

# A STUDENT JOURNAL OF HISTORICAL STUDIES AT ILLINOIS STATE UNIVERSITY

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CITIZENS' COUNCIL, JACKSON, MISS.

# Recounting the Past

A Student Journal of Historical Studies  
at Illinois State University

Editor-in-Chief  
Linda Clemmons

Thanks to Scarlet Weibull  
for providing the images that appear on the cover.

# Recounting the Past

A Student Journal of Historical Studies

at Illinois State University

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# The Limits of Poverty Activism: Fannie Lou Hamer and the Quest for Black Self-Sufficiency in the Mississippi Delta, 1969-1974

BY MATTHEW GOERSS

"You can give a man some food and he'll eat it. Then he'll be hungry again. But give a man some ground and he'll never be hungry no more," Fannie Lou Hamer proclaimed often when asked about her reasons for starting the Freedom Farm Corporation (FFC) in Sunflower County, Mississippi.<sup>1</sup> Most famous for her voting rights activism in the Mississippi Delta, Hamer, a poor African American sharecropper from Ruleville, Mississippi, turned her focus to local black poverty in the late-1960s. In 1969 she raised money to purchase forty acres of land in Sunflower County and founded the FFC with the hope of making the county's poor blacks self-sufficient. By 1972, Hamer's Freedom Farm had expanded to 680 acres and succeeded in providing vegetables and meat to over 1,700 Sunflower County black families, as well as new houses for seventy black families.<sup>2</sup> Yet two years later, after bad harvests and financial problems, Hamer was forced to sell most of the land held by the corporation. In effect, this sale marked the end of the FFC, one of the most far-reaching and, for a time, successful self-sufficiency projects for poor African Americans in the Mississippi Delta.

The quick rise and fall of the FFC is surprising considering the overwhelming need for programs to assist poor black families in Sunflower County in the late 1960s, and it serves as a clear example of the possibilities of and limits to the grassroots activism of poor black women in the context of post-1965 Mississippi. Indeed, many factors involved in Hamer's activism predicted that the FFC would succeed, including the poverty and hunger prevalent in Sunflower County throughout the 1960s, Hamer's own

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<sup>1</sup> Franklynn Peterson, "Sunflowers Don't Grow in Sunflower County," *Sepia*, (February 1970), 17. Most scholarly sources change the last sentence of this quote from "he'll never be hungry no more" to "he'll never go hungry again," yet they cite the Peterson article as the source of the quote.

<sup>2</sup> "Brief Historical Background of Freedom Farm Corporation," 2, Fannie Lou Hamer Papers (hereafter cited as FLH), box 11, folder 1, Amistad Research Center, Tulane University, New Orleans. Accessed on microfilm.



background as a poor sharecropper, and her vast experience in civil rights activism. While the FFC did succeed at first, an analysis of Hamer's personal papers and records shows that the same factors that might have led to the corporation's success ultimately derailed Hamer's activist efforts. Although her lifelong experience as a Sunflower County sharecropper provided her with vast knowledge of the land, Hamer and those she hired lacked the management skills needed to make the farm a success. Her own identification with the desperate situation faced by most African Americans in the County led her to be too generous in loaning out the farm's limited funds, and her tireless fundraising efforts contributed to the deterioration of her health at a time when the FFC needed her help the most. Finally, her bitter separation in 1966 from the mainstream middle-class leaders of the civil rights movement, who looked down on her because of her lack of formal education, eliminated important sources of funding that might have prevented the farm, and Hamer's broader vision for black self-sufficiency in the Mississippi Delta, from collapsing in the mid-1970s.

While Fannie Lou Hamer's activism on behalf of the Student Non-Violent Coordinating Committee (SNCC) and the Mississippi Freedom Democratic Party (MFDP) has been well-documented by civil rights historians, her activism to eradicate hunger and sub-standard housing in the Mississippi Delta by creating the FFC has not been thoroughly studied. In general, the available scholarship does not give much consideration to the limits of Hamer's activism and why the FFC failed; rather, it discusses Hamer's actions in establishing the corporation and the many ways in which her initiatives helped the poor African Americans of Sunflower County. Some historians even hail the FFC as a "culmination" of Hamer's civil rights activism.<sup>3</sup> Prominent Mississippi and civil rights historians make little mention of Hamer's Freedom Farm activism in general while devoting considerable attention to her voting rights activism in the mid-1960s.<sup>4</sup> A fair

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<sup>3</sup> The most detailed discussions of the Freedom Farm can be found in two Hamer biographies, Chana Kai Lee, *For Freedom's Sake: The Life of Fannie Lou Hamer* (Urbana: University of Illinois Press, 1999); and Kay Mills, *This Little Light of Mine: The Life of Fannie Lou Hamer* (New York City: Dutton Books, 1993).

<sup>4</sup> For a thorough analysis of the Civil Rights Movement in Mississippi, see John Dittmer, *Local People: The Struggle for Civil Rights in Mississippi* (Urbana, Illinois: University of Illinois Press, 1994). See also Seth Cagin and Philip Dray, *We Are Not Afraid: The Story of Goodman, Schwerner, and Chaney and the Civil Rights Campaign for Mississippi* (New York City: Macmillan, 1988); Nicolaus Mills, *Like a Holy Crusade: Mississippi 1964—The Turning of the Civil Rights Movement in America*

amount of scholarship exists on the class and gender tensions that were prevalent in Mississippi at the time Hamer founded the FFC, and a few historians have detailed race and class tensions in Sunflower County. A careful evaluation of available sources reveals that sexism played a less significant role in limiting Hamer's activism than class tensions that existed both within the civil rights movement and in Mississippi society as a whole.<sup>5</sup>

This essay contributes to the larger body of research on Hamer's Freedom Farm activism by analyzing the many factors that aided and limited Hamer's lofty activist goals. For the first few years of its existence, the FFC and its subsidiary projects successfully provided jobs, vegetables, meat, housing, and even scholarships to thousands of Sunflower County residents. Although other cooperatives had been created in Mississippi prior to the FFC, the corporation was for a time one of the most successful attempts in Mississippi's history to break the dependence of poor African Americans, and even poor whites, on the largesse of the landed whites. Despite the many factors that might have led to its success, the FFC all but collapsed in 1974 after only five years of operation. My research and analysis contribute to the historiography of the FFC by focusing on the understudied facets of Hamer's activism that ultimately led to the corporation's demise, including her lack of management skills, failing health, and clashes with middle-class civil rights leaders. To accomplish this task, I have relied primarily on the vast collections of letters, memos, and other documents that exist in the Fannie Lou Hamer Papers collection.

### **Background and Context**

The roots of Hamer's activism to fight poverty can be found in her broader voting rights activism of the mid-1960s. Hamer is best known for

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(Chicago: Ivan R. Dee, 1992); and Charles M. Payne, *I've Got the Light of Freedom: The Organizing Tradition and the Mississippi Freedom Struggle* (Berkeley, California: University of California Press, 1995).

<sup>5</sup> For information about racial, class, and sexist tensions that existed in Mississippi in the late 1960s, see Dittmer, *Local People*; Sara Evans, *Personal Politics: The Roots of Women's Liberation in the Civil Rights Movement and the New Left* (New York City: Alfred A. Knopf, 1979); Marie M. Hemphill, *Fevers, Floods, and Faith: A History of Sunflower County, Mississippi, 1844-1976* (Indianola, Mississippi: Hemphill, 1980); Evelyn Hu-DeHart, "Writing and Rewriting Women of Color," *Journal of Women's History* 13, no. 3 (Autumn 2001): 224-33; Lee, *For Freedom's Sake*; Mills, *This Little Light of Mine*; and Mamie E. Locke, "The Role of African American Women in the Civil Rights and Women's Movements in Hinds County and Sunflower County, Mississippi," *Journal of Mississippi History* 53, no. 3 (1991): 229-39.

her passionate "Is This America?" speech as a member of the MFDP at the 1964 Democratic National Convention.<sup>6</sup> Ironically, this speech marked both the high point of her voting rights activism and the beginning of her split with SNCC and the middle-class leaders of the civil rights movement, a split that eventually turned her activism away from voting rights and toward black poverty. At the convention, Hamer ardently opposed the two-seat compromise favored by civil rights leaders like Dr. Martin Luther King, Jr.<sup>7</sup> Her relationship with SNCC fractured even further as a result of a staff meeting in February 1965, when SNCC leaders argued that the organization needed to turn its focus to "the liberation of black people." Influenced by the growing Black Power movement, SNCC leaders believed that the organization needed to distance itself from white workers and make the movement a "black-controlled, dominated, and led" struggle. These staff members made themselves the new coordinating committee of SNCC, and Jesse Morris, the male SNCC field secretary in Mississippi, proposed to disallow the service of college-educated blacks on the executive committee. While this measure did not pass, many of the new committee members lacked formal education. Hamer herself had only six years of schooling, which she did not view as a point of pride, and she refused to be part of the committee. As a result, she reduced her participation in SNCC activities for the rest of 1965.<sup>8</sup>

Hamer officially separated from SNCC in December 1966. Throughout 1966, black, middle-class separatists from Atlanta had taken control of the organization. These leaders favored the expulsion of whites from the organization, believing that if SNCC workers truly understood "the concept of Black Power," they would expel all white members. Hamer opposed the separatist leaders of SNCC, asserting that white people were valuable to the organization. As a result, the separatist leaders "ridiculed" her and told her that she was "no longer relevant" to the organization because she was not at

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<sup>6</sup> For a full transcript and audio recording of Hamer's 1964 Democratic Convention speech, see American RadioWorks, "Say It Plain: A Century of Great African American Speeches," <http://americanradioworks.publicradio.org/features/sayitplain/flhamer.html>.

