the board members of the CPG, meanwhile, had continually petitioned Superintendent Hobart Corning and the Board of Education even while the *Bolling* case was being presented to the Supreme Court. Bishop corresponded frequently with Corning and the Board, questioning the morality of their continued stance on the constitutionality of the dual school system. In one letter to Superintendent Corning, Bishop listed a total of thirty-two questions about both the logistical and moral functioning of the dual system, all related to the overarching question of “What is the effect upon the social attitudes and the life of a child who is branded as inferior and unfit to associate with children of other skin pigmentation, for that reason alone?”¹⁷⁵

The Consolidated Parent Group also joined with the American Friends Service Committee to run workshops for teachers and administrators, host speakers and panel discussions, and disseminate information about successful integration practices in anticipation of legally mandated desegregation. In April of 1952, they assembled a conference at Howard University on “The Courts and Racial Integration in Education.” Rather than hold abstract discussions about the possibility of desegregation, activists spoke in concrete terms about tactics.¹⁷⁶

Bishop, true to the Consolidated Parent Group’s approach of reaching out to all possible allies, also wrote to the Civil Rights Section of the Department of Justice while

¹⁷⁴ Monthly report, November 1953, Consolidated Parent Group, Inc. Records, 1947-1954, Moorland-Spingarn Research Center, Howard University Library.

¹⁷⁵ Gardner Bishop to Hobart Corning, 29 May 1951, Consolidated Parent Group, Inc. Records, 1947-1954, Moorland-Spingarn Research Center, Howard University Library, 1.

¹⁷⁶ Green, *The Secret City*, 306-307.

the *Bolling* case was pending. In a letter from August of 1952, he requested “that the Department of Justice intervene in this controversy of segregation in the Nation’s Capital, because we are thoroughly convinced that the rights of these children are the concern of our Nation and therefore the duty of protection lies with the Department of Justice.”¹⁷⁷ Bishop also explained a possible line of inquiry that concurred with *Bolling*’s Fifth Amendment argument, stating, “we believe that if the Department of Justice directed an investigation on matters of civil rights as it did in several of the states (where they were thwarted by ‘states’ rights’) that intervention here by your department (where there are no ‘states’ rights’) surely would be conceded as proper and in order.”¹⁷⁸ By that fall, most Washingtonians, whether they supported the idea or not, began to see school desegregation as the likely outcome of the case pending in the Supreme Court and the future of the District’s dual school system.

Bolling v. Sharpe in Front of the Supreme Court

Oral arguments for *Bolling v. Sharpe* were heard in December of 1953. James Nabrit and George E. C. Hayes presented a case that used as its basis the assertion that school segregation had never been legally mandated in the District, and even if it had, the protection of liberty in the Fifth Amendment rendered the practice of segregation unconstitutional. The evidence they provided to the Court was essentially a history of

¹⁷⁷ Gardner Bishop to U.S. Department of Justice, Civil Rights Section, 8 August 1952, Consolidated Parent Group, Inc. Records, 1947-1954, Moorland-Spingarn Research Center, Howard University Library, 1.

¹⁷⁸ *Ibid.*, 1.

civil rights in the city, starting with the original 1862 statute on required public schooling.¹⁷⁹

Hayes and Nabrit divided their allotted hour to address the justices. Hayes opened by declaring that

The position we are taking with respect to these cases, that segregation, per se [sic], is unconstitutional, and that without regard to physical facilities, without regard to the question of curriculum, and that if, as a matter of fact, there is a designation that one must go to a particular school for no other reason than because of race or color, that that is a violation of the constitutional right; and as this Court has said, wherever the issue is raised with respect to color, then it is upon the Government to show that the reason for it, that there is a reason for it – that there is a reason that is a justifiable reason.¹⁸⁰

Board of Education members and the school system’s administrative officials, according to Hayes, had consistently violated Negro students’ Fifth Amendment due process protections by restricting their freedom to attend white schools in the District. This restriction, Hayes asserted, was “pure racism” and had no legitimate public purpose.¹⁸¹

Nabrit deepened the Fifth Amendment case when it was his turn to speak. Arguing that the series of amendments passed after the Civil War “have removed from the federal government any power to impose racial distinctions in dealing with its citizens,” he explained that individual liberties were in fact guaranteed by the Bill of Rights, not subject to the whims of politicians and legislators. It was the job of the Supreme Court justices, he said, to evaluate the extent to which the individual liberties of the District’s colored pupils had been threatened.¹⁸²

¹⁷⁹ Green, *The Secret City*, 307-308.

