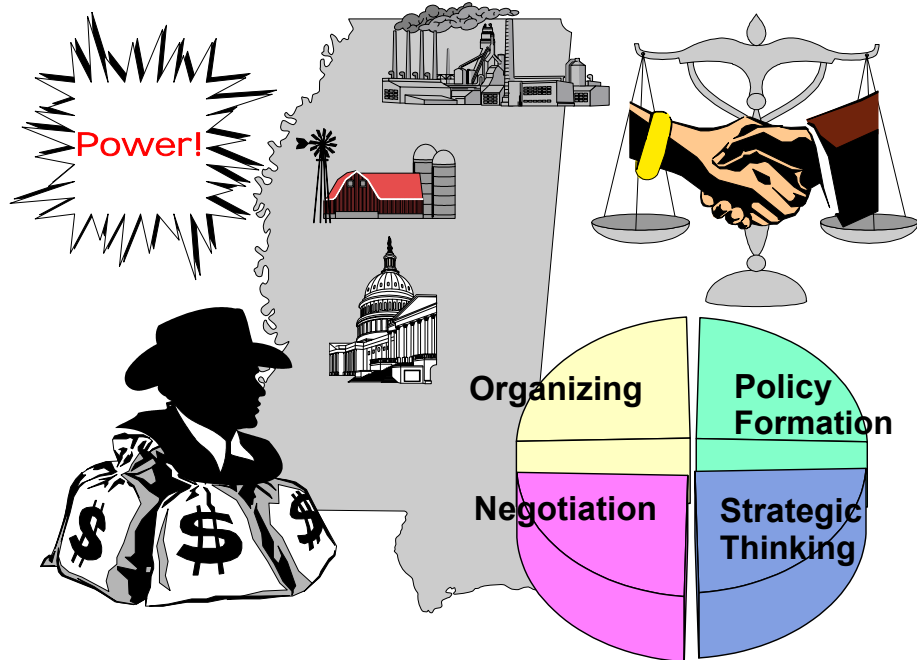


Southern Echo, Inc.

presents

Advancing Community Organizing Skills, Part 5: Public Education as a Policy Battleground -- Organizing the Community to Prevent the Use of Schools as a Means to Suppress the Future of African American Children

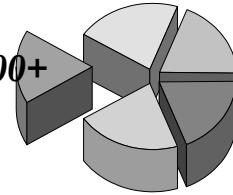


***a 2 ½ Day Residential Training School
at Tougaloo College, Tougaloo, MS***

Friday, September 15 - Sunday, September 17, 2000

Part One

Education in Mississippi -- 2000+



When you control a man's thinking you do not have to worry about his actions. You do not have to tell him not to stand here or go yonder. He will find his "proper place" and will stay in it. You do not need to send him to the back door. He will go without being told. In fact, if there is no back door, he will cut one for his special benefit. His education makes it necessary.

Carter G. Woodson, The Miseducation of the Negro, 1933

Create accountable education systems to fight racism!

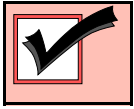
One primary goal of the African-American community in Mississippi today must be to create an *education* system *accountable* to the needs and interests of the African-American community. Only in that way can *racism* be rooted out.

To impact policy and change the culture, organize to build broad base to support vision and strategy.

But this mission cannot be realized unless the African-American community *organizes* to become a significant force in the formation of policy in the public education system. That means that African-American parents, students, activists, ministers, elected and appointed officials, teachers, administrators, principals, superintendents, and school board members, and anyone else who supports these goals and objectives, must participate in the struggle.

New leadership and effective organizations essential to empower the community.

As part of this process of change, it is essential that new leadership and effective organizations emerge to advance the goals of the grassroots community. Among these goals must be the *empowerment* of the grassroots community. Empowerment requires sufficient unity within the community, organization and leadership to impact the formation of public policy in the educational, political and economic arenas, and to hold public officials, government institutions, and grassroots leadership *accountable* to the needs and interests of the community.



**Inter-generational
model of leadership
and organization**

**Young people bring
many short-term
and long-term
benefits.**

**4 basic elements:
Knowledge, capital,
the franchise and
spiritual values.**

**Whites control the
access to maintain
dual society.**

**Mississippi still has
racially segregated
education system.**

Also as part of building this process for change, it is essential to develop an *inter-generational* model of community organizing. Young people and older people must work together as equals, in order to break down the cultural barriers which tend to demand that young people lay back and defer to their elders whenever they work together. Young people are less dependent on the past, have the least fear of change, and the best potential for creating a broad vision of a fair and just society.

Most important, bringing young people into the organizing work from the beginning:

- broadens the bases,
- infuses the work with new, youthful energy,
- reduces the isolation of young and old from each other, and
- enables young people to develop the skills needed to become the leaders and organizers of the future.

This helps prevent *gatekeeping* by older leaders when they become too old to fight anymore, and assists in the appropriate and timely transfer of power from one generation to the next to keep the struggle going.

Failure to involve the younger generation can doom the struggle to stagnation and collapse when the present generation of leaders and organizers dies, leaves, or loses its ability to sustain the struggle.

Education provides the *knowledge*, economics the *capital*, and politics the *franchise*. When mixed with the *spiritual values* of mutual and self-respect among people, these four basic elements enable each individual to fulfill that fundamental tenet of a free society: life, liberty and the pursuit of happiness.

But in Mississippi today, the white establishment continues to control access to knowledge, capital and the franchise in order to maintain a *dual* society in which the white community is dominant.

Therefore, Mississippi continues to maintain a *dual* school system: one black, one white; one public, one private. Each of these education systems is *racially segregated*.

The goal of the white community is to preserve the *status quo*.

The essential mission of education in Mississippi has been, and continues to be, to preserve the *status quo* to ensure that the white community is able to maintain its political, economic and cultural control over the African-American community.

The *same old - same old* are still making the decisions.

All education decisions are made pursuant to that mission. Many of the education decision-makers in Mississippi today are the same people who were fighting for and maintaining the legally segregated schools only a few years ago.

Law and violence, generating fear, have been the twin pillars of white control.

The Mississippi education system is the result of a long and continuing history of official, overt (as well as covert) policies of the state government of Mississippi, which has been enforced by the *rule of law*, and by government and private *force and violence*. *Fear* is still used in the public and private sectors to intimidate grassroots people not to struggle for meaningful change.

The 1954 Supreme Court decision of *Brown v. Board of Education of Topeka, Kansas* held racially segregated schools unconstitutional as a violation of the Equal Protection Clause of the 14th Amendment to the United States Constitution.

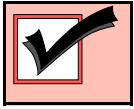
The *Brown* decision stated that separate schools based on race are inherently unequal and should be terminated with "all deliberate speed". The United States Supreme Court could have said, "Now!" Instead, it pandered to the fear of massive white resistance. The resistance came anyway and the phrase "with all deliberate speed" is now used as ironic sarcasm. The Court established the existence of the right to a non-racist school system, but permitted the forces of resistance to negotiate, stall, threaten, and ultimately undermine the process needed for enforcement of the right. It is a bitter historical lesson, but one that needs to be fully understood.

Despite the numerous court decisions which followed *Brown*, public education in Mississippi remains predominantly segregated, as it does in most of the United States.

Racial segregation in the public schools continues to flourish.¹

¹ "While state and local laws requiring segregation have been nullified, the goal of racial integration has not been achieved.... In part, the failure has stemmed from a lack of political leadership. But the crucial determinants have been the attitudes and actions of white parents, who have made it clear that they will accept integration only on the most minimal of terms. In consequence, the United States has few genuinely integrated schools."

Two Nations, Black and White, Separate, Hostile, Unequal, Hacker, Andrew, Scribners, 1992, at p. 162.



**Mississippi schools
still segregated!**

National School Boards Association studies demonstrate that *63.3 percent* of all black school children attend segregated schools. In Mississippi black students comprise *55 percent* of the statewide enrollment in public schools (highest in the United States), and *80.3 percent* of the black students attend segregated public schools (3rd highest in the nation).² The total black population of Mississippi, however, is only about 35 percent (1990 Census).

In the 1960s, Mississippi school children sat beside students whose skin was the same color as their own.

Today, a quarter-century after the federal government forced desegregation of the public schools, that's often still the case.

Mississippi formally desegregated public schools in 1970, 16 years after the U.S. Supreme Court declared illegal the operation of dual systems of public education for black and white students.

But white flight to private schools in the 1960s and 1970s and to predominantly white bedroom communities in the 1980s and 1990s has left the public systems not much more racially diverse than they were before desegregation.

The Clarion-Ledger, Jackson, MS, July 9, 1995, p. 1

In 1992 the United States Supreme Court determined in the *Ayers* case that Mississippi's colleges and universities were still racially segregated in violation of the principles set forth in the 1954 *Brown* decision. The strategies to be used to end racial segregation in the colleges and universities is still being fought out in the College Board (Institute of Higher Learning), the State Legislature, and the courts.


The *education system* in Mississippi remains central to the emerging *colonial system* of control and dependency. The education system affects every aspect of the quality of life of a community. It can be an effective *bridge* to progress, or a chilling *barrier* to opportunity.

Black education in Jim Crow Mississippi was separate but never equal. Paying little but lip service to a dual system of public education, the state invested most of its meager school dollars throughout the half century after 1890 in the education of its white minority. "It will be readily admitted by every white man in Mississippi," state Superintendent of Education A. A. Kincannon wrote in 1899, "that our public school system is designed primarily

² The National School Boards Association defines segregated schools as being those schools which have a majority black or hispanic student population. **Two Nations**, *Ibid.*, at p.162-163.

for the welfare of the white children of the state, and incidentally for the negro children." After World War II, as the state launched a belated "equalization" campaign designed to preclude federally mandated school desegregation, the Jackson *Daily News* conceded: "In the past we actually have not maintained a dual system of schools, financially. We have maintained a white system and left the negro schools to go with meager attention." As the newspaper repeatedly informed its readers, Mississippi's neglect of its black children was "shameful," a "public scandal," and a "flagrant violation" of both the letter and the spirit of federal law.

In fact, no state spent less on black education.... The poorest of the poor, Mississippi lacked the per capita wealth to support a satisfactory public education system for its entire population. Accordingly, financially starved black schools served white interests in several ways. By limiting the quality and extent of black education, the white minority could hope to cramp black political aspirations, inhibit black ability to compete economically, and assure an adequate supply of low-wage menial black labor. It could also allocate the larger portion of its meager educational funds to white schools.³



It is not who you attend school with, but who controls the school you attend.

Nikki Giovanni

Whoever controls the education system has a direct, powerful impact on the quality of that education system!

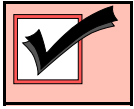
An educated person is less dependent on others. A person with education has more tools with which to create personal independence from others, politically, economically, culturally and socially. An educated people is more difficult to manipulate and control. Education can be empowering, can build self-confidence and self-respect, and can be a force for change!

White fears of an educated black population deeply rooted in the culture!

Throughout the Jim Crow era, the single greatest impediment to better Afro-American schools was white fear of the revolutionary social and economic implications of educating a subservient workforce.... Broader educational opportunity for blacks, many whites recognized, could profoundly unsettle the patterns of southern life. It could breed black discontent; it could technically qualify blacks for suffrage.... Not least, they were less likely to work for whites on white terms.⁴

³ **Dark Journey, Black Mississippians in the Age of Jim Crow**, McMillen, Neil R., University of Illinois Press, 1989, p. 72-73.

⁴ **Dark Journey, Black Mississippians in the Age of Jim Crow**, *Ibid*, p.90



**White legislators
won't vote needed
\$\$ for education.**

To compound the problem, the Mississippi Legislature has continued to starve the public schools by depriving them of the needed revenues to create an education system to meet the needs of the African-American and white communities. Specifically, white legislators from counties with a large African-American population have had little interest in promoting public education, since most white children attend private academies or religious institutions.

Despair!

For example, in 1990, according to the Clarion-Ledger, July 29, 1990, Mississippi ranked 50th in the nation in teacher salaries in public education. As a consequence, noted the Clarion-Ledger, the "brain-drain", or outflux, of faculty at all the colleges and universities has reached a crisis proportion.

Many public schools in Mississippi today, especially in the Delta where most public schools are more than 90 percent African-American, operate in an atmosphere of despair. The student dropout rate in public schools is extraordinary. In some Delta school districts it is as much as 50% or higher.

**The legacy of
racism!**

The parents of the children in school today are often a product of the system designed to systematically deprive them of a meaningful education. These parents often did not complete a high school or even elementary education. The educational tradition, rooted in the family at home, has not been formed and nurtured to the extent necessary.

**Health impacts
education**

The health problems of the African-American community, starting with deficiencies in pre- and post-natal care and infant mortality, and the lack of sufficient, accessible, affordable medical and dental resources have an impact on the educational process in the community, as well.

**Often there is more
illegal economic
opportunity than
legal opportunity!**

The lack of employment opportunity for young black Mississippians systematically undermines the effort to get young people to see the importance of their education to their personal and economic well-being when they get out of school. Teen-age drug dealers tell their teachers that they can make more money in a month of dealing than the teachers can make in a whole year.

**Mississippi still
poorest state in the
poorest section of
the nation.**

On August 23, 1995 a federal government agency announced that Mississippi ranks 50th among the states in *per capita income*.