<sup>7</sup> For a full discussion of the 1964 MFDP challenge and the two-seat compromise, see Dittmer, *Local People*, 272-302.

<sup>8</sup> Clayborne Carson, *In Struggle: SNCC and the Black Awakening of the 1960s* (Cambridge, Massachusetts: Harvard University Press, 1981), 151; and Lee, *For Freedom's Sake*, 138.



the “level of development” of the middle-class leaders.<sup>9</sup> These statements angered Hamer, and as a result she began to shift her focus from voting rights to the most pressing issue in Sunflower County—black poverty.

Statistics on black poverty in Sunflower County in the late-1960s show a clear need for grassroots economic and subsistence aid. While President Lyndon B. Johnson’s War on Poverty brought relief to millions of Americans in the 1960s, assistance to end poverty was slow to reach the destitute African Americans of the Mississippi Delta. In many cases, whites prevented blacks from receiving the aid to which they were entitled. For example, over half of the 31,000 African Americans in Sunflower County received commodities or food that came directly from the government in the early 1960s. When the government implemented a food stamps program in 1968 to replace the commodities program, fewer than 8,000 blacks received adequate aid. In addition, black Vietnam War veterans came home to Sunflower County without any hope of assistance from the government in finding jobs or providing for their families.<sup>10</sup> In a 1970 interview, Hamer called the government welfare program an “insult” that “destroys the Black family,” which motivated her desire to make African Americans self-sufficient.<sup>11</sup>

Census data from 1960 and 1970 paint an even bleaker picture of the economic status of African Americans in Sunflower County.<sup>12</sup> In 1960, 4,300 out of 4,600 black families had an income of less than \$2,000 annually, and almost 3,000 families lived on less than \$1,000 per year. A typical black laborer made \$450 per year, and only 71 out of 31,000 blacks in the county owned property. Sixty percent of African American families had no indoor plumbing. Despite the dire poverty faced by African Americans, only one-third of all black families received welfare assistance from the government.<sup>13</sup> The situation hardly improved throughout the 1960s. In 1970 blacks experienced a 12.6 percent unemployment rate in the county, and families had an average annual income of \$2,523, a slight increase from 1960. Fifteen

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<sup>9</sup> Carson, *In Struggle*, 240; and Lee, *For Freedom’s Sake*, 138.

<sup>10</sup> Dittmer, *Local People*, 363; and Mills, *This Little Light of Mine*, 257.

<sup>11</sup> Paule Marshall, “Hunger Has No Colour Line,” *Vogue*, June 1970, 126.

<sup>12</sup> More information about the federal poverty line and median income in the 1960s and 1970s is available at <http://www.census.gov/hhes/poverty/histpov/hstpov1.html> and <http://www.census.gov/hhes/income/histinc/r07.html>.

<sup>13</sup> Lee, *For Freedom’s Sake*, 147; Peterson, “Sunflowers Don’t Grow in Sunflower County,” 16.

percent of families still earned less than \$1,000 per year. Seventy percent of families lived in "dilapidated" houses, and 60 percent of families still had no indoor plumbing. The majority of blacks in the county had only a sixth grade education, and 80.3 percent of black families lived below the federal poverty line, yet only one-third of these families received government aid, the same percentage as in 1960.<sup>14</sup> Hamer herself lived in a shanty without indoor plumbing. Faced with this astounding level of poverty throughout Sunflower County, Hamer began to believe that the only way to lift local blacks out of poverty was to end reliance on the federal and state governments and make blacks self-sufficient.

Hamer founded the FFC in 1969 by raising money from the Madison, Wisconsin, organization Measure for Measure and placing an \$8,000 downpayment on forty acres of land near the town of Drew, Mississippi, in Sunflower County.<sup>15</sup> She quickly hired Joseph Harris, an African American man from the Delta with considerable experience in civil rights and poverty activism, as the corporation's director.<sup>16</sup> In addition to growing vegetables to distribute to the poor families of the county, Hamer and Harris eventually used the corporation to begin four other projects aimed at combating black poverty in the Delta. The National Council of Negro Women (NCNW) donated fifty pigs to Freedom Farm in 1969. Hamer used these pigs to begin a "pig bank" and distributed pregnant pigs to families, who then took care of and returned the pigs to the bank after the piglets were born. Over three hundred families participated in this program, which provided meat to poor African Americans in the county to supplement the vegetables they received from the farm. Freedom Farm also developed a scholarship fund to enable local high school students to continue their education. In the first year of the program, twenty-five students received scholarships to attend college or vocational school.<sup>17</sup>

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<sup>14</sup> Freedom Farm Corporation Proposal for Funding, 1975, FLH, box 11, folder 23.

<sup>15</sup> University of Southern Mississippi Libraries and Center for Oral History and Cultural Heritage, "An Oral History with Fannie Lou Hamer," <http://www.lib.usm.edu/~spcol/crda/oh/hamer.htm> (accessed on December 4, 2006). Source is hereafter cited as USM.

<sup>16</sup> For more information on Harris, see Lee, *For Freedom's Sake*, 154; and USM, "Oral History with Fannie Lou Hamer."

<sup>17</sup> Freedom Farm Corporation Status Report and Request for Funds, March 1973, 6, 10, FLH, box 11, folder 3.



## *The Limits of Poverty Activism*

In 1970 Hamer expanded the FFC to provide new housing for poor African Americans in Sunflower County. The corporation purchased eighty-nine lots in Ruleville and helped families to secure over \$800,000 in Farm Home Administration (FHA) loans. In the end, seventy families were able to build new homes with indoor plumbing and modern amenities, thus enabling them to move out of the shanties they had occupied on the land of their bosses. Freedom Farm also began aiding blacks in finding employment, most of which were farm labor jobs. In addition to providing twenty-five jobs to local blacks, the corporation supported black-owned contracting businesses, boutiques, and sewing factories. In total, Freedom Farm aided over one thousand Sunflower County black families in its first two years of existence.<sup>18</sup>

### **Early Success of Hamer's Activism**

In addition to widespread black poverty in Sunflower County, many factors led to the early success of Hamer's Freedom Farm activism. Indeed, many elements of Hamer's background, including her lifelong experiences as a poor sharecropper and her involvement in SNCC, MFDP, and the larger voting rights movement in Mississippi, might have predicted long-term success for Hamer's goal of making Sunflower County blacks self-sufficient. Moreover, Hamer's life of extreme poverty might have led African Americans in the Delta to trust her and support the goals of the FFC. From the farm's beginning in 1969 through its period of greatest success in 1972, these elements combined to make a dent in the overwhelming poverty that afflicted African Americans in Sunflower County.

Hamer was in a unique position to help the poor African Americans of Sunflower County, most of whom were sharecroppers, to achieve self-sufficiency due to her own childhood and adult experiences as a sharecropper. Born in Montgomery County, Mississippi, to James and Lou Ella Townsend on October 6, 1917, Hamer moved with her family to a plantation in Sunflower County when she was two years old and lived in the county for the rest of her life. She was the last of twenty children, all of whom were sharecroppers, and her grandparents had been slaves and then sharecroppers as well. She began working in the fields at the age of six, when the plantation owner tricked her into picking cotton for a treat. From that point on, Hamer

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<sup>18</sup> Freedom Farm Corporation Status Report and Request for Funds, (March 1973), 9-11.

picked up to one hundred pounds of cotton per week, and together her family picked fifty to sixty bales of cotton each year. Despite their hard labor, the Townsend family rarely had enough money to support itself, and the little money that her father was able to save evaporated when whites conspired to poison the livestock that James Townsend had purchased. As a result, Hamer and her family were relegated to a life of sharecropping with little hope of getting ahead.<sup>19</sup>

Hard labor, hunger, and poverty plagued Hamer's childhood, which she generally referred to as an unhappy period of her life. Because her family's economic situation required her to work in the fields, she had limited access to formal schooling. Generally, she attended school only four months per year, and even then she often could not attend because she had no appropriate clothing to wear. Eventually, she quit going to school altogether to work in the fields cutting corn stalks. In order to supplement the family's income from sharecropping, Hamer and her mother went from plantation to plantation collecting "scrappin' cotton," or leftover cotton that could not be used. When they had enough to make a bale, they sold the cotton to provide extra food for the family. The Townsend children never had shoes, so they walked the frozen ground barefoot or with rags tied on their feet. Hamer's mother also helped kill hogs to provide needed food for the family. A typical meal in the Townsend household consisted of "greens with no seasoning and flour gravy" or maybe "bread and onions." Rarely did the family have enough food, especially in the winter.<sup>20</sup>

Prior to 1962, Hamer's adult and married life followed a similar path to that of her mother's. In 1944, she married Pap Hamer, a sharecropper, at the age of twenty-seven. Although she was unable to have children, the couple adopted and cared for two daughters.<sup>21</sup> Just as she had as a child, Hamer struggled to make it through the winter with enough food, and Pap made and sold his own liquor to supplement their family income.<sup>22</sup> As a married

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<sup>19</sup> Fannie Lou Hamer, *To Praise Our Bridges: An Autobiography* (Jackson, Mississippi: KIPCO, 1967), 5-6; and J.H. O'Dell, "Life in Mississippi: An Interview with Fannie Lou Hamer," *Freedomways* 5, no. 2 (Spring 1965): 232-33.

<sup>20</sup> Hamer, *To Praise Our Bridges*, 9, 11.