¹⁸⁰ Stewart, *First Class*, 165-166.

¹⁸¹ Kluger, *Simple Justice*, 580-581.

¹⁸² *Ibid.*, 581.

Milton D. Korman, the Central High School alum and lawyer representing the Board of Education and its president C. Melvin Sharpe, defended the segregation of the dual school system as originally intended and approved by Congress and therefore constitutional.¹⁸³ Congress had approved the legislation that established the white and colored school divisions, and year after year, Congress passed budgets for the use of the schools. Korman also argued that segregation had been established with good intentions so that former slaves could receive some education, and that it continued to the present because of unavoidable tensions between the races:

I say to the court, and I say to my distinguished adversary Mr. Hayes, that these acts were not passed, this dual school system was not set up to stamp these people with a badge of inferiority. There was not this racial feeling that he speaks of with such fervor behind these acts. There was behind these acts a kindly feeling; there was behind these acts an intention to help these people who had been in bondage. And there was and there still is an intention by the Congress to see that these children shall be educated in a healthful atmosphere, in a wholesome atmosphere, in a place where they are wanted, in a place where they will not be looked up with hostility, in a place where there will be a receptive atmosphere for learning for both races without the hostility that undoubtedly Congress thought might creep into these situations. We cannot hide our faces and our minds from the fact that there is feeling between races in these United States. It is a deplorable situation. Would that it were not so.¹⁸⁴

Korman analyzed the same statutes presented as evidence by the prosecution as instead showing Congress's benevolent intention to establish and maintain a segregated system.

Korman, however, made several critical mistakes over the course of his arguments. First, about halfway through his opening argument, in an attempt to explain why public opinion should not easily sway the Court, he quoted from the *Dred Scott v. Sandford* decision – widely acknowledged as the Court's most misguided ruling and

¹⁸³ Kluger, *Simple Justice*, 581-582.

¹⁸⁴ Stewart, *First Class*, 166-167.

overturned by the post-Civil War series of amendments.¹⁸⁵ Reminding the current Supreme Court justices of the blunder made by their predecessors was not Korman's most practical move. Second, he noted that only Congress had the authority to end segregation, but the practice of segregation in other areas of public life in the District – playgrounds, restaurants, hotels, theaters, and hospitals – had ended without congressional legislation. During his rebuttal, Nabrit twisted Korman's point to show that the practice of segregation clearly did not serve a public purpose and, in fact, desegregation had proceeded in those other areas of public life without serious racial tensions. Lastly, during the second day of oral arguments, Nabrit and Hayes suggested that because only one member from the Board of Education remained from when *Bolling* was originally filed and the other eight had been replaced, the school board might not even still support segregation, and Korman's arguments may have been misrepresentative of the board's actual policy. The next day, Korman had to use much of his allotted time for arguments going through documents that proved the board still supported him as its legal representative.¹⁸⁶ Korman also had one major factor stacked against him that was fully out of his control: when Chief Justice Vinson passed away the September before arguments were heard, President Dwight Eisenhower, determined to set a precedent for school integration, appointed liberal justice Earl Warren to replace him. President Eisenhower specifically wanted the District of Columbia to serve as a "model for the nation," determined that the federal government would not continue to contribute to discrimination in its capital city.¹⁸⁷

¹⁸⁵ Kluger, *Simple Justice*, 582.

¹⁸⁶ Kluger, *Simple Justice*, 679-680.

¹⁸⁷ Stewart, *First Class*, 168-169.

In his concluding remarks, Nabrit offered a similar line about the moral simplicity of the prosecution's argument:

The basic question here is one of liberty, and under liberty, under the due process clause, you cannot deal with it as you deal with equal protection of laws, because there you deal with it as a quantum of treatment, substantially equal. You either have liberty or you do not. When liberty is interfered with by the state, it has to be justified, and you cannot justify it by saying that we only took a little liberty. You justify it by the reasonableness of the taking. We submit that in this case, in the heart of the nation's capital, in the capital of democracy, in the capital of the free world, there is no place for a segregated school system. This country cannot afford it, and the Constitution does not permit it, and the statutes of Congress do not authorize it.¹⁸⁸

Asserting his overarching faith in the great American democratic experiment, he added,

America is a great country in which we can come before the Court and express to the Court with great concern which we have, where our great government is dealing with us, and we are not in the position that the animals were in George Orwell's satirical novel *Animal Farm*, where after the revolution, the dictatorship was set up and the sign set up there that all animals were equal, was changed to read, "but some are more equal than others." Our Constitution has no provision across it that all men are equal but that white men are more equal than others. Under this statute and under this country, under this Constitution, and under the protections of this Court, we believe that we, too, are equal.¹⁸⁹