In the face of these circumstances, self-esteem, pride and a positive sense of the future remain a critical problem for black teenagers.

**Pride and hope
endangered!**

Most school boards continue to be dominated by whites. But even in those communities which have majority-black school boards, there is an enormous frustration and uncertainty as to how to tackle these deeply entrenched problems with such limited resources.

**Accountable
education system
can fight legacy of
slavery.**

The current education system has not shed the legacy of slavery, but perpetuates it. The only way to fight that legacy is to build an accountable education system that can break down white control and African-American dependency, and thereby *change the culture* in which education policy is decided.

"While state and local laws requiring segregation have been nullified, the goal of racial integration has not been achieved.... In part, the failure has stemmed from a lack of political leadership. But the crucial determinants have been the attitudes and actions of white parents, who have made it clear that they will accept integration only on the most minimal of terms. In consequence, the United States has few genuinely integrated schools.⁵

**Segregated schools
intended to train
blacks and whites
to have different
life goals and skills.**

Racial segregation in education is not simply about separation of the races into separate school buildings or separate classes. Racial segregation is aimed at ensuring that white students and African-American students are prepared for *different roles* in life, with whites dominant and blacks subordinate.

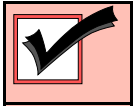
In educating the negro we implant in him all manner of aspirations and ambitions which we then refuse to allow him to gratify. It would be impossible for a negro in Mississippi to be elected as much as a justice of the peace.... Yet people talk about elevating the race by education! It is not only folly, but it comes pretty nearly being criminal folly. The negro isn't permitted to advance and their education only spoils a good field hand and makes a shyster lawyer or a fourth-rate teacher. It is money thrown away.

James K. Vardaman, 1899⁶

The segregationist strategy is designed to teach white children to have high expectations for themselves, which enables the children to feel good about themselves and their community, their families and their history as a people. Furthermore, this approach is intended to teach white children that they are inherently

⁵ **Two Nations**, *Ibid*, p. 162.

⁶ **Dark Journey**, *Ibid*, p. 72.



**Schools attempt
to teach students
to have different
sense-of-self
based on race!**

**Psychologists have
demonstrated that
expectations have a
direct impact on
achievement!**

superior to black children by virtue of the color of their skin and the status in society to which they can aspire.

"Certainly, schools at all levels can and should be doing more about teaching black history, African culture, and the contributions of black Americans in the nation's life. After all, white children have been learning about their own race's history, and its culture and contributions, for a very long time. Most educators will grant that having a pride in one's people plays a vital role in building self-respect, and this can translate into academic achievement. As one scholar put it, youngsters 'do better academically when they see themselves in the curriculum.' That does not happen often for black children. The chief message they still get, in school as elsewhere, is that this is a white country, to which they not fully belong."⁷

Conversely, this insidious process also attempts to ensure that black children develop low expectations for themselves, feel bad about themselves, their communities and their families, and have little understanding or knowledge of the true and accurate history of their people. Often, the independence and creativity of black children is squelched, the willingness to challenge authority crushed, and the sense-of-self defeated. In this context, the curriculum of these schools, and the teachers and administrators who control them, function as a gatekeeping mechanism to stifle the capacity of the children.

"[T]o handicap a student by teaching him that his black face is a curse and that his struggle to change his condition is hopeless is the worst sort of lynching. It kills one's aspirations and dooms him to vagabondage and crime. It is strange, then, that the friends of truth and the promoters of freedom have not risen up against the present propaganda in the schools and crushed it. This crusade is much more important than the anti-lynching movement, because there would be no lynching if it did not start in the schoolroom. Why not exploit, enslave, or exterminate a class that everybody is taught to regard as inferior?"⁸

Racially segregated schools have persisted notwithstanding the United States Supreme Court decision in *Brown v. Board of Education of Topeka, Kansas*, 347 US 483 (1954). Some of the techniques still being used today to implement the strategic goals of segregation include:

⁷ **Two Nations**, *Id.*, p. 170.

⁸ **The Miseducation of the Negro**, Woodson, Carter G., Africa World Press, Inc. (1990 edition, first published in 1933) p. 3.

Techniques to
promote goals of
segregationist
philosophy:

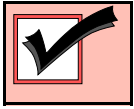
private academies
insufficient funds
control policy
weak leadership
weak teachers
poor facilities
intimidation
tracking
magnet schools

- separation of the children by race through the maintenance of private, white academies wherever the black student population exceeds 25 to 35 percent of the student body population;
- providing hopelessly inadequate financial and physical resources to predominantly black schools;
- maintenance of control of the decision-making for the school systems as a whole in the hand of whites, or blacks who are promoted by whites;
- To the extent possible hiring white administrators, or *weak* black administrators;
- To the extent possible hiring white teachers, or *weak* black teachers;
- To the extent possible maintaining insufficient and inadequate school buildings, laboratories, gymnasiums, playing fields, curriculum, textbooks, and extra-curricular activities in the predominantly-black schools.
- Using the State Board of Accreditation to intimidate local majority-black school boards from making serious demands for increased state funding by threatening state takeover of the local school boards, notwithstanding that most of the education problems stem from lack of sufficient funding and other resources from the State to improve the schools;
- Use of *magnet school* strategies and *tracking* to ensure that if white students re-enter desegregated public schools that the white students will have a *separate* and *superior* educational opportunity within the apparently desegregated public school.

Brown was a major bombshell on the race relations battlefield, not only because it concerned *education*, but precisely because it concerned *elementary* and *secondary* education.

Furthermore, for the first time in the 20th century, *Brown* set forth the basis for making a direct, frontal assault on the underlying purpose of segregation:⁹ any

⁹ "... In this Court, there have been six cases involving the 'separate but equal' doctrine in the field of public education. In **Cumming v. County Board of Education**, 175 US 528, and **Gong Lum v. Rice**, 275 US 78, the validity of the doctrine itself was not challenged. In more recent cases, all on the graduate school level, inequality was found in that specific benefits enjoyed by white students were



law which had the effect of, or contributed to, maintaining a *second-class status* for African-Americans violated the United States Constitution. The doctrine of *separate-but-equal* would no longer suffice.¹⁰

The *Brown* decision, in reality, was as potentially dangerous to the system of control as segregationists feared, since elementary and secondary schools were intended to be the basic training grounds for teaching racism, white supremacy, black inferiority, and the maintenance of the *status quo* for both white and black children.

Brown involved public school cases from Kansas, Virginia, South Carolina and Delaware, but has been the basis for decisions throughout the nation. The language used by the Court must be studied and re-studied very carefully.

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

Brown v. Board of Education, 347 US 483, 493 (1954)

denied to Negro students of the same educational qualifications. **Missouri ex rel. Gaines v. Canada**, 305 US 337; **Sipuel v. University of Oklahoma**, 332 US 631; **Sweatt v. Painter**, 339 US 629; **McLaurin v. Oklahoma State Regents**, 339 US 637. In none of these cases was it necessary to re-examine the doctrine to grant relief to the Negro plaintiff. And in **Sweatt v. Painter**, *supra*, the Court expressly reserved decision on the question whether **Plessy v. Ferguson** should be held inapplicable to public education."

Brown v. Board of Education of Topeka, 347 US 483, 491-492 (1954).

¹⁰ "The doctrine [of separate but equal] apparently originated in **Roberts v. Boston**, 5 Cush 198, 206 (1850, Mass), upholding school segregation against attack as being violative of a state constitutional guarantee of equality. Segregation in Boston public schools was eliminated in 1855. Mass Acts 1855, ch. 256. But elsewhere in the North segregation in public education has persisted in some communities until recent years. It is apparent that such segregation has long been a nationwide problem, not merely one of sectional concern." **Brown v. Board**, 347 US 483, 491 (1954).

In light of the years of bitter, protracted public school desegregation litigation in Boston subsequent to and as the result of **Brown**, including the necessity to put the Boston public schools into receivership to enforce federal court desegregation orders, the United States Supreme Court in 1954 was premature in its declaration that school desegregation in Boston was eliminated in 1855. This remains a problem elsewhere in the North, as well.

The language of the Court was carefully chosen to accomplish its essential mission: to clearly and unequivocally state that the fundamental task of public education of our children must not "generate a feeling of *inferiority as to their status* in the community that may affect their hearts and minds in a way that is unlikely ever to be undone." *Brown, supra*, at p. 490.

The Court in *Brown* used these words to frame the issue:

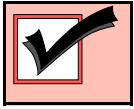
Here, unlike *Sweatt v. Painter*, there are findings below that the Negro and white schools involved have been equalized, with respect to buildings, curricula, qualifications and salaries of teachers, and other "tangible" factors. Our decision, therefore, cannot turn on merely a comparison of these tangible factors in the Negro and white schools involved in each of the cases. We must look instead to the effect of segregation itself on public education. *Brown*, at p. 492.

So! The problems of segregation are not resolved simply by an adjustment to the material or visible elements, such as pupil mix, curriculum, salaries, buildings, equipment, qualification standards for employment of teachers and administrators. Quite to the contrary: the ultimate, primary, foundation question is what is the impact of the education process on the *status* of black and white students in relation to each other and society at large.

Remember! The purpose of the 13th and 14th Amendments was to abolish the badges and indicia of slavery, the onerous disabilities of servitude. The centerpiece of the status of servitude was the *stamp of inferiority* on the African-American race.

If the inability of the black dollar to purchase the same as a white dollar, or the inability of an African-American to enter into a contract, give testimony in court or rent an apartment, have been held to constitute badges and indicia of slavery and onerous disabilities of servitude, *then* surely an educational system which reinforced the linchpin stamp of inferiority, however that is accomplished within the system, must be violative of the 13th and 14th Amendments. The decision of the Supreme Court in *Brown* cannot reasonably be read any other way.

Furthermore, the Court did not go back to the 19th century to assess the meaning of the Constitution in regard to education. Rather, the Court attempted to



take a hard look at the operation of the educational system at the time the decision was being rendered.

In approaching this problem, we cannot turn the clock back to 1868 when the [14th] Amendment was adopted, or even to 1896 when *Plessy v. Ferguson* was written. We must consider public education in the light of its full development and its present place in American life through the Nation. Only in this way can it be determined if segregation in public schools deprives these plaintiffs of the equal protection of the laws. *Brown*, at p. 492-493.

It is imperative to assess what is actually going on in the school system. It is not sufficient to look at just the bricks and mortar, financial charts, and other statistical analyses of the system. It is necessary to look at how the public school system, in its operation now, to determine whether it contributes to the perpetuation of the *stamp of inferiority*, or assists in abolishing it.

To separate [children in grade and high schools] from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their *status in the community* that may affect their hearts and minds in a way unlikely ever to be undone. The effect of this separation on their educational opportunities was well stated by a finding in the Kansas case by a court which nevertheless felt compelled to rule against the Negro plaintiffs:

"Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law: for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system." *Brown*, at p. 494.

White folks in Mississippi knew that *Brown* was correct in its premise, even though they hated *Brown* because it directly threatened the system which they had worked so hard to create and maintain, and which, by and large, had worked so well to enable whites to maintain their domination, control and sovereignty over the African-American community. That is why once formal public school segregation

had to come to an end, the white establishment started *private* academies for white students only wherever there was a large black population.

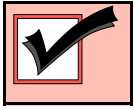
The intent of *Brown* was made even more explicit in the 1966 opinion written by Judge Minor Wisdom of the 5th Circuit Court of Appeals in the case of Alabama and Louisiana public schools, *United States v. Jefferson County Board of Education*, 372 F. 2d 836, 872-873 (1966):

Brown's broad meaning, its important meaning, is its revitalization of the national constitutional right the Thirteenth, Fourteenth, and Fifteenth Amendments created in favor of Negroes. This is the right of Negroes to *national* citizenship, their right as a class to share the privileges and immunities only white citizens had enjoyed as a class. *Brown* erased *Dred Scott*, used the Fourteenth Amendment to breath life into the Thirteenth, and wrote the Declaration of Independence into the Constitution. Freedmen are free men. They are created as equal as are all other American citizens and with the same unalienable rights to life, liberty and the pursuit of happiness. No longer "beings of an inferior race" -- the *Dred Scott* article of faith -- Negroes too are part of "the people of the United States".

A primary responsibility of federal courts is to protect nationally created constitutional rights. *A duty of the States is to give effect to such rights -- here, by providing equal educational opportunities free of any compulsion that Negroes wear a badge of slavery. [emphasis added.]* The States owe this duty to Negroes, not just because every citizen is entitled to be free from arbitrary discrimination as a heritage of the common law or because every citizen may look to his state for equal protection of the rights a state grants its citizens. As Justice Harlan clearly saw in the Civil Rights Cases (1883), 109 US 3, the Wartime Amendments created an affirmative duty that the States eradicate all relics, "badges and indicia of slavery" lest Negroes as a race sink back into "second-class" citizenship. [emphasis in original.]

Whites in Mississippi, as a group, feared then and fear now that if their children go to school with African-American children on a completely desegregated basis, the white kids will get to know black kids as peers; learn not to be afraid of African-Americans as a group or class of persons; learn to work, think and reason together on a non-racial basis in a cooperative, equitable way rather than as political, economic, and cultural rivals; and become friends who socialize, eat, listen to each others' music and grow up together in such manner that these white young adults will not have the same attitudes as their white elders.

Whites fear that black and white children will understand and like each other as people!