<sup>21</sup> Mills, *This Little Light of Mine*, 14. For a discussion of Hamer's pregnancies and sterilization, see Lee, *For Freedom's Sake*, 21; and Mills, *This Little Light of Mine*, 21.

<sup>22</sup> Hamer, *To Praise Our Bridges*, 11.

woman, Hamer worked three jobs on the Ruleville plantation of W.D. Marlow, III. In addition to working in the fields picking cotton, Hamer worked on the plantation as a time- and record-keeper who clocked the number of hours worked by each sharecropper, recorded the amount of cotton that they picked, and kept track of the pay that each sharecropper received. She also cleaned Marlow's house when she was not working in the fields. She worked these three jobs from 1944 to 1962, when Marlow expelled her from the plantation for attempting to register to vote.<sup>23</sup> Her job as a time- and record-keeper provided her with valuable management experience that most poor African Americans did not have, and this experience proved essential in the early success of Hamer's Freedom Farm.

Hamer's activism to fight poverty was greatly influenced by her mother's difficult life and the fact that her family was unable to break the cycle of poverty and sharecropping. As a result, she wanted "to bring about a change in the State of Mississippi" and right the wrongs that had been done to her by whites in Mississippi's racist society. She claimed that "only a person living in the State of Mississippi knows what it is like to suffer; knows what it is like to be hungry; knows what it is like to have no clothing to wear."<sup>24</sup> Indeed, because she had experienced it herself, Hamer fully understood the nature of black poverty in Sunflower County, and she argued that blacks needed to quit waiting for whites to "give us our rights," education, and jobs; rather, she believed that African Americans needed to take those things for themselves, because her own experiences had shown her that whites would take back any advantages given to blacks.<sup>25</sup> This mindset led to the early success of the FFC, as each of the five programs that she helped to implement attempted to rectify the problems that faced her and those with whom she had daily contact. The farm itself and the "pig bank" provided vegetables and meat to those who struggled to sustain themselves during the winter months, the scholarships allowed young blacks to continue their education with hopes of breaking the cycle of poverty, and the employment aid assisted blacks in breaking the bonds of sharecropping.

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<sup>23</sup> Phyl Garland, "Builders of a New South," *Ebony*, (August 1966), 28-29.

<sup>24</sup> O'Dell, "Life in Mississippi," 233-34.

<sup>25</sup> Hamer, *To Praise Our Bridges*, 17.



Hamer's vast experience in the civil rights movement as a voting rights activist also contributed to the strong prospects for the success of her poverty activism. Hamer first became involved with the voting rights movement on August 30, 1962, when she attended a SNCC meeting in her home town of Ruleville and volunteered to go to Indianola, the seat of Sunflower County, to register to vote. She joined the SNCC staff in 1963 and spent the next three years encouraging blacks in Mississippi to register to vote.<sup>26</sup> On April 26, 1964, Hamer helped to found the MFDP, which launched her to national prominence. As a member of the MFDP, she traveled not only across Mississippi, but also to the North for the first time in her life. Her passionate speech at the 1964 Democratic National Convention gained her national notoriety for her ability to instill passion in an audience, a skill that later became an essential part of the FFC's success.<sup>27</sup> Hamer's activism as an important member of SNCC and the MFDP, as well as her campaigns for the U.S. House of Representatives, made her one of the most influential women in the civil rights movement, both in Mississippi and nationwide.

Hamer's voting rights activism and national notoriety helped her to secure a vast base of donors for Freedom Farm, especially in the North. These donors provided most of the funds that kept the farm in operation during its first years of existence. Hamer served as the vice president and sole fundraiser for the farm, and budgets show that she made at least ten fundraising trips per year, sometimes traveling up to one thousand miles per month.<sup>28</sup> In addition to traveling and speaking to charity groups, Hamer and the farm's director, Joseph Harris, sent hundreds of letters to charities and organizations asking for donations. Their efforts proved fruitful in the first two years of the corporation's existence, as they were able to raise hundreds of thousands of dollars, which resulted in Hamer's hopes for Freedom Farm's long-term success.<sup>29</sup>

Without doubt, the most important source of funds for the corporation throughout its existence was the Madison, Wisconsin, Measure for Measure group, which donated the funds for Hamer to purchase the farm's initial forty

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<sup>26</sup> Carson, *In Struggle*, 73-74.

<sup>27</sup> Lee, *For Freedom's Sake*, 85.

<sup>28</sup> "By-Laws: Freedom Farm Corporation," FLH, box 11, folder 1; Freedom Farm Corporation Status Report and Request for Funds, July 1973, 3, FLH, box 11, folder 3.

<sup>29</sup> "Freedom Farm Co-op," 3, FLH, box 11, folder 1.

acres of land in 1969. Hamer had initially met members of this group during a 1966 conference. The group brought clothes to Sunflower County and helped the county's residents receive needed food by providing food stamps and Christmas dinners.<sup>30</sup> Hamer also solicited funds from the organization, and its members responded generously. In October 1970, Measure for Measure raised \$43,000 for the FFC through fundraisers, and Hamer used this money to make the down payment on an additional 640 acres of land for the corporation. This land enabled the farm to increase cotton and soybean growth for profit, which Hamer believed would allow the corporation to become self-supporting.<sup>31</sup> In January 1971, Measure for Measure donated an additional \$30,000, which Hamer used to pay the rent for property owned by the corporation and purchase more food and clothing for area families.<sup>32</sup> Charity walks in Milwaukee in July 1971 helped Measure for Measure to raise another \$40,000 for the FFC, which Hamer used to purchase farm equipment.<sup>33</sup> During this time, members of Measure for Measure made frequent trips to Mississippi to present checks to Hamer, who in turn visited Wisconsin to update group members on the farm's progress and request additional funds.<sup>34</sup>

Other groups and individuals provided significant funds to the FFC during its early years of existence. Along with Measure for Measure, the Young People of Harvard University was one of the first groups to donate funds to the corporation, and the America Hunger for Freedom Foundation in Washington, D.C., donated \$21,000 in September 1970.<sup>35</sup> The National Council of Negro Women donated fifty pigs, which allowed Hamer to start the "pig bank" in 1970. Popular Jamaican-American musician Harry Belafonte appealed to individuals and organizations for "contributions of \$10, \$100, \$1000" in May 1969, which he stated would give "a new life to Americans whose living standard is as low as that of the peasants of the

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<sup>30</sup> Mills, *This Little Light of Mine*, 255, 257-58.

<sup>31</sup> Jeff Lowenstine to Fannie Lou Hamer, Oct. 21, 1970, FLH, box 10, folder 2.

<sup>32</sup> Fannie Lou Hamer to Jeff Lowenstine, Jan. 22, 1971, FLH, box 10, folder 3; "Itemized Expenditure of \$30,000," FLH, box 11, folder 3.

<sup>33</sup> Fannie Lou Hamer to Mrs. Finney, Jul. 26, 1971, FLH, box 10, folder 3.

<sup>34</sup> Jeff Lowenstine to Fannie Lou Hamer; Fannie Lou Hamer to Jeff Lowenstine.

<sup>35</sup> "Freedom Farm Co-op," 3; Fannie Lou Hamer to Harvey Siver, Project Director, Sep. 28, 1970, FLH, box 10, folder 2.



underdeveloped world.”<sup>36</sup> Hundreds of individuals in the North and South responded with donations of five or ten dollars, and many high school and youth groups raised funds as well. For example, after Hamer visited a high school in Olympia, Washington, a group of students sold raffle tickets to raise funds for the farm.<sup>37</sup>

Although exact figures are not available, an examination of the donation letters that Hamer sent and received suggests that she raised at least \$200,000 for the FFC in the first two years of its existence. These donations alone covered a significant portion of the corporation’s expenses, which totaled \$114,400 in 1971, and they also set Freedom Farm on the path to self-sufficiency.<sup>38</sup> When Hamer expanded the corporation’s holdings to nearly seven hundred acres in 1971, she hoped that the profits from selling cotton and soybeans would allow the farm to cover most of its own operating costs each year. In addition, donations and profits from crops ensured that Hamer did not have to accept funds from the federal government in order for the farm to survive. Because Hamer’s Freedom Farm activism was based largely on the failure of the government to provide properly for the poor African Americans of Sunflower County, she emphatically resisted the acceptance of federal funds, which she rightfully believed would loosen the control of local blacks over the corporation.<sup>39</sup>

### **Decline of Hamer’s Activist Efforts**

Despite the factors that led to the early success of Hamer’s poverty activism, the FFC began to fall apart in 1972. Poor weather spoiled much of the 1972 cotton and soybean crop, which left the farm without much-needed revenue in 1973. By the end of 1972, members of Measure for Measure found the corporation in a dire financial situation, with no money for the 1973 planting season. To deal with management and organizational problems, the farm managers reorganized the FFC in 1972 to focus solely on farm projects, and they discontinued most of the successful housing and education projects.<sup>40</sup> The reorganization efforts proved unsuccessful,

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<sup>36</sup> Harry Belafonte Request for Funds, May 1969, FLH, box 10, folder 1.

<sup>37</sup> Marcia Rudeen to Harry Belafonte, May 20, 1969, FLH, box 10, folder 1.

<sup>38</sup> Freedom Farm Corporation Operating Budget, 1971, FLH, box 11, folder 4.

<sup>39</sup> Mills, *This Little Light of Mine*, 271.