Since 1951, when *Bolling* was granted its *writ of certiorari*, and until the Supreme Court heard closing arguments, community activists had been hard at work developing plans to smooth an anticipated integration process. In January of 1953, Gardner Bishop offered the help of the Consolidated Parent Group to the Superintendent's office and the school board "in any ways you may deem fit. This organization realizes that as citizens we share the responsibility of good government." He warned that transitioning to an integrated school system would be a difficult process "dependent most on the attitude and actions of our Board of Education and the Superintendent of Schools," and as such,

¹⁸⁸ Kluger, *Simple Justice*, 583.

¹⁸⁹ *Ibid.*, 680.

Bishop felt that Corning would need to take a more actively supportive role to ensure a steady outcome once the Court inevitably mandated desegregation.¹⁹⁰ Corning took the advice; from 1952 to 1953, his office took citizens' suggestions on how to handle the integration process.¹⁹¹

The *Bolling* ruling was handed down as a companion to *Brown v. Board of Education of Topeka, Kansas* on May 17, 1954. According to the unanimously decided Court, segregated schools did indeed act as a due process violation of the District's colored students' Fifth Amendment guarantee of liberty because it served no public purpose. The ruling fully reversed the "separate but equal" principle originally provided in the *Plessy* decision.¹⁹² While not all white Washingtonians, expectedly, were ready to accept segregation as immoral, most supported the Court's decision, and on May 25 the Board of Education issued a statement that said the dual school system would start to desegregate for the new school year in September. The statement on integration, published on May 25, 1954, addressed the overarching issues for which stakeholders had advocated:

1. Appointments, transfers, preferments, promotions, ratings, or any other matters respecting the officers and employees of the Board shall be predicated solely on merit and not upon race or color. 2. No pupil of the public schools shall be favored or discriminated against in any matter or in any manner respecting his or her relationship to the schools of the District of Columbia by reason of race or color. 3. Attendance of pupils residing with school boundaries, hereafter to be reestablished, shall not be permitted at schools located beyond such boundaries, except for the most necessitous reasons or for the public convenience, and in no event for reasons related to the racial character of the school within the boundaries in which the pupil resides. 4. The Board believes that no record should be kept or maintained in respect of any pupil not enrolled in a public school

¹⁹⁰ Gardner Bishop to Hobart Corning, 30 January 1953, Consolidated Parent Group, Inc. Records, 1947-1954, Moorland-Spangarn Research Center, Howard University Library, 3.

¹⁹¹ Green, *The Secret City*, 308.

¹⁹² Roe, "The Dual School System in the District of Columbia," 40.

on or prior to June 17, 1954, or in respect to any officers or employee not employed within the system on or prior to that date in which information is solicited or recorded relating to the color or race of any such person. 5. That the maximum efficient use shall be made of all physical facilities without regard to race or color.¹⁹³

The board expected full implementation of the plan by September of 1955 and full integration by 1959.¹⁹⁴

Implementing Integration

After the case concluded, various stakeholders offered programming to reduce potential tensions during the integration process. The office of the superintendent and the school board held a series of workshops on intercultural education for principals and school staff; they also brought in educational consultants who had worked in integrated school districts to host workshops for administrators. The American Friends Service Committee also held seminars for District teachers.¹⁹⁵

On June 23, Superintendent Corning outlined a plan for the school board toward meeting the goals set by the statement on integration, and on July 1, he provided a proposal for rezoning the entire district to meet the Court's mandate.¹⁹⁶ Over the course of the summer and into the first weeks of the school year, details of the plan were reworked and changed multiple times. The Board of Education held workshops on the topic that often morphed into debates about best practices, and citizens' groups

¹⁹³ Ellis O. Knox, *Democracy and the District of Columbia Public Schools: A Study of Recently Integrated Public Schools* (Washington, D.C.: Judd & Detweiler, Inc., 1957), 18.

¹⁹⁴ Green, *The Secret City*, 308, 310; Stewart, *First Class*, 169.

¹⁹⁵ Irene Osborne, "Toward Racial Integration in the District of Columbia," *The Journal of Negro Education* 23 (1954): 280.