Southern Echo, Inc.

EMPOWERMENT
ACCOUNTABILITY
TRUTHTELLING
FIGHTING RACISM
TRAINING
ASSISTANCE

**Whites want
the children to
internalize the
values of racial
separation!**

White parents believed then and believe now that if they keep their children separated, with the assistance of schools which support the values and principles of white supremacy, then by the time their children become young adults they will have *internalized* the expectation of separation and superiority. Therefore, when it is time to go to college, seek employment, seek social outlets, develop friends and colleagues, white parents can anticipate that their children will be properly oriented and acclimated toward accepting the white world as it has existed, and accept its benefits without rocking the boat. The categorical imperative of white culture can be stated as follows: "What is the point of being white if there is no *white skin privilege*?"



That is why it is so important to understand the evolution from slavery to segregation, from the *Dred Scott* decision in 1856 to the *Plessy v. Ferguson* decision in 1896. The goals of servitude and segregation are the same: impose upon African-Americans a debilitating *second-class status* in order to maintain domination and control. Slavery and segregation are each systems for organizing society in which the fundamental purpose is to vindicate the central goal of racism: domination and control of the black community.

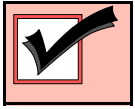
**Domination and
control key to
maintaining 2nd
class status for
black community!**

Domination and control of the black community by the white community constitutes the kind of onerous disability and badge and indicia of slavery prohibited by the 13th and 14th Amendments, and the federal and state legislation created in support thereof. Therefore, until the underlying domination and control is also eradicated, the second-class status of African-Americans cannot be changed fundamentally. That is the teaching of *Brown v. Board of Education*.

That is why in Mississippi, and throughout the country, an *inter-generational model of community organizing* is needed to change the culture of domination and control, and to create a first-rate education system accountable to the needs and interests of the community.

I'd tell the white powers that I ain't trying to take nothing from them. I'm trying to make Mississippi a better place for all of us. And I'd say, "What you don't understand is that as long as you stand with your feet on my neck, you got to stand in a ditch, too. But if you move, I'm coming out. I want to get us both out of the ditch.

FANNIE LOU HAMER

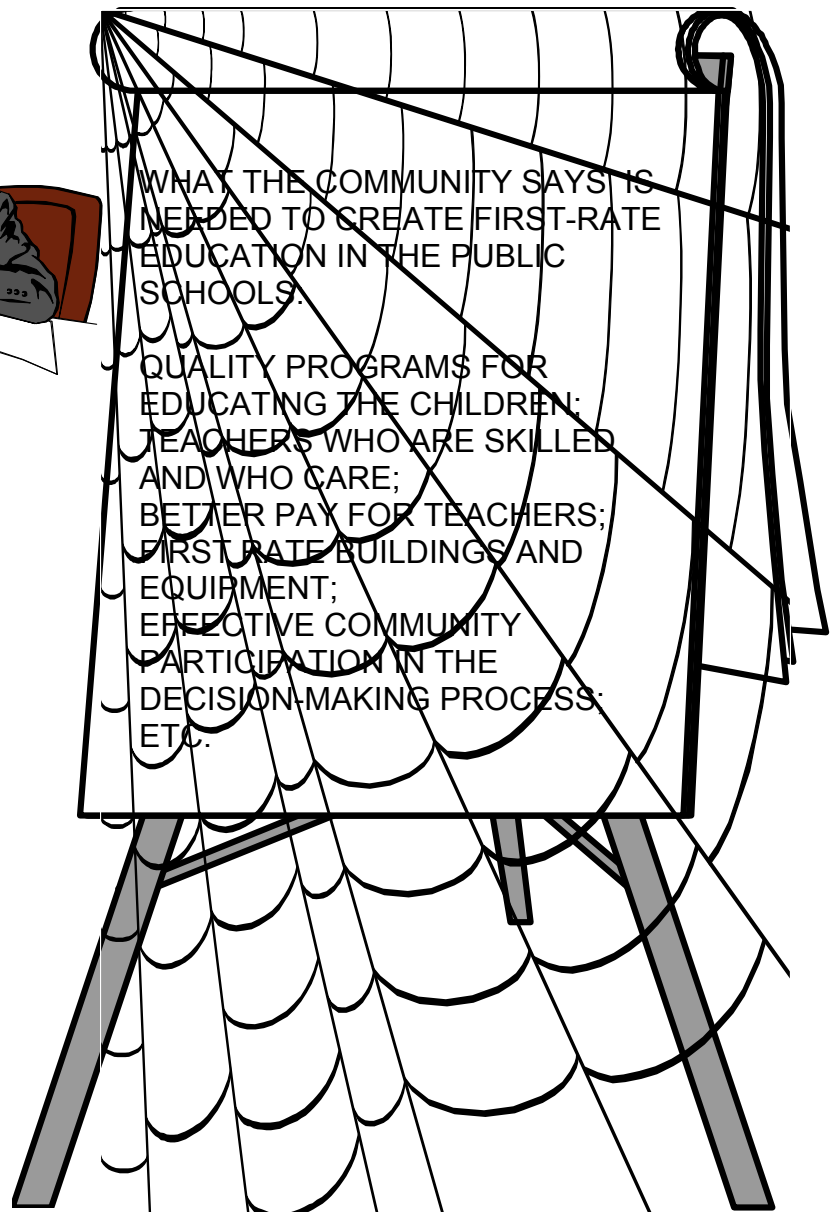


Southern Echo, Inc.

EMPOWERMENT
ACCOUNTABILITY
TRUTHTELLING
FIGHTING RACISM
TRAINING
ASSISTANCE

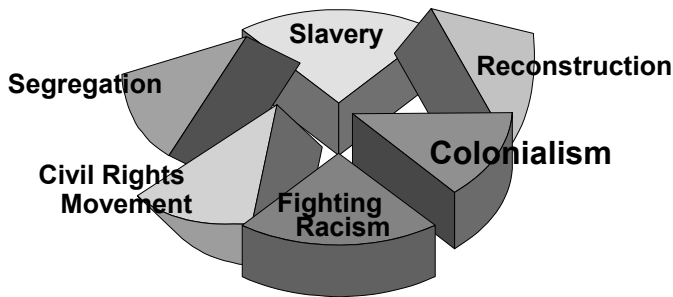
EDUCATION GATEKEEPER AT WORK!

Don't you worry about our fine education system here! Sure, we have problems. But we have everything under control. Our people are happy with it! What we don't need is folks sticking their noses where they don't belong!



Part Two

The Three Stages of Domination and Control: The On-Going Struggle to Build Bridges to Justice and the Efforts to Destroy Them



As a tree without roots is dead, so is a people without knowledge of its history!

Carter G. Woodson

How we arrived at the present state of affairs can be understood only by studying the forces effective in the development of Negro education since it was systematically undertaken immediately after Emancipation. To point out merely the defects as they appear today will be of little benefit to the present and future generations. These things must be viewed in their historic setting. The conditions of today have been determined by what has taken place in the past, and in a careful study of this history we may see more clearly the great theatre of events in which the Negro has played a part. We may understand better what his role has been and how well he has functioned in it.

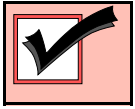
Carter G. Woodson, The Miseducation of the Negro, 1933

**Truth-telling key
to knowledge....**

Knowledge requires *truth-telling*. Without truth-telling there is no way to develop an accurate, clear understanding of the facts that help to explain how we proceeded from one point to another throughout our history.

Partial truths, half-truths, and some of the facts but not all of the facts, are often a means to protect ourselves and others from serious unpleasantness, discomfort or confrontation with ourselves and others.

When you have knowledge, when you know and understand what has happened and why, then you become *responsible* for acting in a manner which



**Knowledge key to
responsibility....**

reflects that knowledge and understanding. That is why some people say that they prefer *not* to know things. Others just close their eyes or keep away from situations in which they might learn something for which they will have to take responsibility.

Many people are afraid to take responsibility, and therefore are afraid to have knowledge and understanding. *Fear* has so many ways of showing itself.

Fear of knowledge

But we must also understand that the *fear of knowledge* is deeply rooted in our culture in Mississippi, and has been systematically reinforced by the white community through force and violence. Therefore, part of our task in empowering the African-American community is to enable people to overcome the fear of knowledge, and to take responsibility for finding out things, for investigating to learn what must be known, and for educating others in the community by sharing that information.

**The attitude: Some
things are "*White
folks*" business!**

The white community understands this, too. That is why the white establishment promotes the notion that some things, such as information that affects the formation of public policy, are "white folks business" and everyone else should mind their own business.

**Failure to take
responsibility....**

As we have learned in prior schools, *investigation* and *education* are the first two steps in *community organizing*. However, *failure* to take responsibility for knowledge and understanding, *failure* to share that information with others in the community, and *failure* to act upon that understanding, undermines and destroys community organizing and the ultimate empowerment of the community.

Racism is a human problem and a crime that is absolutely so ghastly that a person who is fighting racism is well within his rights to fight against it by any means necessary until it is eliminated.

MALCOLM X

Speaking like this doesn't mean we're anti-white, but it does mean we are anti-exploitation, we're anti-degradation, we're anti-oppression.

MALCOLM X

[A] nation cannot deal fundamentally with racism by denying its existence. White people don't like to talk about racism because it is ugly.

ROGER WILKINS

***Racism still
dominates
public policy***

Racism is still the primary problem in the formation of public policy in Mississippi. For the white community in Mississippi, maintaining *control* over the African-American community remains a primary objective in the formation and implementation of public policy.

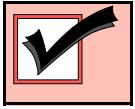
For the white community, the flip side of maintaining control of the African-American community is requiring the *dependency* of the African-American community on the white community. Political, economic and financial, cultural control and dependency. Maintaining control and dependency are the means by which white folks seek to preserve the cornerstone of their cultural consciousness: *racism*.

***Controlling
bridges to justice
and opportunity***

That is why it is so important, from the vantage point of the white community, that the *white community* maintain control of all the *bridges* to justice and opportunity. By controlling the bridges, the white community can maintain a dependency relationship with the black community. That is why the white community demands that the black community subordinate itself to white leadership on all matters of fundamental importance. By controlling the leadership of the black community, the white community can maintain control of the bridges that African-Americans need to cross to pursue justice and opportunity.

White skin privilege

Racism means training white children from an early age, at school and at home, that *white skin privilege* is a way of life. Racism means teaching children that



an attitude of white racial unity is an essential pre-condition to acceptance in the white social, cultural, political and economic world. Racism means maintaining policies and practices which seek to mark African-Americans with the *stamp of inferiority*.

Racism today does not mean that whites must denounce change and progress. In fact, to the contrary, it is appropriate now for whites to give vigorous lip service to the rights of African-Americans. Racism does not mean that no progress in race relations occurs. Nor does it mean that no African-Americans can move through the very narrow funnel of upward mobility which has been opened up in the economic and political system as a result of the extraordinary struggles of African-Americans.

Racism does mean a *commitment* on the part of the white community to maintaining the essential ingredients in the system of control and dependency which remains at the heart of the relationship between the black and white communities. Therefore, even where progress is inevitable, the goal of racism is to obtain and maintain control of the pace and course of that progress to the extent possible under the circumstances.

This is accomplished by controlling access to the *bridges* to justice and opportunity. Quality education is a major *bridge*! That is why the battles over the *bridges* are so important!

Control and dependency was at the heart of the system of *slavery* administered by whites through the end of the Civil War in 1865. The *process of Reconstruction* after the Civil War, from 1866-1877, was intended to empower the African-American community in Mississippi to control its own destiny. White folks in Mississippi fought against Reconstruction.

When Reconstruction came to an end in the 1870s the *system of segregation* was instituted throughout the nation as the means through which the white community could regain control over the African-American community.

Legalized racial segregation also is coming to an end in the 1990s. Or, at least it is supposed to come to an end. Clearly, the system of control is changing. But the intention on the part of the white community to maintain historic control and dependency of the African-American community has not changed.

If whites can't prevent progress, then they want to control the pace of it....

Controlling access to the *bridges* key to controlling pace of progress....

The goals of slavery and segregation were to dominate and control the black community in every aspect of life.

Flexible colonialism is the new system of control....

The new mechanism for maintenance of control is *flexible colonialism*. In this Manual the distinction will be drawn between *rigid colonialism* and *flexible colonialism*. In short, *rigid colonialists* engage in massive resistance to change.

Flexible colonialists recognize that some accommodation to change is useful to maintaining peace and the illusion of progress, which can make it easier to maintain solid and unyielding control of the system. One of the most clever strategies of the flexible colonialists is to use members of the oppressed community as *gatekeepers* to help maintain control over the oppressed community.

"A rose by any other name is still a rose."

Legalized segregation, and the struggle to preserve it into the 1980s and 1990s, expresses the essence of rigid colonialism. In the 1990s there appears to be a significant transition being undertaken in the white community toward the use of flexible colonialist strategies toward the black community. White folks have learned to tone down their language in public gatherings or in the presence of African-Americans. White politicians, organizations and political parties speak in the *language* of "empowerment", "democracy" and "opportunity" for African-Americans, while pursuing policies designed to maintain fundamental control of every *bridge* to justice and opportunity.

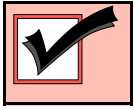
The three stages of domination and control

Slavery was legal for 245 years, more or less....