<sup>40</sup> Mills, *This Little Light of Mine*, 265.

however, and after many failed attempts to solicit additional loans and donations in 1973, Hamer and Harris were forced to sell 640 acres of the farm's land for \$288,000 on December 6, 1973, thus reducing the farm's holdings to its original forty acres.<sup>41</sup> While attempts to revive the corporation continued through 1978, the Freedom Farm as Hamer originally envisioned it collapsed in 1974.

Ultimately, many of the same factors that resulted in the early success of Hamer's Freedom Farm led to the demise of her activist goals in 1973 and 1974. Perhaps the most significant reason for the downfall of Hamer's activism was the farm's poor organization and management. While Hamer's background as a sharecropper, her knowledge of the land in Sunflower County, and her experiences as a time- and record-keeper on a plantation in the 1940s and 1950s might have led to Freedom Farm's long-term success, she, Harris, and other farm managers lacked the real experience needed to manage the farm effectively. An examination of the Fannie Lou Hamer Papers hints at the level of disorganization that plagued the FFC. Many letters and communications included in the collection are undated, and gaps exist in documents and financial records. Other important documents, such as budgets, were scribbled out on notebook paper. For the most part, the corporation's records do not appear to have been organized until after Hamer's death in 1977.

Throughout its existence, the FFC had unreliable clerical help, which contributed to the lack of organization within the corporation. After months of difficulties, Harris fired Nora Campbell, the corporation's unreliable secretary from Sunflower County, in May 1973 because of her "inefficiency," "failure to report to work on time," and "failure to stop drinking in the office and during working hours."<sup>42</sup> Campbell, however, charged that she often worked without pay and that she could not perform her job efficiently because the corporation's typewriter, copier, and telephone line had been removed. She also asserted that she was fired because "Freedom Farm Corporation no longer had funds to pay a secretary."<sup>43</sup> Regardless of the

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<sup>41</sup> Special Meeting of Board of Directors of Freedom Farms Corporation, January 11, 1974, FLH, box 11, folder 14.

<sup>42</sup> Joseph Harris to Nora Campbell, May 10, 1973, FLH, box 10, folder 10.

<sup>43</sup> Nora Campbell to Joseph Harris, May 11, 1973, FLH, box 10, folder 10.

reason for her termination, the lack of a reliable secretary certainly contributed to the disorganized state of the farm in 1972 and 1973, and many of the meetings of the farm's board of directors were not transcribed.<sup>44</sup>

In 1973 members of Measure for Measure began to question the allocation of the funds that they were donating to the FFC. Measure for Measure's chairwoman, Bunny Wilkening, wrote to Harris in August 1973 to request a detailed outline of the farm's expenditures, noting that it was getting "harder and harder to raise any money" for the FFC without knowing how the money was being used. Wilkening also questioned the inclusion of scholarships and housing projects in the budget, and she asked for information about the number of organizations that donated to the corporation.<sup>45</sup> Later that year, Measure for Measure sent observers to Mississippi to report on the state of the FFC. Their findings provide important information about the corporation's eventual decline. These observers were shocked by the farm's disorganization, noting that Hamer and Harris had no record of their expenditures and only an "estimate" of the amount of money that they owed. In addition, they did not have firm records of the groups from which they had received donations. Many pieces of expensive farm equipment, which had been left uncovered and unattended in the fields, had been ruined by rust. The directors did not have a schedule for when they needed people to work in the fields, and most of the workers were not trained to pick vegetables. Finally, they noted that while Hamer was successful in securing grants for the farm, she was not a strong organizer or planner.<sup>46</sup>

Freedom Farm's lack of good management ultimately resulted in a decrease in the amount of donations that the corporation received. Confusion over the corporation's tax exempt status kept many individuals from donating in 1972 and 1973. Individual donors frequently wrote Hamer to inquire about the corporation's tax exempt status, and funding request letters sent to possible donors by Harry Belafonte in 1969 confirmed that donations to the FFC were tax exempt.<sup>47</sup> In August 1973, however, Measure

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<sup>44</sup> Freedom Farm Board of Directors Minutes of the Meeting, March 2, 1972, FLH, box 11, folder 14.

<sup>45</sup> Bunny Wilkening to Joseph Harris, Aug. 29, 1973, FLH, box 10, folder 12.

<sup>46</sup> Mills, *This Little Light of Mine*, 266.

<sup>47</sup> Harry Belafonte Request for Funds, May 1969.



## *The Limits of Poverty Activism*

for Measure questioned whether or not the FFC did in fact have tax exempt status, as Harris had written to the organization requesting help in paying a tax bill. In his reply, Harris confirmed that the corporation was not tax exempt, and he and Hamer had not even pursued achieving tax exempt status for the corporation before hiring a lawyer in late 1972. As a result, letters sent out by Hamer and Harris in 1973 encouraged individuals to donate to Measure for Measure, which did have tax exempt status and would turn the funds over to the FFC. This confusion, on top of other organizational problems, resulted in a decrease in donations at a time when Hamer was struggling to keep her activist goals alive.<sup>48</sup>

Just as Hamer's activism was limited by her lack of managerial experience, her goal of helping Mississippi blacks to achieve self-sufficiency was hindered by her close identification with the impoverished conditions experienced by most African Americans in the Mississippi Delta. Prior to 1962, Hamer had been a poor sharecropper for her entire life, and at the time she founded the FFC, she and her husband still lived in a shack without adequate plumbing and amenities. Other black cooperatives in the Mississippi Delta, like the successful North Bolivar County Farm Cooperative, had been started by black activists from the North who had no emotional ties to the Delta and its people. In contrast, the FFC was managed entirely by Hamer, Harris, and other African Americans native to Sunflower County.<sup>49</sup> Because of Hamer's close ties with the people of Sunflower County, she was often besieged at her home by people wanting her to help them solve their problems. Many of these people requested loans from the corporation, and both Hamer and Harris, not wanting to turn away those in desperate situations, were very generous in lending out the corporation's limited funds.

A letter written to Harris and Hamer by Mrs. Weatherspoon of Drew, Mississippi, in March 1970 illustrates the manner in which the county's residents identified with Hamer on a personal level. In this letter, Mrs. Weatherspoon wrote that her grandmother was in the hospital "low as she can be," and that she herself had also been sick while trying to take care of her

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<sup>48</sup> Bunny Wilkening to Joseph Harris, Aug. 29, 1973; Joseph Harris to Bunny Wilkening, Oct. 4, 1973, FLH, box 10, folder 12; Lee, *For Freedom's Sake*, 159.

<sup>49</sup> Dittmer, *Local People*, 365.

grandmother. Referring to Hamer as "the only mother I have living" aside from her grandmother, Mrs. Weatherspoon wrote that she did not have the money to pay her rent of eighty to ninety dollars a month and asked if the FFC could lend her the money, promising to pay the money back "so much a month." Although no record exists to show whether Mrs. Weatherspoon repaid this loan, it is unlikely that she repaid it in full given her situation and the fact that she had "[a] lot of children" to care for.<sup>50</sup>

Hamer undoubtedly found letters and appeals such as the one made by Mrs. Weatherspoon hard to resist, as she herself had been forced to survive without adequate food, clothing, and shelter as a child and as an adult. While records of the loans given out by the FFC are sparsely documented, the available documentation shows that Hamer and Harris lent considerable amounts of the corporation's funds to local residents. For example, in August 1969, Harris lent \$700 to resident Charles McLaurin for an undisclosed reason.<sup>51</sup> From October 12 to November 23, 1970, Hamer lent \$3,405.32 to Sunflower County blacks, primarily for necessities like food, clothing, and medical care. Some of this money, however, was doled out for other purposes, including fifty dollars given to Mrs. Genett Ford for furniture and twenty-seven dollars given to an undisclosed recipient "for draperies."<sup>52</sup> In addition, a list of expenditures for \$30,000 sent to Measure for Measure in 1970 detailed \$3,350 in loans given to local residents to help their churches and to save their farm equipment and homes.<sup>53</sup> Hamer continued to grant loans to local residents in 1971, as she gave out \$840 from August 12 to August 20 to help residents pay taxes, purchase clothing, and collect food stamps.<sup>54</sup> No documentation exists to prove that local residents repaid the loans given to them by the FFC; however, the fact that Hamer's records often state "money given" suggests that recipients were not expected to repay the money to Freedom Farm.

Undoubtedly, the fact that Hamer raised over \$100,000 a year for the FFC from 1969 to 1972 made the corporation an easy target for desperate

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<sup>50</sup> Mrs. Weatherspoon to Joseph Harris and Fannie Lou Hamer, Mar. 4, 1970, FLH, box 10, folder 21. No record of Mrs. Weatherspoon's first name exists in Hamer's papers.

<sup>51</sup> Joseph Harris to Charles McLaurin, Aug. 26, 1969, FLH, box 10, folder 1.

<sup>52</sup> "Money Given for Food, Clothing, Bills & Ect. From July to November," FLH, box 11, folder 3.

<sup>53</sup> "Itemized Expenditure of \$30,000," FLH, box 11, folder 3.