¹⁹⁶ Knox, *Democracy and the District of Columbia Public Schools*, 18-19.

scrutinized their proposals.¹⁹⁷ This process was covered in detail by various Washington newspapers, which had followed the fight for desegregation from beginning to end.¹⁹⁸

Gardner Bishop and the Consolidated Parent Group, who had led this fight, were recognized by the American Veterans Committee, headed by Paul Cooke, for their “leadership and steady work ... [which have been] most significant factor[s] in the fight to end school segregation in the District of Columbia.” Bishop was honored with an award for his role at the Veterans Committee’s eighth annual Bill of Rights Award Dinner.¹⁹⁹ Bishop of course did not take the credit all for himself. In a 1954 letter written to the membership of the CPG after the Court’s decision, Bishop wrote,

The climax to this great victory was handed down by the U.S. Supreme Court on May 17, 1954. It was the aftermath of a long and tedious struggle by a group of unheralded but vigilant parents who suffered the injustices of the doctrine of “separate but equal,” found themselves the butt of humiliating insinuations because they had the audacity to withhold their children from school in contempt of the lackadaisical effort of school officers to force their children to accept further inequalities ... The strike of the Browne Junior High School parents had the proper effect and gave to us the legal support of the late Charles H. Houston. His personal interest in the problems faced by us in view of the criticism of others as to our actions can be attested to by the fact that eight months after the strike, he was among the 14 persons who accepted my invitation to attend our first meeting (on September 23, 1948) to organize and pledge ourselves to use all Constitutional methods available to us to end the evil practice of segregation of children with the endorsement of our government ... The C.P.G. mourned the death of Charles H. Houston and the organization would have collapsed, but the gap was filled by the pledged support of George E. C. Hayes and James M. Nabritt [sic]. And so it has been through the years – always there have been others to take the places of those who at various times have dropped out – we know because our files reveal that YOU filled the gap and we thank you.²⁰⁰

¹⁹⁷ Irene Osborne, “Desegregation of Washington Schools: The First Sixty Days,” *The Journal of Negro Education* 24 (1955): 86.

¹⁹⁸ Knox, *Democracy and the District of Columbia Public Schools*, 18-19.

¹⁹⁹ Paul Cooke to Gardner Bishop, 10 September 1954, Consolidated Parent Group, Inc. Records, 1947-1954, Moorland-Spangarn Research Center, Howard University Library.

²⁰⁰ Gardner Bishop to membership, 1954, Consolidated Parent Group, Inc. Records, 1947-1954, Moorland-Spangarn Research Center, Howard University Library.

The Consolidated Parent Group, having fulfilled its mission to end the practice of racial segregation in the public school system, offered its help to Superintendent Corning and the Board of Education, but otherwise, its parents and counselors stayed involved with the process of integration on an individual basis.

VII. Conclusion

The transition to desegregated schooling in the District was, compared to other cities, relatively smooth.²⁰¹ On the first day of school in September of 1954, police officers, stationed in crosswalks and directing traffic, greeted students as they entered their newly rezoned schools. They were ready for conflict, should it arise; the first few weeks of school, however, were quite calm.²⁰² By October, though, some students and parents began to stage small protests. White high school students walked out from their classes, and white parents wrote to the school board, expressing concern over interracial interactions in mixed schools. In regard to integrated faculty, seventeen parents presented a petition to the board that declared, “We strongly protest the policy of the BOE, which results in the assignment of Negro Teachers to teach in schools which are predominantly white in enrollment. It is not in our children’s best interest because of the ‘close relationship’ between teacher and pupil.”²⁰³ However, these few parents lacked the fire that the Consolidated Parent Group, with its hundreds of supporters, had possessed and sustained for six long years, and as such, their complaints were largely disregarded.

Some white parents, additionally, took advantage of a loophole in the Board of Education’s integration policy. Citing the importance of “educational continuity,” the board, with its “option plan,” allowed all students in the school system to remain at the school they attended before the Court’s mandate until promotion or graduation. With this practice, the board pushed the responsibility of integration onto students rather than accepting it themselves; it allowed white students to maintain their buildings as majority

²⁰¹ In Baltimore, Maryland, and Wilmington, Delaware, there had been significant demonstrations when the newly integrated schools opened in September 1954; Green, *The Secret City*, 329.

²⁰² Knox, *Democracy and the District of Columbia Public Schools*, 4; Stewart, *First Class*, 172.