Slavery, which existed legally from about 1620 to 1865 (245 years), was the first stage of domination and control of the black community in this country. When slavery was banned, the white establishment moved into the second stage of domination and control by re-creating the elements of slavery in the system of racial segregation. Although the *language* changed, and the legal technicality of ownership of human beings was outlawed, whites used force and violence from 1865 to the 1990s (approximately 125 years) to attempt to retain all of the other elements of the culture, law, morality and fear that characterized the slave system.

Reconstruction lasted 11 years, more or less

Reconstruction was a short-lived period between 1865 and 1876 (approximately 11 years) during which African-Americans made some progress because three circumstances came together at the same time:



1. The federal government created and guaranteed certain constitutional rights to black Americans. These rights granted citizenship to African-Americans for the first time, and guaranteed due process, equal protection under the law, and the right to vote to African-Americans.


2. The federal government enforced the newly-created and guaranteed rights of African-Americans, with troops if necessary; and

3. African-Americans were determined to exercise, fight for and protect those rights, and organized themselves to take advantage of the opportunities which flowed from exercising those rights.

Since that time the slogans of "states' rights" and "get the federal government off of our backs" have symbolized the goal of the white establishment to stop the federal government from enforcing the constitutionally-protected rights of black citizens.

Whites "states' rights" slogan a battle-cry for right to dominate black community!

After the Civil War, it took 30 years for the white establishment to drive the federal government completely out of the business of protecting the constitutional and other legal rights of black citizens. In the 1890s Southern states moved full steam ahead to drive African-Americans out of the political process, the legal system, and into a fully segregated, separated, second-class, inferior status, in which blacks, once again, had no rights which the white community was bound to respect.



Those who would ignore history, are doomed to repeat it.

George Santayana

Southerners again in control of white establishment....

It is now 30 years since the passage of the 1965 Voting Rights Act. The white establishment, once again led by Southerners in control of the United States Congress and a conservative Supreme Court, is in the process of driving the federal government out of the business of enforcing and protecting the constitutional and legal rights of black citizens.

Let's look at this systematically.

Slavery....Segregation....Colonialism! What is common to these systems? How are they different? What bearing does such a discussion have on Mississippi today and in the future?

3 systems for domination and control....

Each of these systems is about *domination and control* of the black community by the white community ... about the *concentration of political and*

**Common goal:
drive a racial
wedge based on
domination,
disparity, distrust
and disregard.**

economic power in the hands of the white community ... about maintaining control of the education system to ensure that young black and white children develop totally different expectations for themselves and their communities grow up with a substantial distrust and disregard for each other.

**Exploitation based
on concentration of
power and wealth.**

In Mississippi we are talking about white folks controlling black folks ... about using control to concentrate power and wealth in the hands of the few at the expense of the many ... about exploiting human, capital and natural resources to expand wealth and power ... about using the *race* issue to manipulate whites as well as blacks to preserve the system of control and dependency, and thereby, the concentration of wealth and power.

**Communication
needed within the
community.**

In order to evaluate what changes are needed and how to implement them, we must have an effective, clear understanding of the nature and extent of the problems we face today. Furthermore, we must be able to talk with each other and our family, friends, neighbors, church and community in an honest, forthright, candid way, without fear of reprisal.

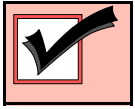
We must be able to engage in *truthtelling* because that is essential to create the solid base of knowledge and understanding needed for the work to be done.

Slavery: the first stage of domination and control

**Chattel slavery:
treating persons
as property.**

The *system of slavery*, controlled by European-Americans, sought to achieve its goals of control and profitable exploitation by regarding and treating African-Americans, not as human beings, but as *chattel*. Hence, the term *chattel slavery*. In Anglo-American law *chattel* was, and still is, personal property, a "thing", not a person. In Anglo-American law personal property, or chattel, is owned, possessed, appropriated, rented, leased, transferred, inspected, rated, priced, shopped, traded, bartered, bought, sold, gifted, bequeathed and devised (i.e. inherited by will after the death of the owner), altered, modified, bred, repaired, stolen, escaped, hunted, returned, and destroyed.¹¹

¹¹ "Accordingly, slaves **were** bartered, deeded, devised, pledged, seized, and auctioned. They were awarded as prizes in lotteries and raffles: they were wagered at gaming tables and horse races...." Stampp, Kenneth, *The Peculiar Institution*, (1956) at p. 201.



EMPOWERMENT
ACCOUNTABILITY
TRUTHTELLING
FIGHTING RACISM
TRAINING
ASSISTANCE

Slaves were not supposed to have *bridges* to anywhere!

Blacks created wealth for whites!

De-humanization of Africans at the core of the slave system...

Use of laws, regulations, customs and practices

System controlled all behavior of whites as well as blacks....

Consequently, the entire system was organized around control of African-Americans by whites. Under this arrangement, in every aspect of their lives, African-Americans were totally dependent on whites for their existence. After all, how can *property* control its *owner*? Black slave-persons were not supposed to have *any* bridges to justice or opportunity.

At the same time, African-Americans produced value and wealth for whites, but did not share in it. It was the extraordinary labor of African-Americans in the Mississippi Delta who fought the mosquitoes, disease, snakes and vermin to clear the jungle, forests and swamps and enable whites to exploit the richest naturally irrigated plain on the continent. The exploitation of human labor in the slave system made that economically and physically feasible. The whites would not have done that work themselves!

The de-humanization and de-personalization of African-Americans was essential to the justification of the system of slavery by white folks. Since African-Americans had roles to play in the economic and political system of slavery, it was also essential that African-Americans be *required* to play those roles.

Consequently, a system of *laws, regulations, customs and practices enforced by courts*, on the one hand, and *blatant violent terror excused and protected by the federal, state and local governments and their courts*, on the other hand, were used to maintain and enforce the system of slavery.

If an African-American or a white stepped out of the prescribed role, or sought to change the character definition, or nature of the role, the results could be extreme: lynching, murder, economic ruin, jail, and/or arson against the home, family and/or business, etc.

"After Nat Turner's insurrection [1831], in all slave states except Maryland, Kentucky, Tennessee, and Arkansas it was against the law to teach a slave to read and write. Slaves were prohibited from leaving the plantation without a written pass: they must be in their houses by curfew, usually nine o'clock.... They could not legally assemble outside their own plantations in groups of more than five unless a white person was present: a slave could not own a horse or firearms.... buy liquor, or trade without his master's permission. He was not permitted to work in a printing shop or a drug store, or to administer medicine to a white person. A white man must always be a resident on a slave plantation, and it was illegal for a slave to hire himself out or live independently as a freeman. Death was the

penalty for insurrection, plotting revolt, raping a white woman, administering poison, or committing arson....

"It was a capital crime for a Negro to commit rape on a white woman, but it was only a trespass for a white man to rape a slave woman."¹²

Don't think! Don't even look like you are thinking!

Africans were supposed to work with their *bodies*, not their *minds*. They were not supposed to *think*, not learn to *think*, especially not learn to think *critically*. They also were not supposed to make any *judgments* or *decisions* without the *permission* of a white person. That is how you create and maintain *dependency*. Regardless of a black person's skills, a black person was *required* to pretend that he or she could not *think* without the assistance of a white person. The penalties for violating this *custom* could be extremely severe. This attitude remains deeply rooted in the white culture today, and continues to plague the black community!

Everything turned on a person's status

At the core of the system was the concept of *status*. *Status*, by its nature, defined a relationship between whites and blacks, based first and foremost on the basis of *race*.

Race determined *status*. You were either *white* or *black*. Everything flowed from the status of your race. Status determined your *place* and each person had to *know* his or her place.

If you are white, you are right. If you are black, stay back!

Old doggerel verse used to satirize white attitudes

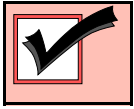
Failure to stay within the limitations and barriers prescribed by whites could have disastrous consequences!¹³ No attempts to create bridges to justice and opportunity for blacks would be tolerated by the slaveowners and their allies.

¹² *The Growth of Southern Civilization, 1790-1860*, p. 77-78 (1961), **Easton**, cited in **Kinoy, The Constitutional Right of Negro Freedom**, Rutgers Law Rev., Vol. 21, No. 3, Spring, 1967, at fn. 55.

¹³ "Every slave state had a slave code which established the property rights of slaveholders, supported the masters in maintaining discipline by requiring the slaves to submit to their masters, and safeguarded the white community against slave rebellions by controlling the slave's freedom of movement and forbidding him to assemble in groups of five or more unattended by a white person. A slave was forbidden to be taught reading or writing or to purchase liquor without permission. For example, the South Carolina code stated that slaves were " 'deemed, held, taken, reputed and adjudged in law to be chattels personal, in the hand of their owners and possessors and their executors, administrators and assigns, to all intents, constructions and purposes whatsoever.' " **Stampp, The Peculiar Institution**, 196-197 (1956). A bondsman [slave] could not acquire title to property by purchase, gift or devise; he could not be party to a contract; he could not be party to a suit except indirectly in suit for freedom when a free person represented him; he could not legally marry. *Ibid.*, at 197-198. In the cities, he was prohibited from being on the streets after curfew or living in dwellings separate from his master.

Slave Codes

The slave was unequally penalized for violation of the state criminal codes by being subjected to heavier penalties than whites for violations of similar offenses. "Every southern state defined a substantial number of felonies carrying capital punishment for slaves and lesser punishments for



Freedom is a
"sometime thing!"

African-Americans
were treated as
commodities to be
exploited.

Punishment for
slaves harsher than
for whites. But
severe penalties
for whites aiding
blacks in violation
of Slave Codes.

Nation founded
on commitment
to slavery, slave
trade and return
of runaway slaves
to owners.

In 1842 Supreme
Court protected
slaveowners right
to recapture fleeing
slaves anywhere in
United States.

If you were white, you were assumed to be *free*. But if you were black, and claimed to be *free*, you had the burden of proof to establish your *free* status. If you were black, you had to have "obtained" your free status from some white person.¹⁴

To whites, as long as the slave trade and slave system survived, African-Americans were an exploitable commodity, a renewable resource, essential to the development of the economic system.¹⁵ Laws were enacted, interpreted by courts, and used to compel and enforce that circumstance.¹⁶ If laws were inadequate, force and violence were available as a remedy.

whites. In addition to murder of any degree, slaves received the death penalty for attempted murder, manslaughter, rape and attempted rape upon a white woman, rebellion and attempted rebellion, poisoning, robbery and arson." *Id.* at 210. The laws were particularly harsh on white persons who broke the prohibitions of the slave codes: the death penalty was not infrequently the punishment for aiding a slave to rebel. *Id.* at 211.

Cited in *The Constitutional Right of Negro Freedom, Id.* at fn. 55.

¹⁴ For example, a person in slavery could be emancipated by the last will and testament of the owner. But the slave was then obligated by law to make appropriate petition to the courts for execution of the provisions of the will. See *Fisher's Negroes v. Dabb and Others*, 6 Yerger's Tennessee Reports 119.

¹⁵ "The nation had been founded upon compromise over the issue of slavery. John Quincy Adams, speaking to his Massachusetts constituents, had declared that the southern representatives to the Constitutional Convention had

... prescribed, as a condition of their assent to the Constitution, three special provisions to secure the perpetuity of their dominion over their slaves. The first was the immunity for twenty years of preserving the African slave trade; the second was the stipulation to surrender fugitive slaves...; and thirdly, the exaction fatal to the principles of popular representation for slaves -- for articles of merchandise, under the name of persons. Ginzburg and Eichner, The Troublesome Presence, 68 (1964)."

Cited in *The Constitutional Right of Negro Freedom, Id.* at fn. 55.

¹⁶ "In *Prigg v. Pennsylvania*, 41 US (16 Peters) 539 (1842), Justice Story, speaking for the Court, sustained the exclusive power of Congress over fugitive Negro slaves and rendered ineffective statutes of states attempting to aid fugitive slaves who had fled to their jurisdictions. The Court relied on the authority of Article IV, Section 2 of the Constitution, which had as its object 'to secure to the citizens of the slaveholding states the complete right and title of ownership in their slaves, as property, in every state in the Union into which they might escape from the state where they were held in servitude.... Its true design was to guard against the doctrines and principles prevalent in the non-slaveholding states, by preventing them from intermeddling with, or obstructing, or abolishing the rights of the owners of slaves.'" *Id.* at 611. 'We have not the slightest hesitation in holding, that, under and in virtue of the Constitution, the owner of a slave is clothed with entire authority, in every state in the Union, to seize and recapture his slave, whenever he can do it without any breach of the peace, or any illegal violence.' *Id.* at 613. 'If, indeed, the Constitution guarantees the right, and if it requires the delivery upon the claim of the owner, (as cannot well be doubted,) the natural inference certainly is, that the national government is clothed with the appropriate authority and functions to enforce it.' *Id.* at 615."

Cited in *The Constitutional Right of Negro Freedom, Id.* at fn. 55.

Stamp of inferiority

At the core of the system of *status* was the *stamp of inferiority*: African-Americans were supposed to be inherently inferior precisely because they were of African descent. This *stigma of race* could not be removed, changed, altered or undone by the character, intelligence, acts, diligence, bravery, courage, graciousness, or spirituality of the individual.¹⁷

Theory of *inherent inferiority* key to moral justification for domination and control.