<sup>54</sup> "Money for Food Stamps and Clothing," FLH, box 11, folder 2.



residents seeking funds for basic necessities such as food and clothing. Many of these residents could not receive loans from local banks and thus had nowhere else to turn for funds. At the same time, existing documentation shows that Hamer was too liberal in lending Freedom Farm's money, and these loans consumed a considerable amount of the corporation's limited funds. Based on the large sum of money lent in October and November of 1970 alone, it is fair to assume that Hamer and Harris lent at least \$15,000 per year to Sunflower County residents, yet only \$5,000 was budgeted for "Welfare & Relief: Food stamps, food & clothings" in 1972, and loans were not included in the 1971 budget at all.<sup>55</sup> Considering that the corporation's yearly income ranged from \$100,000 to \$150,000, these loans likely consumed at least ten percent of Freedom Farm's funds. In March 1972, members of the corporation's board of directors admitted that the loans and grants given to local residents drained money from the farm, as acting chairman Clanton Beamon stated that the FFC "will not make any more personal loans and grants" because it was "not a loaning agency and financial standing will not allow us to do so." At the same time, Beamon conceded that loans could still be granted for "very exceptional cases" at the discretion of Hamer and Harris.<sup>56</sup> In the end, Hamer's generosity and overwhelming desire to help the people with whom she identified so closely proved to be one of the downfalls of her activist efforts, as Freedom Farm's precarious financial position could not withstand the loss of thousands of dollars in loans that were not repaid.

While Hamer's excellent fundraising abilities helped to bring her activist goals to fruition in the early 1970s, her extensive travel schedule ultimately contributed to the deterioration of her health in 1972 and 1973. Hamer lived most of her life in poor health as a result of her hard labor, malnutrition, and contraction of polio as a child. Her health problems were exacerbated by a brutal 1963 beating in a Winona, Mississippi, jail from which she never fully recovered.<sup>57</sup> Worn down by years of travel and a lifetime of struggle, Hamer battled "depression, hypertension, diabetes, and heart disease" in 1972, which

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<sup>55</sup> 1972 Budget, FLH, box 10, folder 4.

<sup>56</sup> Freedom Farm Board of Directors Minutes of the Meeting, March 2, 1972, 2.

<sup>57</sup> For detailed accounts of the Winona jail beating, see Dittmer, *Local People*, 170-72; Hamer, *To Praise Our Bridges*, 14; Lee, *For Freedom's Sake*, 45-60; and Payne, *I've Got the Light of Freedom*, 227-28.

left her bedridden for much of the year. In 1973, she suffered from exhaustion and a nervous breakdown, and by the summer of 1974, there were many days when she could not get out of bed, let alone continue to travel to raise funds for the FFC. Compounding Hamer's health problems, Harris suffered a heart attack in April 1973 and died one year later.<sup>58</sup> In a May 1974 letter, Harris disclosed Hamer's health problems, stating that she "has been ill for the past 18 months and [has] not accepted any speaking invitations since October 1973."<sup>59</sup>

Hamer's health problems disabled her at a time when the FFC desperately needed her excellent fundraising abilities. Because she was the corporation's sole traveling fundraiser, her inability to travel for much of 1972 and 1973 deprived the FFC of much-needed donations. Instead of her usual travel, Hamer and Harris sent out an increased number of donation request letters to northern charity groups in March and April of 1973. These letters, sent to groups like the National Committee on the Self-Development of People, the Taconic Foundation, and the New York Foundation, all of which were based in New York, stated that the FFC needed to raise \$81,629.20 in 1973 and asked for any financial assistance that these groups could provide.<sup>60</sup> Nearly all of these organizations replied that they were unable to donate funds due to their own limited resources or to the fact that they had already given out all available funds for the year.<sup>61</sup> In addition, Measure for Measure's membership numbers dropped in 1973, making it more difficult for the organization to contribute to the FFC on the same level that it had in previous years. The American Freedom for Hunger Foundation also found it difficult to continue raising funds through their "Walks for Development," as many of the walks that had raised thousands of dollars for the FFC in 1971 and 1972 contributed only a few hundred dollars in 1973.<sup>62</sup> From 1969 to 1972, Hamer's personal appeals to organizations like Measure for Measure had inspired people to donate to the FFC, and the fact that her

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<sup>58</sup> Lee, *For Freedom's Sake*, 161, 163; Mills, *This Little Light of Mine*, 270-71.

<sup>59</sup> Joseph Harris to Dear Friend, May 29, 1974, FLH, box 10, folder 14.

<sup>60</sup> Fannie Lou Hamer to Mrs. Jane Lee J. Eddy, Executive Director, Taconic Foundation, Apr. 7, 1973, FLH, box 10, folder 9.

<sup>61</sup> Vernon A. Eagle, Executive Director, The New World Foundation, to Fannie Lou Hamer, Apr. 30, 1973, FLH, box 10, folder 9.

<sup>62</sup> Bunny Wilkening to Joseph Harris, Aug. 29, 1973.

health prohibited her from traveling for most of 1973 undoubtedly weakened the personal connection that she had with these groups. This personal contact could not be formed through the short, nondescript letters sent out by Hamer in 1973, and as a result these organizations donated to other causes at a time when the FFC, as well as Hamer's broad activist goals, needed those donations to survive.

Despite Freedom Farm's poor management, evaporating funds, and ailing fundraiser, it is possible that the corporation and Hamer's broader vision for black self-sufficiency in the Mississippi Delta might have survived the difficult years of 1973 and 1974 with aid from civil rights and charity groups in the South. Yet, throughout its existence, southern civil rights organizations provided almost no assistance to the FFC. In part, this lack of assistance was due to the fractured nature of the civil rights movement in Mississippi in the late 1960s. The collapse of the Council of Federated Organizations (COFO) coalition in Mississippi in 1965 and disagreements among several poverty-assistance organizations in the latter part of the decade left few organizations with the means and the manpower to assist Hamer's Freedom Farm.<sup>63</sup> Although Mississippi's civil rights groups were fragmented, organizations with the means to assist Hamer still existed in the late 1960s. Most notably, the Mississippi Action for Community Education (MACE) could have aided the FFC by providing loans and donated funds; however, Hamer's bitter 1966 separation from SNCC arose as a barrier to receiving aid from MACE, thereby eliminating one of her final hopes of keeping her dream for black self-sufficiency alive.

After four years of active involvement, Hamer split with the middle-class leadership of SNCC in 1966 over issues of white exclusion and the inclusion of members on the executive committee who lacked formal education. In 1967 fifteen former members of SNCC formed MACE with the goal of helping blacks to "build institutions" and receive their fair share of government funding for municipal services. Most of the founders of MACE were from the Mississippi Delta; however, the organization's first president, Ed Brown, was raised in Baton Rouge, Louisiana. Brown had spent several years in Washington, D.C., in the early 1960s as the head of the Nonviolent

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<sup>63</sup> For a discussion of the collapse of COFO and the struggles of poverty-assistance groups in Mississippi from 1965-67, see Dittmer, *Local People*, 338-88; and Payne, *I've Got the Light of Freedom*, 363-90.



Action Group, a SNCC affiliate, and his brother, H. Rap Brown, became chairman of SNCC in 1967.<sup>64</sup> Thus, despite SNCC's declining status in 1967, MACE had close ties to the organization, its legacy of activism, and its middle-class leadership. Ultimately, these ties impeded Hamer's activist hopes.

In 1969 the leaders of MACE created the Delta Foundation, which aimed to create jobs for African Americans and improve the economy of the Mississippi Delta. The Delta Foundation engaged in many of the same efforts as Hamer's Freedom Farm, as it sought to help blacks find manufacturing jobs and supported minority-owned apparels and electronics ventures.<sup>65</sup> On the surface, the foundation seemed like a logical partner for the FFC, which also began in 1969. Hamer and Harris first contacted Charles Bannerman, chairman of the Delta Foundation, on September 22, 1970, to request a grant for the FFC. Bannerman did not reply until six weeks later, denying Hamer's grant request because "it has been the policy of the Board of Directors to direct the Foundation activities toward Manufacturing Enterprises which are owned in total...by the Delta Foundation." In addition, he stated that "the special conditions" of granting money were "so complex and strigent [sic]" that the foundation would have difficulty granting any money at all. He closed the letter by informing Hamer that the foundation would be starting an apparel factory in the Delta. Given the similarity between this factory and the "sewing operation" that the FFC had started in early 1970, it seems possible that the organizations could have combined their efforts, yet Bannerman made no mention of this possibility in his letter.<sup>66</sup>

No evidence exists to confirm whether or not Hamer and Harris made subsequent contacts with the Delta Foundation. In January 1973, however, MACE did lend the FFC \$6,000 so that Harris could pay overdue interest on the corporation's land. This small loan appears to be the only assistance given to the corporation by MACE and the Delta Foundation despite the fact that these organizations had the resources to lend more money.<sup>67</sup> In March 1973,

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<sup>64</sup> Carson, *In Struggle*, 252; Pratt Center for Community Development, "Mississippi Action for Community Education, Greenville, MS," <http://www.prattcenter.net/cdc-mace.php> (accessed on November 14, 2006).

<sup>65</sup> Pratt Center, "Mississippi Action for Community Education."

<sup>66</sup> Charles D. Bannerman to Fannie Lou Hamer and Joseph Harris, Nov. 6, 1970, FLH, box 10, folder 2.

<sup>67</sup> Mills, *This Little Light of Mine*, 267.