²⁰³ Stewart, *First Class*, 172-173.

white, and when courageous black pupils chose to enroll at these schools, they were often bullied or stigmatized.²⁰⁴

In 1957, as a public relations strategy when it seemed that the integration process was stalling, the school board employed Howard University education professor and Strayer report researcher Ellis O. Knox to publish *Democracy and the District of Columbia Public Schools: A Study of Recently Integrated Public Schools*. The book further removed responsibility for integration from the school board by highlighting the aspects of the school system that had been in disrepair for years and would not be magically improved by the Supreme Court mandate, no matter how “far-reaching” its “wisdom and vision” certainly were.²⁰⁵ Knox maintained that the process of integration was nevertheless proceeding smoothly given the historic circumstances behind it, asserting that

integrated public schools in the District exist with success that is phenomenal in its proportions. In a community of nearly a million persons, with varying attitudes and opinions, the achievements have been miraculous within a period of two years. Many controversial problems still exist, for that is the nature of public education when its functions and programs are being continuously revised and adjusted to the tempo of an ever changing social order.²⁰⁶

Indeed, the Board of Education did make some progress toward effective desegregation: class sizes decreased, as did teacher loads, and pupil-teacher ratios improved. Overall, teachers and resources were more equally distributed, and students by and large attended classes in buildings that matched the needs of their age groups.²⁰⁷ Moreover, to its credit,

²⁰⁴ Kluger, *Simple Justice*, 728-729.

²⁰⁵ Green, *The Secret City*, 332-333; Knox, *Democracy and the District of Columbia Public Schools*, vii.

²⁰⁶ Knox, *Democracy and the District of Columbia Public Schools*, 4.

²⁰⁷ Osborne, “Desegregation of Washington Schools,” 86.

the school board in D.C., unlike in some southern cities, started to desegregate immediately rather than wait for further legal action.²⁰⁸

However, other aspects of the social order were indeed changing, though not necessarily in the direction that desegregation advocates imagined. Integration was stalling in large part due to white flight from the District to the Maryland and Virginia suburbs. Though white families had been leaving the city in large numbers since after World War II, the practice was more noticeable after the desegregation mandate, when the number of white students in the mixed school system counted toward creating real integration. The concentration of Negro students in certain parts of the city was also a result of larger problems of housing and employment discrimination; both made it more difficult for parents to move to whiter areas and have their children attend predominantly white neighborhood schools.²⁰⁹ By 1957, when Superintendent Corning declared the process of desegregation complete, Negro pupils composed seventy-one percent of the school population, and there was little to be done by way of policy to keep white students in the system.²¹⁰ Integration, he acknowledged, “is a much longer process depending on the creation of a community.”²¹¹

Indeed, this process of community-making started with the earliest advocates for black schooling in the 1800s, continued through the work of the Consolidated Parent Group, and still sometimes stymies local community partners as they strive to improve schooling for their children today. The education of Negro students in the District, starting with the small schools in citizens’ homes and church basements in the earliest

²⁰⁸ Paul Cooke, “Present Status of Integration in the Public Schools of the District of Columbia,” *The Journal of Negro Education* 24 (1955): 216.

²⁰⁹ *Ibid.*, 245.

²¹⁰ Roe, “The Dual School System in the District of Columbia,” 40; Stewart, *First Class*, 173.

²¹¹ Stewart, *First Class*, 173.

days of the dual school system, was always a community-based endeavor. The Consolidated Parent Group was representative of the most diverse and most effective community focused on the issue of black schooling in the District. Starting with its roots as the Browne Parent Group, the CPG continually proved its ability to evolve to meet the needs of its most important constituents, the parents and their students, and to adapt in the face of hardships by setting aside fundamental differences in race and class to create a vision of a better school system and, in turn, a more harmonious city. Gardner Bishop and Charles Houston, two unlikely partners, brought a together a diverse coalition, composed of over one thousand parents, students, counselors, organizations, and donors from vastly different backgrounds, to advocate clearly and powerfully for the same cause. As Bishop himself proudly declared, the CPG's work was not "done by any [one] class, any [one] kind of people" but rather "so many people from so many varied walks of life," united by a singular moral authority.²¹² The *Bolling* challenge to the supremacy of segregation came together because all of these people, with some stake in the future of the education of Negro children, were determined to provide the next generation with better. The experience of the CPG serves as a salient example for the different community advocates for equitable schooling, who represent varied, complex interests and often lack unity in their goals, in Washington, D.C. today. Together, the members of the Consolidated Parent Group demonstrated that grassroots community action, when led by a system's most important stakeholders like parents and their children, guided by an overarching, unquestionably moral objective, and supported by many, can work to create meaningful change.

²¹² McNeil, "Community Initiative in the Desegregation of District of Columbia Schools," 40-41; Osborne, "Desegregation of Washington Schools," 276.

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