The *stamp of inferiority* was essential to the theory that slavery was an appropriate status for African-Americans: *If* persons of African descent were inherently inferior, below the par of whites, and therefore sub-human, *then* the status of slavery based on the *stigma of race* did not violate the moral standards by which white humans lived. In fact, in this context white folks actually contended that the system of control and dependency, known as slavery, was not an injury to African-Americans, but a benefit that shielded Africans from the risks of freedom and independence, which Africans, by their *nature*, would be unable to endure. Therefore, under the circumstances, if you can follow this bizarre logic, white folks told themselves that it was their duty to accept their God-given burden to run the world!

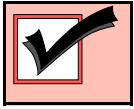
Imperialism at its worst: Since whites are superior, blacks should consider it a privilege to be dominated by whites! Not!

So! In slavery it wasn't simply a question of black and white, slave and free. For white folks, at the core of the system was a *fundamental teaching*: whites had the *right* and *duty* to control life, a *privilege* based on skin color (*white skin privilege*), which flowed directly from their *status* of superiority. African-Americans had a corresponding *status* of inferiority based on skin color, and a *burden* and *obligation* to be dependent. For whites, every aspect of society had to reinforce this fundamental teaching or be rooted out. For whites this fundamental teaching could not and must not be disputed: It had to be regarded as an *axiom*!

The axiom of race

An *axiom* is a principle which does not have to be proven each time it is asserted: once learned it is assumed to be true. Such principles are used as the foundation, or fundamental building blocks, on which all other related principles are based. Unfortunately, the *axiom of race* developed during slavery and rooted in the

¹⁷ In 1996, in Greenville, MS, there are still white churches where ministers preach to their all-white congregations of parents and children that God placed a curse on Africans, and their descendents, and the evidence of that curse is that God made their skin black.



culture, is still taught today. Since it is learned as an axiom, it continues to go unquestioned by so many who learn it.

These fundamental principles remain deeply rooted in white culture. Whites who dare to support the liberation goals of the black community are still threatened with expulsion, or are actually expelled, from within the social, cultural, political and economic ranks of white society.

The *education system* is a principal arena of learning where *all* children could be dis-abused of such an invidious cultural building block and be exposed to truth-telling. But the white establishment knows this, too. That is why whites have resisted change in the education system for so long. And, if they can't prevent change, then they work to delay it as long as possible.

In 1856, the Chief Justice of the United States Supreme Court, rendering the majority opinion in the case of *Dred Scott v. Sandford*, 60 US (19 Howard) 393, 404-405 (1856),¹⁸ elevated the system of slavery from a regional priority to fundamental national policy controlling the entire nation. *Dred Scott* determined that the constitutional rights of slaveowners to recover their property, their chattel, had to

¹⁸ Dred Scott was originally a slave owned by Peter Blow, a Virginian who moved to Missouri before his death. While Blow's estate was being liquidated in 1833, Scott was sold to Dr. Emerson, who an Army physician. Dr. Emerson was transferred to Rock Island, Illinois and Fort Snelling, Minnesota Territory, both of which were "free" areas. Scott married and the couple had two children. The entire family had lived in free areas.

When Emerson died in 1843, Scott offered to buy his freedom from the widow, but was refused. In 1846, Scott petitioned the Missouri state court for permission to sue for his freedom and for wrongful detention. Scott received permission to sue, but lost at trial. In 1849 Scott requested a new trial in state court in Missouri. But Mrs. Emerson had moved to Massachusetts and married an abolitionist. She **gave** Scott, still legally a slave, to her brother, Sandford. Scott won his suit in Missouri state court and was declared **free**.

However, Sandford appealed to the Missouri Supreme Court, which reversed the lower court in 1850, and the case was remanded for a new trial. Scott determined not to go back through the state court process and in 1853 sued Sandford in federal court since Sandford was a citizen of the State of New York. Suit was brought for **trespass vi et armis** (injury to his person, an early English common law legal action) and sought damages in the amount of ten dollars (\$10.00).

On May 15, 1854 (almost 100 years to the day before the United States Supreme Court decision in **Brown v. Bd. of Education** declared segregated public schools unconstitutional) the federal trial court held that Scott was a citizen and therefore could sue in federal court, but that Sandford was not guilty of trespass and Scott should remain a slave. On May 30, 1854, the **Kansas-Nebraska Act** was passed by Congress, which allowed slavery in Kansas, previously a free area, and prohibited slavery in Nebraska. In 1856, the United States Supreme Court delivered its decision in the appeal of **Dred Scott v. Sandford**, in which the Court held the Kansas-Nebraska Act unconstitutional and declared that the rights of slaveowner Sandford must be enforced *everywhere* in the United States. This was only the second time in United States history that the United States Supreme Court held an Act of Congress unconstitutional. Dred Scott died in slavery!

**The story of
Dred Scott,
who struggled
to be free....**

***Dred Scott* case
(1856) made
slavery a
national policy**

be enforced everywhere in the United States. Consequently, there was no state to which an African-American could go within the United States to become free of the bondage.

The legal *bridge* to justice and opportunity was closed by the Supreme Court. The highest court of the land had become its principal *gatekeeper*.

**Supreme Court
as *gatekeeper* at
the *bridge*....**

The control of slaveowners was absolute: African-Americans were to be permanently and irrevocably dependent *everywhere* in the nation.

**Legal system is
a key element
in preservation
of domination
and control....**

In *Dred Scott* the Court felt impelled to enunciate a full blown legal and constitutional theory designed to serve as a national justification for the preservation of the institution of slavery.... [T]he Chief Justice carefully spelled out ... the fundamental legal rationale of the slave system -- that the black men and women originally brought to this country, whether now slave or free, were not part of the political community established by the founders. They were not part of this community because they were not part of the "people of the United States" within the meaning of the preamble. They were not part of the "people of the United States" because they were "beings of an inferior order," a "subordinate and inferior class of beings who had been subjugated by the dominant race."

The logic of the analysis then unfolds with swift and stark simplicity. Since the black man, slave or freed, was not a part of the political community of the United States, he has no claim to the rights of citizenship which flow from membership in that community. In short, he had no rights which the "white man was bound to respect." He "had no rights or privileges but such as those who held the power and the Government might choose to grant." The ultimate conclusion of this inexorable logic was soon reached. As a member of "an inferior race" he could be lawfully reduced to slavery for his own benefit.¹⁹ Slavery as an institution, as the Chief Justice carefully pointed out, thus rested squarely upon an "axiom in morals as well as politics" which governed all of American life in free as well as in slave states -- an axiom now to be grounded in a national pronouncement of constitutional law -- that the black race was "inferior to the white race in all respects."

This "axiom" of American life was reflected, as the Chief Justice painstakingly demonstrated, in bodies of law in both free and slave states which attempted through the regulation of conduct of black men to impress "marks of inferiority and degradation" upon the race itself. "[T]his stigma, of the deepest degradation, was fixed upon the whole race." This legislation, designed to "stigmatize the race as inferior and degraded," was enacted to preserve the wall which was

¹⁹ "[A]s beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations ... the Negro might justly and lawfully be reduced to slavery for his benefit." **Dred Scott v. Sandford**, 60 US at 407.



The use of laws and regulations to create the *stigma of race and stamp of inferiority*, and then use of the *stigma and stamp* as justification for exploitation and abuse.

Analytical, critical thinking is the real threat to the white establishment.

to separate for all time the inferior black race of beings from the dominant white political community of the United States. "[A] perpetual and impassable barrier was intended to be erected between the white race and the one which they had reduced to slavery...." Slavery, as an institution, and the government itself, which was committed by the Constitution to the preservation of the system, depended for its very safety, the [Supreme] Court concluded, upon the enforcement of those laws which served to place the stamp of inferiority upon the "degraded" race. The system of chattel slavery and the theory of the "inferiority" of the black race were thus wedded together in an inextricable embrace. The theory of racial inferiority now firmly embedded in constitutional pronouncement was the rationale and justification for the system of slavery, its prop and support.²⁰

The national policy stated in *Dred Scott* constituted an endorsement for a complete system, touching every facet of life. An essential element of the slave system was the denial and prevention of *education* of African-Americans.

Today, inadequate, insufficient, educational opportunity for black children is a key mechanism to *mark* the children with the *stamp of inferiority*, beat down their self-respect, and keep them from competing with white children for the jobs of the 21st century in a shrinking job market.

Knowledge is the basis of power. Power is the basis of independence. Knowledge comes from education. Education comes from both formal training and experience. General learning skills, such as reading, writing and arithmetic, were not to be taught to African-Americans: such skills develop and improve critical thinking skills and improve analytical reasoning, which are part of the foundation for independent thinking. *Independent thinking, in turn, leads to thinking about independence!* If one person learns to see things differently, and can share that new insight, and the basis for it, with others, eventually large numbers of people can be brought together around a common understanding. That could lead to *unity* among the people in support of a demand to change the way things are!

Education is one of the fundamental bridges to justice and opportunity!

Consequently, both formal training and experience training had to be carefully controlled by whites to ensure that both black and whites "stayed in their place". Educating slaves was prohibited. It was illegal to teach slaves to read! Keeping

²⁰ **The Constitutional Right of Negro Freedom, *Id.*, p. 391-392.**

slaves "ignorant" was mandatory. Slaves were only supposed to learn those skills that were essential to the tasks and roles defined for them by white folks. That is the essence of control and dependency.

The struggle over the existence of slavery was the primary cause of the Civil War, which resulted in the formal abolition of slavery.²¹

Segregation: The second stage of domination and control

The Civil War reversed the *Dred Scott* decision....

Independence ... freedom from bondage ... Only the victory of the Union in the bitter carnage of the Civil War, which ended in 1865, could lay the foundation for undoing the *Dred Scott* decision. The states which had remained in the Union had absolute control of the Congress. The state which had joined the Confederacy had been excluded from Congress. They were not permitted to re-join the Union until they ratified the new Wartime Amendments (the 13th, 14th and 15th Amendments to the United States Constitution).

13th Amendment abolished slavery in 1865.

In 1865 the Congress adopted the 13th Amendment to the United States Constitution to abolish slavery.²² (Note: The State of Mississippi did not ratify the

²¹ In 1872, only seven years after the finish of the Civil War, Justice Miller, speaking for the United States Supreme Court, noted: "The institution of African slavery, as it existed in about half the States of the Union, and the contests pervading the public mind for many years, between those who desired its curtailment and ultimate extinction and those who desired additional safeguards for its security and perpetuation, culminated in the effort, on the part of most of the States in which slavery existed, to separate from the Federal government, and to resist its authority. This constituted the war of the rebellion, and whatever auxiliary causes may have contributed to bring about this war, undoubtedly the overshadowing and efficient cause was African slavery.

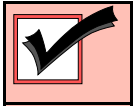
In that struggle slavery, as a legalized social relation, perished. It perished as a necessity of the bitterness and force of the conflict..." **Slaughterhouse Cases**, 16 Wall 36, 68 (1873).

The text of the 13th Amendment

²² **Amendment 13. Section 1.** Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

In the **Slaughterhouse Cases**, 16 Wall 36, 68-69 (1873), the United States Supreme Court noted: "The [emancipation] proclamation of President Lincoln expressed an accomplished fact as to a large portion of the insurrectionary districts, when he declared slavery abolished in them all. But the war being over, those who had succeeded in re-establishing the authority of the Federal government were not content to permit this great act of emancipation to rest on the actual results of the contest or the proclamation of the Executive, both which might have been questioned in after times, and they determined to place this main and most valuable result in the Constitution of the restored Union as one of its fundamental articles. Hence the thirteenth article of amendment of that instrument..."



**1866: Civil Rights
Act; 1868: 14th
Amendment**

13th Amendment abolishing slavery until 1995, under pressure from the recently enlarged Legislative Black Caucus.)

In 1866 the Congress also adopted the Civil Rights Act of 1866, in an attempt to abolish all laws, ordinances, customs, or regulations which sought to re-impose the incidents of slavery²³ upon those freed by the ratification of the 13th Amendment.²⁴

In 1868 the Congress adopted the 14th Amendment to provide national and state citizenship, due process and equal protection of the laws for all persons born in the United States.²⁵

Each of these enactments was seen as a bridge which African-Americans could cross to move from the total subjugation of slavery to full, first-class citizenship. But the resistance of whites was unrelenting and creative. The 14th Amendment should have been understood to guarantee the right to vote, or franchise, as an integral and essential part of the rights, privileges and immunities of citizenship,

²³ In its discussion of the 13th Amendment in the **Slaughterhouse Cases**, 16 Wall 36, 39 (1873), the United States Supreme Court explained, ".... The word servitude is of larger meaning than slavery, as the latter is popularly understood in this country, and the obvious purpose was to forbid all shades and conditions of African slavery. It was very well understood that in the form of apprenticeship for long terms, as it had been practiced in the West India Islands [after] the abolition of slavery by the English government, or by reducing slaves to the condition of serfs attached to the plantation, the purpose of the article might have been evaded, if only the word slavery had been used.... "

²⁴ **Civil Rights Act of 1866.** Section 1. That all persons born in the United States and not subject to any foreign power, ... are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of servitude,... shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, to be parties, and give evidence, to inherit, purchase, lease, sell, hold and convey real and personal property, and to full and equal benefit of all laws and proceedings from the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.