Hamer and Harris again contacted Bannerman, stating that the FFC was undergoing "a complete reorganization" that would "separate the farming operation from the operation of any form of social program until such time that the farm is self-sufficient." In order to consolidate the corporation's debt, Hamer and Harris asked Bannerman for a seven-year loan in the amount of \$155,910.54.<sup>68</sup> Bannerman denied the request, stating that the amount of money was "too large" for the Delta Foundation. He also wrote that farm projects that the foundation had considered in the past were for amounts "approximately" less than \$156,000. He reiterated that the foundation's main goal was "to establish viable businesses that will provide jobs," and it was "not particularly interested in farm financing."<sup>69</sup> After this refusal, North Mississippi Rural Legal Services attempted to work with MACE and the Emergency Land Fund in Jackson, Mississippi, to help the FFC overcome its debt. The Emergency Land Fund, however, was headed by Jesse Morris, the former SNCC leader who in 1965 had proposed the education "requirement" for SNCC's executive committee that Hamer had so ardently opposed, and neither group showed much interest in helping the FFC.<sup>70</sup>

In the end, Hamer's activist efforts were impeded by decade-old animosities brought about by the internal political struggles of the Mississippi civil rights movement. In addition, Hamer's own desire to maintain local black control over the FFC continued to hinder her prospects for receiving necessary aid in 1973 and 1974. Ron Thornton and L.C. Dorsey, managers of the more successful North Bolivar County Farm Cooperative, acknowledged that many former SNCC supporters and members would not help Hamer's farm. Dorsey, however, also asserted that the Delta Foundation would not give funds to the FFC because "they didn't want to help [Hamer] on her terms," and Hamer refused to turn partial or full control of the corporation over to the foundation.<sup>71</sup> It seems unlikely that Hamer would have agreed to turn over partial control of the FFC when she first contacted the Delta Foundation in 1970. The fact that she and Harris were willing to request such a large loan in 1973, however, suggests that they recognized the

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<sup>68</sup> Fannie Lou Hamer and Joseph Harris to Charles Bannerman, Mar. 12, 1973, FLH, box 10, folder 7.

<sup>69</sup> Charles Bannerman to Joseph Harris, Mar. 30, 1973, FLH, box 10, folder 8.

<sup>70</sup> Mills, *This Little Light of Mine*, 269.

<sup>71</sup> Mills, *This Little Light of Mine*, 268.



corporation's dire situation and might have been willing to transfer control of some programs to the foundation in exchange for much-needed financial assistance. Ultimately, the animosities created by Hamer's 1966 departure from SNCC proved to be too difficult for southern civil rights organizations like MACE and the Emergency Land Fund to overcome. As a result, the vast civil rights experience that might have led to the success of Hamer's activist goals actually limited her ability to receive funds as the FFC fell into severe financial difficulties in 1973 and lost most of its land in 1974. Although the corporation survived in name until 1978, Hamer's dream of black self-sufficiency in the Mississippi Delta effectively collapsed in 1974, and the majority of the Delta's African Americans continued to live in the same impoverished conditions as they had since the end of Reconstruction.

### Conclusion

Fannie Lou Hamer died on March 14, 1977, after struggling with mental and physical health problems for most of the 1970s. Ultimately, heart failure claimed her life, although she had battled breast cancer in 1976 and severe depression for nearly five years. Hamer spent most of her final three years housebound and without income as a result of her illnesses, as her physical pain and depression often left her unable to move. In the last months of her life, Hamer was cared for by her close friends. Hundreds of civil rights leaders, including some with whom she had quarreled, attended her funeral. In the three decades since her death, she has become a revered figure among those fighting for social justice, and her contributions to Mississippi's African Americans have been universally recognized.<sup>72</sup>

Biographer Chana Kai Lee asserts that the FFC served as the "culmination of sorts" of Hamer's civil rights activism, as it was "an achievement made possible by local activists' persistence in response to stubborn deprivation."<sup>73</sup> John Dittmer offers a more somber evaluation of activism to end black poverty in Mississippi in the 1960s and 1970s. While he notes that voting rights activists like Hamer were successful in registering over 250,000 blacks, or 60 percent of all blacks eligible, to vote by 1968, social activist programs like the FFC failed to make a significant impact in the

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<sup>72</sup> Dittmer, *Local People*, 433-34; Lee, *For Freedom's Sake*, 175-77.

<sup>73</sup> Lee, *For Freedom's Sake*, 162.

state. In the 1990s, wealthy whites still dominated Mississippi's politics and economy, while the state as a whole remained both the poorest and most illiterate in the nation. Dittmer asserts that while middle-class blacks gained positions of importance in Mississippi in the 1970s and 1980s, most blacks remained the poor, "forgotten people" of the state. Indeed, in 1990 half of all black children, or roughly 200,000, lived below the federal poverty line, and black families continued to make less than half the annual income of whites, marking almost no change since the late 1960s. In the end, he concludes that efforts for black economic independence, like the FFC, "seemed to fade into the background" as Mississippi blacks gained political power toward the end of the twentieth century. Thus, he concludes that life for Mississippi blacks in the 1990s remained much the same as it had been since the 1950s, but without the racially inspired violence that marked the pre-civil rights era.<sup>74</sup>

Given Freedom Farm's rapid rise and decline, Hamer's efforts to achieve self-sufficiency for blacks in the Mississippi Delta can be viewed as a fitting, yet noble, conclusion to more than a decade of civil rights activism. Without doubt, Hamer could have achieved greater success by implementing different management strategies: first, by hiring a professional farm manager with more experience in dealing with the business aspects of the farm; second, by seeking federal assistance for the farm, which would have provided much-needed funds in 1972 and 1973; and third, by seeking assistance from civil rights groups more ardently. While each of these actions might have helped to save the FFC, however, they also would have required Hamer to relinquish a significant part of her dream for a locally owned cooperative that allowed Sunflower County blacks to maintain complete control over their efforts to achieve self-sufficiency. In the end, Hamer can hardly be faulted for staying true to her original goals, especially because she had been disappointed at every turn by the federal government and the middle-class leaders of the civil rights movement.

When asked about the importance of the FFC in a 1973 interview, Hamer exclaimed that "[i]t's a funny thing that if you don't speak out ain't nobody going to speak out for you. We've been able to save, we've been able to help a lot of people."<sup>75</sup> In the end, Hamer's activism not only provided tangible

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<sup>74</sup> Dittmer, *Local People*, 425-28.

<sup>75</sup> USM, "An Oral History with Fannie Lou Hamer."

assistance to more than 2000 black families in Sunflower County, but it also gave poor African Americans hope for a better future. Indeed, the residents of Sunflower County recognized the importance of Hamer's efforts to eradicate black poverty in the Mississippi Delta, stating that the FFC "gave [them] confidence" in themselves.<sup>76</sup> Above all, Hamer's devotion and genuine desire in the face of insurmountable odds to ensure that poor locals would "never be hungry no more" serve as the true legacy of the FFC. If Freedom Farm did not represent the "culmination" of Hamer's civil rights activism, it certainly represented her most far-reaching and revolutionary ideals for achieving a society of true equality for African Americans in Mississippi.

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<sup>76</sup> Marshall, "Hunger Has No Colour Line," 192.



## The Fight for White Monday: The Local Racial State and the Citizens' Council of Mississippi, 1954-1985

BY SCARLET WEIBULL

"Each state must organize...if we do not organize, we are lost, because never before in the history of the South has there been a more direct order to organize than is now given to us. White Americans of the South, unite!"<sup>1</sup>

-Judge Tom P. Brady

"If the white people of these United States submit to unconstitutional, destructive forces of integration, the malignant powers of mongrelization, communism, and atheism will surely destroy this nation. Integration represents darkness, regimentation, totalitarianism, communism and destruction."<sup>2</sup>

-Robert B. Patterson

"The people in this room stand for the right principles and the right philosophy. Let's take it in the right direction and our children will be the beneficiaries!"<sup>3</sup>

-Senate Majority Leader Trent Lott

On April 11, 1992, just one month shy of the thirty-eighth anniversary of *Brown v. Board of Education* (hereafter *Brown v. Board*), which occurred on May 17, 1954, leaders and members of the Council of Conservative Citizens (CCC) met in Greenwood, Mississippi, for their national conference. Heir to the citizens' councils that arose as a direct response to the *Brown v. Board*

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<sup>1</sup> Tom P. Brady, "A Review of Black Monday," Address, Indianola Citizens' Council, Indianola, Mississippi, October 28, 1954, 14, in author's possession.

<sup>2</sup> Robert B. Patterson, "The Citizens' Council—A History." *The Citizen: Official Journal of the Citizens Councils of America* 8, no. 4 (January 1964): 8, in author's possession.

<sup>3</sup> *Update to December 11 News Advisory: Trent Lott Supported White-Supremacist Group—Evidence Emerges: Senator's Spokesperson Misled Journalists; Fairness and Accuracy in Reporting*, December 15, 1998. <http://www.fair.org/index.php?page=1914> (accessed March 18, 2006).

decision, the CCC signaled a return to Civil War ideologies of states' rights, segregation, old-time biblical values, and the extreme radical right. While Senator Trent Lott contends that his attendance at the 1992 meeting was innocuous, his affirmation of their beliefs speaks volumes about his true character. After a series of publicly racist comments, Lott lost his position as U.S. Senate Majority Leader in July 2001; yet, his return to power as the Senate Minority Leader in November 2006 confirms the pervasiveness of racism within the highest levels of government and further reminds the nation that the plantation mindset is alive and well. It also revived the dark cloud of white supremacy and ultimately reminded the nation of the resurgence of neo-conservatism.

Established in the wake of *Brown v. Board*, the Citizens' Council of Mississippi sought to buttress Jim Crow and revitalize the South's economy through the exploitation of both black and white labor. The Citizen's Council thus not only opposed civil rights legislation but consistently pursued policies intended to ensure a large supply of cheap, tractable labor. Federal programs established to fight poverty and bring resources to the states were viewed as an attempt to undermine the white power structure in Mississippi. Thus, the political economy of the Citizens' Council involved the maintenance of segregated schools, the denial of the black vote, control of the media and political arena, and the opposition to anti-poverty programs and trade unionism.

This study seeks to understand more thoroughly the council's calculated resistance to the Civil Rights Movement. More important, it endeavors to examine the class implications of its efforts. I focus more closely on Mississippi than on the national movement because the state's patronage-based system of one-party politics empowered the local racial state. It also strengthened Jim Crow and stood in the way of Afro-Americans who, because of increased political efficacy, sought to confront racism. Moreover, the council's activities in Mississippi wielded distinct control over multiple local and state agencies. The council's imprint was borne by influential institutions, including businesses, newspapers, law enforcement, government, and even universities. Though southern states such as Georgia, Alabama, and Virginia fiercely resisted desegregation, the councils were far more organized and connected in Mississippi.

## *The Fight for White Monday*

The most formative study to date focused on the broad definition of the councils, which includes all state councils and the organizations without the name but with the support of the Citizens' Council of America.<sup>4</sup> Yasuhiro Katagiri recently compiled an analysis of the Mississippi State Sovereignty Commission, which, as the Segregation Watchdog Agency, directly funded the councils. Katagiri's assessment is clearly an institutional one and often is narrowly bureaucratic. The study would be improved with a thorough examination of the commission's grassroots efforts. Local endeavors of the commission would shed light on its overall accomplishments as defender of states' rights and segregation. Such criticism notwithstanding, Katagiri's analysis provides a foundation upon which future scholars can build.<sup>5</sup> Others have researched Mississippi and its history with race relations, but no one has granted the state's citizens' council a closer examination.

Political and cultural manifestations of Jim Crow in the South included the infamous hooded knights who condoned blatant acts of extralegal violence and the chamber of commerce councilors who exploited the fault lines of modernity to maintain segregation and the patronage system of one-party politics. With all deliberate speed, bedrock segregationists in Mississippi created the council following *Brown v. Board*. Judge Tom P. Brady delivered a paper to the Sons of the American Revolution. Brady's address, "Black Monday," chronicled what he believed to be the fundamental illogic of the *Brown v. Board* decision. He asserted: "It involved a reversal of half a century of legal precedent and it did not take into account the Negro's basic inferiority to the white race."<sup>6</sup> Following this meeting, the council was founded in Indianola, Mississippi, and was comprised of middle and upper class white members of the community.

The council's political agenda was predicated upon the preservation of both states' rights and the racial status quo. The council's mantra provided both biblical and genetic reasons to maintain segregation in Mississippi. Its members strongly believed that segregation was biblically endorsed and

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<sup>4</sup> Neil R. McMillen, *The Citizens' Council: Organized Resistance to the Second Reconstruction, 1944-64*, (Urbana: University of Illinois Press, 1971).

<sup>5</sup> Yasuhiro Katagiri, *The Mississippi State Sovereignty Commission: Civil Rights and States Rights*, (Jackson: University Press of Mississippi, 2001.)

<sup>6</sup> Tom P. Brady, *Black Monday: Segregation or Amalgamation... America Has Its Choice*, (Winona, Mississippi: Association of the Citizens' Councils, 1955), in author's possession.



genetically required. In a bulletin published by the Information and Education Committee, the Citizens' Council cited a number of Bible verses to defend Jim Crow. Such biblical verses as "I am the Lord your God, which have separated you from other people"<sup>7</sup> were repeatedly submitted as further evidence that Afro-Americans should acquiesce to the white power structure. Additional proof of segregation's validity was genetic differences, which, according to the councilors, clearly pointed toward black inferiority.

William J. Simmons, official spokesman of the Citizens' Council of America, stated that blacks were "genetically different...and not born equal" to whites. In his *Black Monday* pamphlet, Judge Tom P. Brady argued that "whenever and wherever the white man has drunk the cup of black hemlock, whenever and wherever his blood has been infused with the blood of the negro, the white man, his intellect and his culture have died."<sup>8</sup> Coupled with biblical confirmation of the validity of segregation, the supposed genetic inferiority of Afro-Americans gave the Citizens' Council a formidable justification to support its purpose. Together, these rationales were intended to appeal to all respectable southern white citizens, regardless of their socio-economic status.

Many white southerners strongly opposed sending their children to school with black children. By providing both biblical and genetic reasons for maintaining segregation, the council disseminated its appeals in a more palatable, seemingly race-neutral language. Once the councils garnered the support of most Mississippians, they strove to eliminate the black vote. The racist environment they encouraged directly led to the implementation of economic pressures designed to discourage Afro-Americans from voting. This climate also led to a high level of violence when economic pressures proved unsuccessful.

For many white southerners, school desegregation did not pose an imminent threat. The *Brown v. Board* decision, however, brought schools to the forefront of civil rights and the question of race in Mississippi. Nevertheless, one issue remained a more immediate threat: the black vote. In

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<sup>7</sup> *Aspect: A Project of the Information and Education Committee* 1, no. 11 (June 1964); the verse quoted in the *Aspect* is Leviticus 20:24.

<sup>8</sup> William J. Simmons, "Who's News with Cobey Black: A Matter of Black and White," *Honolulu Star-Bulletin*, February 22, 1964; Brady, *Black Monday*, 7, in author's possession.

1956 more than 1.2 million blacks were registered to vote in the Deep South. Although this figure constituted a mere 25 percent of the eligible Afro-American voters, the councils scrambled to prevent "Negro domination," as they called it. For the councils, a black voice in politics was inextricably linked to the desegregation of schools. Black participation in state and local politics provided "a growing threat to the white man's institutions" and bordered on destroying the southern way of life.<sup>9</sup>

The one-party political system "depended on low voter turnout by blacks and poor whites...and was reinforced by the patronage politics of the southern wing of the Democratic Party, which rewarded personal alignments with jobs and political favors."<sup>10</sup> Mississippi's dismal voter rolls were a product of both racial discrimination and the low social status of Afro-Americans. Low income and limited education left blacks highly illiterate and thus devoid of training in civic rights and responsibilities. The state's white power structure implemented legal sophistries such as residency, dogmatic literacy, and poll tax requirements to undercut black political opportunities and economic stability. Nevertheless, four percent of eligible Afro-Americans successfully registered to vote by 1956. The Citizens' Council thus led the campaign to eliminate permanently the Afro-American vote.

Mississippi, even with the largest black population in the nation, had the lowest percentage of registered black voters among the states. Mississippi's law required literacy tests and payment of a poll tax and mandated that citizens appear before the county registrar where they were asked to interpret a section of the constitution. These requirements were intended to "trip up" blacks and poor whites seeking to cast their vote. Afro-Americans who attempted to exercise the basic rights of citizenship faced "real and psychological" obstacles largely because of the environment encouraged and condoned by the Citizens' Council.<sup>11</sup> During the latter half of the 1950s, the councils sought to discourage blacks who had successfully registered from keeping their name on the list.

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<sup>9</sup>McMillen, *The Citizens' Council*, 215.

<sup>10</sup>Jill Quadagno, *The Color of Welfare: How Racism Undermined the War on Poverty* (New York and Oxford: Oxford University Press, 1994), 38.

<sup>11</sup>Quadagno, *The Color of Welfare*, 38; James W. Silver, *Mississippi: The Closed Society*, (New York: Harcourt, 1966), 105; William Rotch, "Cotton, Cordiality, and Conflict Part II," *The New South* 12, no. 3 (March 1957), 7.

Afro-Americans who refused or simply ignored council demands quickly found themselves without work and discovered that defiance of the councils significantly decreased their ability to find employment. The racial tensions climaxed throughout the late 1950s, and the councils encouraged a climate in which violent responses to Afro-American voters were tolerated.<sup>12</sup> Yazoo City, Humphreys County, and Brookhaven, Mississippi, were the sites of some of the most direct forms of economic pressure and violence to eradicate the black vote. Moreover, these pressures were a direct strike at both attempts to vote and petitions for school desegregation.

In 1955 the Citizens' Council published a list of fifty-four persons who signed a petition asking the educational district to redress segregation in the schools in the *Yazoo City Herald*. Days later, the president of the local National Association for the Advancement of Colored People (NAACP) received a death threat because his name was on the list. Most of the remaining fifty-three signers were fired from their jobs. None could find further employment. Signers of the petition were also bombarded with midnight phone calls: "If you don't leave town in three hours, you'll be floating in Yazoo River." A war veteran whose name was published in the list attempted to cash his government check at the local bank but was refused service. Grocers increased their prices for black customers who had dared to sign the petition. The wife of an NAACP official in Yazoo City received a bogus phone call informing her that her husband had been murdered. Later that day, she was further taunted when a hearse mysteriously appeared outside her home.<sup>13</sup> Although the Citizens' Council claimed no direct responsibility for the "powerful economic sanctions" used against the petitioners, the violent environment it publicly supported led to a potent retaliation.

Nick Roberts, chairman of the Yazoo City Citizens' Council, acknowledged that the economic reprisals stemmed from information disseminated by the councils that led to a "spontaneous reaction of public opinion." He refused, however, to accept direct responsibility, but in private

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<sup>12</sup> Neal R. Peirce, *The Deep South States of America: People, Politics, and Power in the Seven Deep South States* (New York: Norton, 1974), 175.