Section 2. That any person, who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at any time been held in a condition of slavery or involuntary servitude, except as punishment for crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor, and on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

²⁵ **Amendment 14.** Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the rights, privileges and immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without the due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. [Sections 2, 3 and 4 are omitted here.]

White resistance to full citizenship for blacks....

equal protection and due process. But blacks continued to be systematically excluded from participation in the political process. Without participation in the political process, blacks could not hold the political, economic and educational systems accountable to needs and interests of the African-American community.

15th Amendment guarantees right to vote in 1870.

Therefore, in 1870 Congress adopted the 15th Amendment to protect the right to vote.²⁶

Objectives of the Wartime Amendments

The three Wartime Constitutional Amendment and Civil Rights Statute of 1866 had these fundamental objectives:

- **abolish** the legal status of slavery and servitude;
- **overturn** the *Dred Scott* decision which stated that it was an *axiom in morals and politics* that African-Americans were not citizens and *had no rights which whites were bound to respect*;
- **abolish** all of the incidents, badges and indicia of slavery reflected in statutes, ordinances, regulations and customs which were intended to mark African-Americans with the *stamp of inferiority*;

Text of 15th Amendment

²⁶ **Amendment 15.** Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

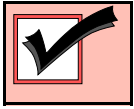
Section 2. The Congress shall have the power to enforce this article by appropriate legislation.

Why the 15th Amendment was necessary....

The origin and basis of the 15th Amendment was explained in the **Slaughterhouse Cases**, 16 Wall 36, 71 (1873): ".... A few years' experience satisfied the thoughtful men who had been the authors of the other two amendments that, notwithstanding the restraints of those articles on the States, and the laws passed under the additional powers granted to Congress, these were inadequate for the protection of life, liberty and property, without which freedom to the slave was no boon. They were in all those States denied the right of suffrage. The laws were administered by the white man alone. It was urged that a race of men distinctively marked as was the negro, living in the midst of another and dominant race, could never be fully secured in their person and their property without the right of suffrage.

"Hence the fifteenth amendment... The negro having, by the fourteenth amendment, been declared to be a citizen of the United States, is thus made a voter in every State of the Union.

"We repeat, then, in the light of this recapitulation of events, almost too recent to be called history, but which are familiar to us all.... [N]o one can fail to be impressed with the one pervading purpose found in them all, lying at the foundation of each, and without which none of them would have even been suggested; we mean the freedom of the slave race, the security and firm establishment of that freedom, and the protection of the newly-made freeman and citizen from the oppression of those who had formerly exercised unlimited dominion over him.... "



- **create** an affirmative national Constitutional right of freedom for African-Americans, enforceable by Congress, to the extent necessary, to ensure that African-American citizens had the same rights in every respect as white citizens.²⁷

The Congress was aware that in Confederate states such as Mississippi, that the former slaveowners were determined to minimize, to the extent possible, the ability of African-Americans to undo the status of slavery and servitude.²⁸

To evade the 13th Amendment, whites enacted the infamous Black Codes, in an effort to suppress the right and impact of emancipation.²⁹

²⁷ In **Jones v. Mayer**, 392 US 409, 440-443 (1968), the United States Supreme Court detailed the purpose of the 13th Amendment to eradicate the badges and indicia of slavery. Mr. Justice Douglas, in his concurring opinion, stated: ".... Just as the Black Codes, enacted after the Civil War to restrict the free exercise of those rights, were substitutes for the slave system, so the exclusion of Negroes from white communities became a substitute for the Black Codes. And when racial discrimination herds men into ghettos and makes their ability to buy property turn on the color of their skin, then it too is a relic of slavery."

"Negro citizens, North and South, who in the Thirteenth Amendment's promise of freedom -- freedom to 'go and come at pleasure' and 'buy and sell when they please' -- would be left with 'a mere paper guarantee if Congress were powerless to assure that a dollar in the hands of a Negro will purchase the same as a dollar in the hands of white man. At the very least, the freedom that Congress is empowered to secure under the Thirteenth Amendment includes the freedom to buy whatever a white man can buy, the right to live wherever a white man can live. If Congress cannot say that being a free man means at least this much, then the Thirteenth Amendment made a promise the Nation cannot keep."

²⁸ "For the same Congress that wanted to do away with the Black Codes **also** had before it an imposing body of evidence pointing to the mistreatment of Negroes by private individuals and unofficial groups, mistreatment unrelated to any hostile state legislation. "Accounts in newspapers North and South, Freedmen's Bureau and other official documents, private reports and correspondence were all adduced' to show that 'private outrage and atrocity' were 'daily inflicted on freedmen.... ' The congressional debates are replete with references to private injustices against Negroes -- references to white employers who refused to pay their Negro workers, white planters who agreed among themselves not to hire freed slaves without the permission of their former masters, white citizens who assaulted Negroes or who combined to drive them out of their communities."

"Indeed, one of the most comprehensive studies then before Congress stressed the prevalence of private hostility toward Negroes and the need to protect them from the resulting persecution and discrimination.... The report concluded that, even if anti-Negro legislation were 'repealed in all the States lately in rebellion,' equal treatment for the Negro would not yet be secured.' "

Jones v. Mayer, 392 US 409, 427-429 (1969) opinion of the Court [citations omitted.]

²⁹ "Among the first acts of legislation adopted by several of the States in the legislative bodies which claimed to be in their normal relations with the Federal government, were laws which imposed upon the colored race onerous disabilities and burdens, and curtailed their rights in the pursuit of life, liberty and property to such an extent that their freedom was of little value, while they had lost the protection which they had received from their former owners from motives both of interest and humanity."

"They were in some States forbidden to appear in the towns in any other character than menial servants. They were required to reside on and cultivate the soil without the right to purchase or own it. They were excluded from many occupations of gain, and were not permitted to give testimony in the courts in any case where a white man was a party. It was said that their lives were at mercy of bad men, either because the laws for their protection were insufficient or were not enforced."

".... [The statesmen] accordingly passed through Congress the proposition for the fourteenth

**13th Amendment
promise of
freedom....**

**Black Codes
created to limit
rights of blacks....**

Reconstruction was a period of time from 1865 to 1876, when rights for African-Americans were created to override the Black Codes and provide blacks their first effective opportunity to participate in the political and economic society as free citizens of the United States.

**Blacks in the
state legislature
joined with
friendly whites to
create first *public*
education system
in Mississippi!**

During Reconstruction the *first public school education system* in Mississippi was created by the coalition of African-Americans and Republicans in the State Legislature. The right to vote was a bridge to political empowerment. Electing public officials at every level of government created bridges to new economic opportunities and helped to remove previously existing barriers. Political empowerment was a bridge to a public school education system to which the black community had access, participation and input. Education, especially education funded with taxpayer dollars rather than the personal resources of the poorest segment of the population, could be a bridge in every direction to new economic, political, public health, and other opportunities.

**Bridges lead to
independence;
threaten system
of exploitation**

These *bridges* threatened to create independence for the African-American community and could substantially reduce the available, exploitable, black labor that made the plantation economy so profitable for white landowners.

**KKK formed
to fight black
citizenship....**

Consequently, the Ku Klux Klan was formed to wage war against the efforts of the free black citizens to exercise their rights under the Constitution and laws of the United States. Blacks sought to cross the newly created bridges -- the Klan tried to intimidate them from doing so or punish them for having done so.

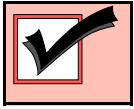
**After the Civil
War whites
conspired to
deprive blacks of
their rights....**

While violence was being waged at the local level, the white establishment tried to maneuver politically to drive the federal government away from enforcing the rights of the newly freed citizens.

In 1876 the South won a major negotiated victory. The Republicans in the North agreed to allow the Democrats in the South to *burn the bridges* that African-Americans were using to seek justice and opportunity. In exchange, the

amendment, and they declined to treat as restored to their full participation in the government of the Union the States which been in insurrection, until they ratified that article by a formal vote of their legislative bodies."

Slaughterhouse Cases, 16 Wall 36, 70 (1873).



**Southern political
leaders fight black
citizenship with
diplomacy.**

**1876 Hayes-Tilden
Compromise:
North caves in,
African-American
sold out!**

Democrats in the South agreed to allow the Republicans in the North to win the 1876 Presidential election.

As a result, Reconstruction came to an end with the *Hayes-Tilden Compromise of 1876*. The presidential election of 1876 was extremely close and the outcome in three states was in doubt. During the period of time in which investigations were undertaken to determine the complex election results in these states, a *deal* was struck by the Democrats and Republicans to settle the outcome of the election.

The *deal* contained these components:

- To the benefit of the Republican Party, the Republican candidate, Rutherford B. Hayes, would be declared the winner and become President of the United States.
- To the benefit of the Democratic Party, the Federal Government would withdraw its troops from the South; terminate support for the various Reconstruction programs; and cease enforcing the newly created Constitutional rights for African-Americans under the 13th, 14th, and 15th Amendments, and the various Civil Rights Acts passed since 1866.

It goes without saying that African-Americans were not consulted, did not participate in, did not have a choice, in the decisions which led to the wholesale obliteration of their rights, privileges and immunities of citizenship. The Civil War had been fought to create these rights. The white establishments in the North and South, and in the Republican and Democratic parties, got together to sacrifice the rights of African-Americans on the alter of political stability and economic growth.

To put it another way, white folks were more committed to the business of making money than protecting the rights of black citizens. Black folks had insufficient resources politically, militarily, and economically, and were not yet adequately organized and prepared to overcome the combination of legal and violent means employed by whites to destroy their rights.

Consequently, whites in Mississippi and elsewhere regained the upper hand and moved as quickly as possible to regain *control* politically and economically and force African-Americans, to the extent possible, back into a state of dependency. It

Whites unite to create mutual advantage at expense of blacks!

took almost 15 years after the Compromise of 1876 to complete the process in Mississippi of shutting down the bridges to the extent possible.

In 1890 the Mississippi Constitution was created by Convention, without ratification by the people, for the express purpose of systematically and effectively excluding African-Americans from the political system and make them totally dependent politically on whites. All political rights, privileges and immunities of citizenship were to be controlled by whites.

Once African-Americans were unable to vote, whites had a free hand to dismantle and undermine any and all rights of African-Americans through the systematic *segregation* of the races, to impose upon African-Americans the *stigma* of race, the *stamp* of inferiority, and the *status* of second-class citizens.

Mississippi Constitution of 1890 designed to prevent blacks from voting.

African-Americans once again were burdened with the badges and indicia of slavery which the Civil War, the Wartime Amendments, the Civil Rights Acts and Reconstruction were supposed to eradicate forever.

Whites had total control. All of the branches of the Federal government had made it clear that they would not interfere in the process of segregating the races. Whites proceeded ruthlessly to reinstate and enforce in every facet of Mississippi life the *axiom* enunciated in *Dred Scott*: "Blacks had no rights which whites were bound to respect."

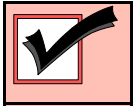
Segregation imposed to maintain stigma of race

Slavery had been abolished. But slavery was not simply about the legal status of "involuntary servitude". Slavery was a complex legal, economic, cultural and social fabric which defined *status*: status was the defining instrument for maintaining domination, control and sovereignty over the entire African-American population.

Federal officials won't interfere to guarantee rights: whites have free hand again!

If slavery was about domination and control, that was also true of the system of segregation: same ends, new means. The purpose and effect of segregation was to nullify the nationally-created Constitutional right of freedom for African-Americans, and return, to the extent possible, to the *status quo ante bellum*, the status that existed prior to the Civil War.

Segregation was successfully imposed by whites in both the North and the South. In the system of segregation, the rights of black people were only on paper. The reality was that the separate facilities, jobs and living conditions for African-Americans were never equal, and were never intended to be equal. Any



Racial segregation was in place as the second stage of a national system of domination and control....

attempt by black Americans to create the reality, or just the appearance, of equality was treated by whites as a direct threat to the survival of the "way of life" and would be met by political, economic, legal, or violent retaliation, all of which was sponsored and supported by the white establishment leaders, police, courts, businesses, banks and general community.

African-Americans engaged in struggle against the system of segregation in both the North and the South from its beginning at the end of the Civil War. African-Americans have kept up that struggle: the system of segregation was effectively discredited and the process of dismantling the system begun in the 1950s, 1960s and 1970s.

Colonialism: The third stage of domination and control

Under slavery, African-Americans were excluded from the society in which they served as involuntary laborers. Under segregation, African-Americans were "included" within the society in which labored, but were systematically *separated* within that society on the basis of race. In both situations African-Americans were subjected to an extraordinary range of requirements and limitations which sought to characterize and define their status as inferior and second-class. At the same time, African-Americans were seen as cheap, exploitable labor which subsidized every facet of white economic, political, cultural and social life.

Over the past 30 years a system of *flexible* colonialism has begun to emerge in evolutionary fashion from the cocoon of segregation. The public language of segregation, repression and subordination have lost capital in the political and economic arenas of this country and abroad, as the human rights struggles in the United States and around the world have forced a new moral standard.

In the United States numerous civil rights laws were passed, court decisions handed down, and legislatively-adopted social, legal, health and economic programs begun. An ideology of *equity* and *fairness* began to emerge from the struggles of the Movement. The federal government was taking an active role, through all branches of government, in attempting to enforce the nationally-created fundamental constitutional rights established by the 13th, 14th and 15th Amendments.

*Reality has changed
chameleonlike before my eyes
so many times, that I have
learned, or am learning, to
trust almost anything except
what appears to be so.*
MAYA ANGELOU

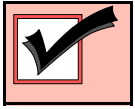
Efforts began to emerge to create various forms of income re-distribution in attempts to enable all Americans to participate in the "American Dream". The momentum of the unfolding progressive strategy and process was directly dependent on the existence of a national consensus that this was a fair and appropriate direction. The national mood was, in turn, tied to the existence of persistent pressure from the loosely organized, but very active forces within the Movement which kept the pressure on.

For a period of time the white establishment, political and economic, in this country was split and on the defensive. The *rigid* colonialists fought against the passage of the 1964 Civil Rights Bill and the 1965 Voting Rights Act, and kept up the drumbeat of resistance to the wholesale dismantling of the system of segregation.

The *flexible* colonialists, however, took a completely different tack. They analyzed the situation, domestically and internationally, and determined that these changes were not only inevitable, but essential to portraying the United States as a progressive force for change, and a rightful leader of the Western Alliance. Instead of fighting the basic changes needed, they decided to get ahead of the struggle and try to dominate and lead it. In this manner, by demonstrating their apparent good will and intentions, they hoped to have credibility when it would become necessary to try to limit, contain, or shut down the process of progressive change.

So long as the forces of the white establishment were split, and the African-American-led human rights movement was organized behind a unified vision and strategy for change, progress was made. But as the human rights movement lost common purpose and became internally divided and fractious, the pressure on the white establishment eased.

This afforded the white establishment some breathing room to re-assess its strategic position and fashion approaches which were designed to limit, contain and shut down the process of change. It even opened the door to rolling back changes which had already been won. A divided and unfocused Movement became faced with a 2-pronged attack from the white establishment: *rigid colonialists* worked from the rear to try to destroy it with massive resistance to enforcement of guaranteed



rights; while *flexible colonialists* jumped to the front of the Movement to try to assume its leadership, with the assistance of loyal *gatekeepers* from the community.

The rigid and flexible colonialists do not disagree on the basic goal of maintaining control of the African-American community. A new language and strategy emerged to replace the dogma and ideology of segregation. A political "good guy -- bad guy" routine emerged on both the national and local level. It is a clever technique that grows out of the strategy and tactics of negotiations. It isn't new, but it needs to be understood.

The routine is played out this way. The rigid colonialists play the role of the "bad guys" or "reactionaries". The flexible colonialists play the role of "good guys" or "moderates". The "reactionaries" set up an extreme position on the right and call for rolling back progressive changes already won, or for resisting for any further change. Their position is that white folks own this society, made it what it is today, and are reclaiming it from the "special interests" who have, or are threatening, to take it over.

The "moderates" tell African-Americans that the reactionaries pose a real threat, but that the moderates are willing to work for change, for progress, for the empowerment of the African-American community (and other communities, as well). However, the moderates note, African-Americans will have to be *realistic* about how much progress can be made and how swiftly it can be made, because the attitude of the reactionaries is so widespread within the dominant white community.

The moderates offer the African-Americans a choice in the process of struggle for change. African-Americans can "go-it-alone" *or* can join forces with the moderates. If they join forces with the moderates, then the African-American community as a whole has to subordinate its needs and interests to what the moderate white community deems to be its priorities at any given time.

If African-Americans go it alone, the white moderates say, then African-Americans should not be surprised when the moderate white community either sits on the sidelines concerning issues important to the black community, or when moderates actually support the agenda of the reactionaries. The moderates take the position this turn of events would be the fault of the black community for spurning the offer of support and leadership from the white moderates.

The offer of the moderates, of course, is a clever trap. If the offer of accepting the leadership of the white moderates is rejected, the threat is that there will be no support for real change from the white community. However, if their offer of leadership in exchange for accepting control is accepted, the process of empowerment of the black community is seriously endangered.

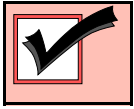
In the meantime, some real pressure is put on the black community. On a national and local level severe budget constraints have been created as the result of the conscious, intentional policies of the Reagan and Bush administrations. A runaway national budget deficit at the beginning of the 1980s was deliberately created through a series of sweeping tax cuts for the wealthy, fashioned through revisions of the Federal Tax Code. The impact of the budget deficits and constraints is still being felt today.

As a consequence, a recent study shows, the richest ½ of 1 % of the United States took home 55 % of the increase in personal income earned during the decade of the 1980s. The bottom 60 % of the nation either received no increase in personal income during the decade, or actually lost ground. At the same time, the federal, state and local governments appeared to be in serious financial crisis, with burgeoning deficits resulting from the loss of tax revenues.

Naturally, cutting spending has become the main theme of the colonialists. You can't spend what you don't have. But in the process don't cut defense and don't cut Social Security, the two biggest items in the national budget. What is left to cut are the "social programs" and the moneys provided to support the obligations of state and local governments.

And that is the point: In the 1960s and 1970s there was a national consensus to create, maintain and support the social programs to rectify and remedy the history of injustice to minority communities. There was no reason to believe that the ideological battle could be turned around in a head-on confrontation. Such a fight would only wind up badly splitting the white establishment.

But the *budget crisis* was a brilliant mechanism for forcing the issue upon everyone as a bureaucratic rather than ideological fight. Furthermore, this strategy held out the prospect that progressive forces could be trapped into fighting among themselves over which programs to save, rather than attempting to enhance or expand



the social programs, or attacking the underlying strategy of tax cuts for the rich which caused the problem in the first place.

How did the white establishment pull it off? In the new language of resistance fashioned by colonial strategists, "special interests" became the buzzword for "blacks" and other minorities. With the assistance or acquiescence of an intimidated, cowering Congress and media, the needs and interests of African-Americans as a community became the political demons which had to be exorcised from the political and economic arenas.

The colonialists in both the Republican and Democratic parties, using the language of the new conservatism, seized the center of the national debate and effectively undermined 60 years of progressive thinking about the role of government in a fair and just society. Their spirit was often mean, their language insensitive and vituperative. But the voice of the human rights movement was weak, uncertain, confused, and failed to respond effectively.

At the same time, the colonialists determined that maintenance of rigid and overtly exclusionary practices was counter-productive. Rather, it made sense to permit some advancement by minorities, then claim that equality of opportunity had arrived, and maintain that from hereon there was a *level playing field* on which all could compete for the economic benefits in society. The so-called *level playing field* analogy is, of course, the excuse, justification and rationale for terminating the social programs which had been created originally to account for the fact that the playing is not, and never has been, level, fair or just.

In fact, some African-Americans have been permitted to pass through the narrow funnel of success to white economic and political enclaves. Consequently, the colonialists now say, there is no need to understand, discuss and account for the role of race and racism in this society. That is a function of the past.

A most sinister development is that those who seek to inject reality into the current political discourse by raising the issue of racism are now called "racists" and accused of impeding progress in race relations. This is a clever technique for putting people on the defensive and demonstrates the current lack of preparation of Movement forces to deal with the strategies and tactics of the white establishment.

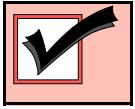
An important part of this new white strategy is the use of African-Americans to "front" for the white establishment in the struggle to dominate and control the black community. African-Americans who have "made it" through the funnel are now brought to the forefront to trumpet their personal success and decry any kind of programs aimed at assisting African-American communities out of the abyss that resulted from the burdens of slavery and segregation. The basic theme of these African-American scholars, writers, lawyers and economists is, "I made it. Why can't you? If I made it, the system works. If you can't make it, it's your fault!"

Once again, the victimized African-American community is blamed for its problems, injuries and disabilities. The white community, which imposed these problems, disabilities and injuries with a mixture of legalisms and force and violence, in collective voice now says, "Okay. We agree. You should have equal opportunity. Let's go on from here; let's not dwell on the past. As part of not dwelling on the past, let's not talk about any policies or programs which account for the past because they do more injury to the black community than benefit. In fact, accounting for the past actually constitutes a disservice to the black community because it makes the black community *dependent* rather than independent!" This is how the language is manipulated and concepts turned upside down to confuse people who participate in or listen to the public debate over these kinds of policy issues.

The truth is that at no time are these flexible colonialists prepared to concede their domination and control over the African-American community, except when they are forced to do so by effective African-American community strategies.

The colonialists, whether flexible or rigid in perspective, continue to regard segregated education as important to their respective underlying strategies. That is why white parents in every part of the State where there are large African-American populations, removed their children wholesale from the public school system as soon as *private* educational facilities became available.

In fact, the white community has been prepared to concede participation in the political process through the right to vote before it would concede truly desegregated education in the elementary and secondary school systems. Having the right to vote does not guarantee effective participation in the political process and does not ensure that there will be an accountable government.



But truly integrated education, with an effective and equal educational opportunity for all children, could seriously undermine the white strategy of instilling their children with the ethic and axiom of white superiority and black inferiority. And once the children are no longer afraid of each other or have an attitude toward each other, all other changes are possible, too.

The establishment colonialists who now represent the white community grew up with the *axiom* and are still fighting to preserve its viability in public policy in every arena.

That is why *empowerment* of the black community is essential: it is the only way to have an impact on the formation of public policy and to hold the system *accountable* to the needs and interests of the African-American community. Since racism is fundamentally about domination and control, *fighting racism* means breaking down that domination and control.

In Mississippi desegregation of the public schools did not occur until 1969, 15 years after the decision in *Brown*. Therefore, the white community had ample time to prepare for the inevitable. Delay was achieved through the strategy by whites, at every governmental level, of massive resistance to the constitutionally-required desegregation of the schools.

It is fair to say, therefore, that before school desegregation could be enforced, another whole generation of black and white students was subjected to a system tainted by the underlying purpose of segregation: to stigmatize black students with that onerous disability of servitude, the stamp of inferiority.

Then, when the school systems finally began the slow, foot-dragging process of actual desegregation, the overwhelming majority of white pupils disappeared in districts with majority black student populations. So did adequate financial resources with which to run the schools. But the white teachers, administrators, principals, superintendents, school board members, city council members and county supervisors, did not. They remained behind to dominate the public school system now largely populated by African-American students.

Thus, the white community maintained control in the public schools while sending their children to private school. In this manner, the white community maximized its effort to maintain the underlying public school mission of maintaining

low, non-competitive achievement expectations for black students and the black community, while fostering high expectation levels for the white students attending private schools.³⁰

Example: Greenville, Mississippi

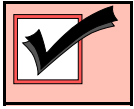
In cities like Greenville, 3rd largest in the State and located on the Mississippi River in the heart of the Delta, there are so-called *liberal* whites [flexible colonialists] who contend they would like to see white children come back into the public school system. This, they say, is the only way that the white community will support the financing of public schools to the extent necessary to create an effective education system.

But they also say that a specific condition for re-entry into the system is that the white children must not have to go to schools which have more than 25 percent black children. These individuals will state clearly and unequivocally that most white parents will not send their children to predominantly or nearly majority black schools, notwithstanding that cities like Greenville are 60 percent black, as are the counties in which such cities are located.

These are the same *liberals* [flexible colonialists] who stated in 1992 that a majority black City Council in Greenville was "unthinkable" and that white folks need another 7 to 10 years to adjust to the idea of a majority-black city council. They

³⁰ Another facet of the private school process is the expectation on the part of white parents that when their children grow up and become business owners or managers, or personnel directors for corporations or the state, notwithstanding that qualifications between white and black job applicants may otherwise be the same, it is expected that these white children, now grownups, will be acclimated to selecting the white applicant over the black applicant.

Another side of this process is seen in the role which school ties, fraternity/sorority/club affiliations, country club memberships, service organization involvement, Rotary, Lions, Elks, VFW and American Legion, Chamber of Commerce, etc., play in the facilitation of business relations, contacts, exchange of ideas, atmosphere of mutual support, financing arrangements, and so on. If those who have these "ties" together are almost exclusively white, then the benefits will accrue almost exclusively to the white community. Today, many of these organizations will go out of their way to have at least one African-American member in order to be able to claim that they are not a "white only" organization. Whites argue strenuously, while trying to keep a straight face, that there is true "progress in race relations" because some organizations have a single African-American. "A few years ago that would have been impossible," they are fond of saying. Of course, they have trouble seeing things from the perspective of the black community. That is to be expected when the white community is trained **not** to understand and appreciate the needs and interests of African-Americans.



never concede that the needs and interests of African-Americans have any valid place in these political equations.

These are the same *liberals* [flexible colonialists] who threaten that if the city councils or board of supervisors become majority black, they will withdraw white-controlled economic *capital* from these communities to let them die. In other words, the threat from whites is that unless whites can maintain control, domination and sovereignty over African-Americans on terms defined by whites, whites will create even more hardship for African-Americans.³¹

In the December, 1995, city elections in Greenville, MS, three black councilpersons were elected to the 6-person board for the first time. One of the incumbent white councilmen was elected mayor. When he took his seat as mayor, his seat became vacant. At the beginning of January, 1996, voting strictly along racial lines, the City Council voted 3-2 to adopt a redistricting plan to resolve years of litigation. The plan created four majority black districts and two majority white districts in this 60 percent black city.

The white community cried foul! The white leadership said they couldn't be represented by a majority black council. Their leading spokesperson, a middle-aged lawyer from a prominent firm, won the vacant Council seat. As soon as he was seated, the Council voted along strict racial lines, 3-3, on a motion to withdraw the new redistricting plan. To break the tie, the white mayor voted to withdraw the plan, making the vote 4-3 for withdrawal.

The redistricting *bridge* to black community empowerment in Greenville still could not be built. The plan for the *bridge* had been adopted, but construction was halted by the conscious, disciplined opposition of the white community. The black community failed to organize to win over even one of the white councilpersons or the mayor.

These whites in opposition to the redistricting plan are the same *liberal* whites [flexible colonialists] who sit down in committees, boards, and other functions with African-Americans to plan, prepare and work for "progress" in these communities.

³¹ It is important to note that these characterizations of the attitudes of the white community are based on explicit conversations which have been held with leading members of the white political, economic, financial and legal establishment by both white and African-American members of these communities. Many of these white individuals became both agitated and angry when the full extent of their viewpoints have been exposed publicly in their communities.

They are willing to see the black community "uplifted", but not *empowered*! If there is going to be *change*, these whites want to be in *control* of it, so as to determine its shape and extent. These whites act as if their slogan is, " To control the bridges is control the future!"

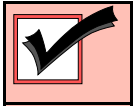
However, in the spring of 1996, the City Council, after negotiation with black community lawyers, adopted and sent to the Justice Department a redistricting plan which provides for 3 *packed* electable black districts, two *packed* electable white districts, and a so-called *swing* district which is supposed to have a majority-black voting age population. Can a majority-black city council in Greenville be just over the horizon? Did the competition for out-of-state casino dollars cause the white establishment to re-think its priorities?

Example: The redistricting of the Mississippi Legislature

This strategic view of the relationship between whites and blacks was illustrated most clearly during the negotiating process regarding the redistricting of the Mississippi State Legislature that began in 1991 and ended in 1992.

On the Senate side, where in the summer of 1991 there were only 2 black senators, the rigid colonialists were clearly in control. The negotiators for the Senate offered to create a maximum of 7 to 8 electable black districts where 12 could be created. The lead negotiator for the Senate delegation told negotiators for the African-American community and Legislative Black Caucus that he would not preside over the demise of his white colleagues from the Delta. In fact, no settlement of the Senate redistricting plan was accomplished until this negotiator was removed from the process.

On the House side, the white legislators were split into two factions, one supporting Speaker of the House Tim Ford, and one supporting the aspirant for Speaker, Ed Perry. During negotiations the legislators supporting Ed Perry, the news media, and the Democratic Party, all painted the Ed Perry camp as the "progressives" who deserved the support of the African-American community. The Tim Ford people were painted as "reactionaries" from the segregationist mold.



In these negotiations, the African-Americans took a consistent position that it was essential to create the maximum number of electable black districts so that the community could be empowered after so many generations of systematic exclusion from the process. The white legislators at first agreed to the essential merit of this position and then set about fighting among themselves about the configuration of the districts which would be majority white. This struggle within the white community emerged as a fight over which districts would result in victories for Democrats, and which for Republicans.

In the end, the so-called "progressives", who had appeared to be supporting the position of the African-Americans, began to call for redistricting plans which would reduce the number of electable black districts, in order to make it easier to create electable white districts that would protect white incumbents. The negotiators for Speaker of the House Tim Ford, the so-called "conservatives", remained firm in their commitment to create the maximum number of electable black districts as defined by the negotiating team for the African-American community.

During this process one of the negotiators for the African-American community went into a back room alone with seven leaders from the so-called "progressive" camp. The negotiator put a question directly to the all-white "progressive" leaders: "If the black community has to choose between creating the maximum number of electable black districts and supporting districts which protect the incumbency of the [white] "progressives", are you asking the black community to give up the electable black districts wherever necessary?" Unanimously, unequivocally, emphatically, and without any hesitation, all seven white legislators said, "Yes!" The "progressives" were absolutely clear: the African-American community goal of empowerment for the community *must be subordinated* to the protection of the needs of the white community as defined by the white community. More particularly, the so-called "progressives" contend that the black community must subordinate its interests to the interests of the Democratic Party!

This is how the *flexible colonialists* operate in the trenches of political warfare!

The so-called "liberal" Mississippi Attorney General joined the negotiation process and very carefully positioned himself to take the same position. In fact, when

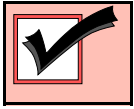
the negotiators for the African-American community refused to reduce the number of electable black districts in their proposed plans, the Attorney General threatened that he would go over the heads of the negotiators directly to his contacts in the black community and attempt to split, divide and undermine their support for the negotiating team. And that is exactly what he attempted to do.

But the "progressives" and "liberal" Attorney General [who represented some of the factions within the flexible colonialist community] failed because the African-American *community* had a clear vision that creating the maximum number of electable black districts is essential to the empowerment process. Further, the community understood that the empowerment process was essential to forcing the political system to be accountable to the needs and interests of the African-American community, and an accountable political system is necessary to effecting fundamental change. Armed with that vision, the African-American community remained *unified* around its negotiating strategy and worked very hard to achieve it.

So what did the labels "progressives" and "conservatives" mean in this struggle? They were old labels that were supposed to instantly determine who the good guys and bad guys were, and thereby, fool the African-American community. But the so-called "conservatives", comprised of some Democrats and some Republicans, remained true to their initial commitment to the African-American negotiators and ultimately, the plans adopted in the House and Senate did create the maximum number of electable black districts.

The African-American negotiators in the redistricting fight refused to get caught up in the political party struggle between Democrats and Republicans, or the personality issues between individual candidates for Speaker, Governor, or anything else. *Their focus was on what would most advance the cause of empowerment for the African-American community.* Without that *vision* guiding the community, it would have been extremely difficult to assess the variety of plans that were presented during the negotiating process. That is why a *clear vision* is so important.

Example: Redistricting of the Congressional Seats



Another example of how this process worked in Mississippi and nationally, came during the Congressional redistricting fight at the end of 1991. During the course of that process, representatives of the National Democratic Party and the State Democratic Party denounced the negotiators for the African-American community and Legislative Black Caucus for pursuing a "Republican" strategy of creating electable black districts wherever possible. Their fear was that creating electable black districts in urban areas would result in more Republican victories in suburban areas.

From the point of view of the black community, the creation of the maximum number of electable black districts was an African-American empowerment strategy and had nothing to do with either political party. But that, of course, was not the perspective of the white political community.

Once again, the position was clearly stated that it was the duty and obligation of African-Americans to subordinate their own empowerment to the needs of the Democratic Party nationally and locally. The justification for this position was that the Democratic Party was more supportive of African-American needs than the Republican Party, and therefore, Republicans were the enemy under all circumstances. Consequently, went the argument, African-Americans had no other choice but to support the Democratic Party.

Southern Echo, working with community people across the State, fought to maintain the 2nd Congressional District as an electable black district in the face of an extraordinary coalition of white establishment leaders and black gatekeepers who were trying to *lower* the black voting age percentage from 52 % to enable a white candidate to win back the seat for the white community. As a result of that fight the black voting age percentage in that district was actually raised from 54 % to 58%. Consequently, African-Americans in the 2nd District have continued to be able to elect a representative who is accountable to the needs and interests of the black community.

This attack on the black community, as its own worst enemy when it fights for empowerment, has been pushed by liberal writers since the 1994 Congressional

election in which the Republican Party swept control of both houses of the Congress.³²

The Democrats get rocked at the polls because of voter dissatisfaction after 40 years in power, and it all rides on the back of the black community! White folks, and their gatekeeping allies and apologists, have to find somebody to blame other than themselves: it can't possibly be the failure of the white leadership, or the barrenness

³² *For example, black columnist Juan Williams, writing in the November 28-December 4, 1994 edition of the The Washington Post National Weekly Edition, made this attack on the black community his primary theme:*

"The Republican sweep of Congress did more than end 40 years of Democratic rule -- it pushed black Americans into a corner. The Congressional Black Caucus is politically impotent, its members stripped of key committee chairmanships and their voices weakened in the diminished choir of Democrats.

The highest-ranking black American in government today is Republican-appointed Supreme Court Justice Clarence Thomas.

The African American with the best chance of impacting the political and ideological mainstream in this country is now a conservative military man with Republican patrons -- Colin Powell.

And even as it pushed civil rights crusader Jesse L. Jackson further from the nation's political center, it boosted his resolve to consider a third-party run for the presidency.

Tragically, at this moment when black American is in need of direction, the once-grand NAACP is suddenly powerless.

Those are the facts. And together, they offer proof that black liberal demands for more seats in Congress, more special programs for minorities and more support for a black separatist movement have pushed black America out of the mainstream of the national political dialogue.

In effect, the black liberal strategy of the past three decades has backfired by inadvertently strengthening the hand of group long considered the enemy of strong civil rights -- conservative Republicans....

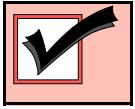
In political terms, the end of the dialogue between blacks and the rest of the nation surfaces most visibly in the efforts of black leaders to support congressional redistricting in the South. Those new boundaries will bring a record number of blacks to Capitol Hill in January -- 40 in the House and one in the Senate -- but it also energized a Republican takeover of Congress.

Although the new congressional boundaries created new black majorities, they delivered many surrounding areas into Republican hands by stripping those districts of their black, mostly Democratic, voters. For example, redistricting has brought eight new black seats to Congress from Alabama, Georgia, Florida and North Carolina. But it has also meant that 15 new Republican seats have been added from those states.

"A lot of people says redistricting was a strategy, a means to an end of getting more power for black people by getting more blacks in Congress," says David Bositis, senior analyst for the Joint Center for Political and Economic Studies, the nation's leading black think tank. "If redistricting was a means to an end, it turned out to be a dead end. The Black Caucus has never been weaker than it is today."

In a sense, Justice Thomas, who has opposed using race as a factor to create new congressional districts, has now been vindicated." ###

See!!! All of these developments are the black folks' fault! If they had only listened to white people, had stopped putting the race issue on the table and had done what they were told, such as not fighting for black representation, accountable government, and programs to help their community, the Democrats would still be in power and the black community would be saved! Not!



of their policies. So let's create a distraction by creating a demon: let's blame the black community. We warned the black community that we would do this if the community did not subordinate its interest to the needs of the Democratic Party. The black community held to its empowerment vision: now we will teach the community a lesson and punish the community for its audacity in thinking for itself!

This is how colonialism works and it must be understood. That is why it is so important to understand our history.

A major problem for the African-American community in terms of educating children as to their history, is the degree to which young black children today have difficulty understanding and visualizing what a *segregated society* was like 25 to 30 years ago. So many young people today take for granted the apparent laid back situation which exists in so many places, and do not realize or understand the degree of vision, organizational effort, hard struggle, pain and suffering, and loss that went into the process of creating the changes that define the current situation.

Access by the African-American community to the political process clearly opens the door to empowerment of the African-American community. Whites have always understood that the ability to maintain sovereignty, domination and control over African-Americans is much more difficult if you have to share the tools of power in the executive, legislative and judicial branches of government.

But the voting rights movement, begun in 1961 in Mississippi by elder statesmen from the NAACP and young African-American students from across the State, spread across the southern states and became the irresistible force that pressured the federal government into enacting the Voting Rights Act of 1965.

White resistance to black voting, black candidates, black public officials, and black participation in decision-making councils continues to exist. But major victories have been won in Mississippi and throughout the country as the result of the organized efforts of African-Americans.

In 1992 in Mississippi, after an 18-month struggle led by African-American activists and attorneys from across the State in alliance with the Legislative Black Caucus, the State Legislature created the maximum number of electable black districts (50), notwithstanding that the 3-judge federal court overseeing the process told legislative leaders that the court would never order the legislature to do it. The

Legislature determined to solve its problem politically, rather than through litigation, because the African-American community:

- had a clear vision regarding empowerment of the African-American community;
- a clear explanation as to why creating the maximum number of electable black districts was required for there to be a fair and just redistricting plan;
- a clear strategy for achieving that plan;
- became unified as a community around this common strategy;
- worked very hard to achieve the clearly stated goals; and
- made it apparent to the Legislature as a whole that the fundamental principles of the vision would not be compromised.³³

Flexible colonialism is a system and a process. There is room for struggle within that system to create positive change. In order for the changes which occur to be reflective of the needs and interests of the African-American community, the vision, strategies, leadership, organizing efforts to unify the community, and hard work, all have to be undertaken by, and be rooted in, the African-American community.

³³ In a Memorandum Opinion and Order of the United States District Court, Southern District of Mississippi, October 29, 1992, at p. 6-8, in **Hollis Watkins, et al., v. Kirk Fordice, et al.**, the 3-judge panel noted:

"In this case, there is little question but that the plaintiffs' goal was achieved, as the Mississippi Legislature ultimately passed a redistricting plan which met the criteria demanded by plaintiffs, most significantly the creation of the maximum possible number of majority black legislative districts.... Moreover, this court rejected plaintiffs' contention that the law required apportionment which resulted in the creation of the maximum number of electable black majority districts. [citation and footnote omitted.] Yet in spite of the court's opinion in that regard, the legislature passed apportionment plans which satisfied plaintiffs' objectives.... [T]he court has given no indication that plaintiffs would secure such wholesale relief in this judicial forum, and in fact, had forecast little chance of plaintiffs' securing a court-ordered plan which satisfied their agenda."