<sup>13</sup> Elizabeth Geyer, "The 'New' Ku Klux Klan," *Crisis* 63, no. 3 (1956): 142; Stan Opotowsky, "Dixie Dynamite: The Inside Story of the White Citizens Councils: Article VII," *New York Post*, January 14, 1957.



the councilors approved of the economic fallout. In later investigative reports, the Citizens' Council documented that "since [their] signature appeared on this petition," the signers, including James Wright and Arthur Berry, were no longer employed by whites. The councils described Walter Clark, another signer, as a "good Negro citizen until the...school petition."<sup>14</sup> It is thus abundantly clear that the Citizens' Council was satisfied with living alongside local blacks as long as they accepted their second-class citizenship and ignored their right to decent schools and their right to vote. In neighboring Humphreys County, the town of Belzoni was the site of systematic economic pressure and ultimately violence toward Afro-American registrants and petitioners. This method proved more of an obstacle to voters than constitutional proscription.

Before the Citizens' Council was organized in Humphreys County in 1954, 126 out of 16,000 blacks were registered to vote. By the spring of 1955, council members successfully reduced that number to 95 voting aspirants. Belzoni's Afro-American minister, George Lee, attracted much negative attention from anonymous segregationists who attempted to deter him from voting. As the first black citizen of Humphreys County to register, his continued advocacy of voting rights posed a decided threat to pro-segregation forces. After warnings went unheeded, Reverend Lee was killed by two shotgun blasts while driving on a Saturday evening in May 1955. The sheriff and coroner announced that the lead pellets found in Lee's face and mouth were dental fillings, not bullets. The Federal Bureau of Investigation (FBI) proved the findings were false, but still no arrests were made.<sup>15</sup> The council used this murder as a threat and again reduced the number of registered Afro-American voters to thirty-five. Despite the drastic lag in black voters, the councilors persisted in their fight to eliminate all names from the list.

Belzoni's NAACP president, Gus Courts, was next to feel "the white man's bite" because he refused to remove his name from the voting rolls.

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<sup>14</sup> David Halberstam, "A County Divided against Itself," *The Reporter*, December 15, 1955: 30. Roberts was also one of the sixteen founders of the Yazoo City Citizens' Council; A.L. Hopkins, "Investigation of Billy Ray Edward, Gerald Artis, Ross Sims, James Wright, and Walter Clark." Report, April 9, 1962, Classification 2, Folder 13, Yazoo County, Mississippi Department of Archives and History, 1956-1973.

<sup>15</sup> McMillen, *The Citizens' Council*, 216-217.

Directly after the council was formed in Belzoni, a Citizens' Council member approached Mr. Courts at his grocery store. The councilor threatened him with eviction if he refused to remove his name as a voter. Three days later, when Mr. Courts's rent was raised, he moved his store to another location. In the spring of 1955, Mr. Courts received a visit from Mr. Fly, head of the Belzoni Citizens' Council. Mr. Fly made an effort to persuade him not to vote, but the "preliminary talk" was in vain. Although Courts — and twenty-two others were unsuccessful in their attempts to vote — councilors warned him that "if you don't back down..., we'll force you out of business."<sup>16</sup>

Later that fall, council member Burt Ragon told Mr. Courts that they were "planning to get rid of [him]" one way or the other. It became apparent that he "would not stay in his so-called place," as shots fired into Mr. Courts's grocery store wounded him. Like other Afro-Americans, Mr. Courts decided his only choice was to leave the area after his recovery. In most cases, law enforcement comprised large portions of council membership rolls; thus, extralegal violence toward blacks went unchecked.

In Brookhaven, the hometown of Judge Tom P. Brady, Lamar Smith was murdered in mid-day in front of the courthouse. The Citizens' Council "invited" Smith to remove his name from the registration books, as he was a vigorous advocate of the black vote in an important primary election.<sup>17</sup> Perhaps inevitably, no arrest was made in the hometown of the author of *Black Monday*. These crimes became notorious across the nation and brought Mississippi and its history of race relations to the forefront of the Civil Rights Movement. In most cases, violent murders led to no convictions in Mississippi; thus, they served as a warning to all other Afro-Americans who dared to vote. As long as "there [was] a typical Mississippi in America," blacks were unable to gain the respect of the people and exercise their basic civil and human rights. The gentility of the council members did little to obscure their antagonism toward Afro-Americans.

In 1954 Attorney General J. P. Coleman reported that the names of 22,000 black voters were on the books. Senator James Eastland announced

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<sup>16</sup> Charles J. Lapidary, "Belzoni, Mississippi," *The New Republic*, 134, no. 19 (1956): 13.

<sup>17</sup> Buford Posey, "Where Do We Stand on Integration?" *The American Socialist*, November 1956: 14; Geyer, "The 'New' Ku Klux Klan," 142; see also, Southern Regional Council, Homicide Statistics for the Year 1955, Mississippi Freedom Democratic Party-M.F.D.P., Lamar Smith, C.R. Darden, and Medgar Evers files from Mississippi Department of Archives and History, 1956-1973.

to the state that only 10,000 Afro-Americans were registered to vote in August 1955. By Election Day in November, only 8,000 names remained on the list. In areas where the council maintained control, not one black vote was cast. Prior to the founding and subsequent growth of the councils, Montgomery, Sunflower, and Yazoo counties collectively reported 265 registered Afro-Americans. By fall 1955, only 90 names remained on the list. In Jefferson Davis County, black voter registration dropped from 1,221 in 1954 to 60 in 1956.<sup>18</sup> The attitude of political leadership in Mississippi thus influenced popular response to the desegregation order. State and local noncompliance engendered open defiance among whites who were simply unwilling to risk losing their way of life through the political participation of blacks.

The comments of a manager of a Coca Cola bottling plant in Belzoni best represent whites' disposition to the Afro-American vote: "This town is 70-percent nigra; if the nigra voted there'd be nigra candidates in office."<sup>19</sup> Most Mississippi whites and especially the Citizens' Council feared that if blacks were allowed a political voice, they would dominate not only the economy but also the political arena. While white Mississippians certainly endorsed elimination of the Afro-American vote before the Citizens' Council entered the segregation front, the racist environment within the state did much to enhance the success of the councils. Effective implementation of the *Brown v. Board* decision depended, at least in part, on the opportunity for Afro-Americans to vote. Thus, the councils worked to purge blacks from Mississippi's voter rolls.

Members of the Citizens' Council rarely hid their disdain for the Afro-American population, relegating blacks to a life of second-class citizenship and pressuring "agitators" to leave the state either on foot or by hearse. In this way, Afro-Americans continued to depend on "the white man." Mrs. Lee, the wife of murdered Reverend George Lee, said: "We have our finger in the white man's mouth, and we have to be careful lest he close his mouth."<sup>20</sup> For the councils, if blacks became economically independent, the South would

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<sup>18</sup> "Miscellaneous Concerning Black Voters in Mississippi." August 1957. Classification 2, Folder 131, Southern Regional Council, Mississippi Department of Archives and History, 1956-1973; Opatowsky, "Dixie Dynamite: Article VII"; McMillen, *The Citizens' Council*, 219.

<sup>19</sup> Lapidary, "Belzoni, Mississippi," 12.

<sup>20</sup> Lapidary, "Belzoni, Mississippi," 12.



lose its large supply of cheap, tractable labor. Because slavery was no longer legal, white supremacists were determined to maintain a pool of cheap labor, irrespective of race. On the surface, the Citizens' Council concerned itself primarily with the socio-economic and political status of Afro-Americans. Nevertheless, poor whites were not far from their reach. Economic pressures were implemented regardless of one's race.

Although Judge Tom Brady declared that economic pressures were a last resort, the Citizens' Council found it necessary to use this tactic to force both blacks and whites to capitulate to their demands. Working-class Afro-Americans were especially susceptible to economic pressures because of their dependency on whites for employment. Working-class whites were no further from the councils' reach. It was also common for middle-class white newspaper editors to feel the heat. The comparative wealth of the organization and its members granted the Citizens' Council influence over local media, further allowing it to disseminate its appeals in the more palatable, seemingly race-neutral, language of states' rights.

The incident involving Gus Courts and the Citizens' Council serves as a classic example of the complexity of the councils' motives. The organization sought to eliminate the black vote through either economic or violent means so that it could maintain school segregation and a pool of cheap labor. Again, it is important to understand that the councils directed their efforts toward anyone who stood in their way, irrespective of race. In the case of Gus Courts, Mrs. Savannah Luton, a white widow, witnessed the near fatal shooting. "She saw a white man get out of the car and fire a shot gun." After the local sheriff tried in vain to persuade her that she had seen "a real bright Negro," the state removed Mrs. Luton and her four children from welfare.<sup>21</sup> Although it is impossible to connect the Citizens' Council directly to this incident, the implication is clear—Mississippians either complied with council demands or faced its wrath.

The Citizens' Council can, however, be directly linked to an incident in the fall of 1959 involving the new managers of the Greenwood Holiday Inn. When a young couple from Ohio was sent to Greenwood as the new managers of the Holiday Inn, racial agitation ensued, and the council stepped in to resolve the situation. The previous managers maintained segregation

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<sup>21</sup> Lapidary, "Belzoni, Mississippi," 13.

with respect to the motel's employees. The new managers, however, implemented an integrationist policy for employees at the hotel. Both whites and blacks were instructed to eat meals while on break in the kitchen. Previously, white employees ate in the rear of the hotel restaurant, not in the kitchen. In a memo to the State Sovereignty Commission, Robert Patterson, founder of the Citizens' Council, reported that the managers were being replaced with "someone else who better understands the situation in Mississippi."<sup>22</sup> When "southern burglars" and "northern agitators" threatened the "southern way of life," they felt the wrath of the councils.

The final and perhaps most influential method of economic pressure was directed toward anti-council newspapers. Most editors in the Deep South expressed opinions that reflected the public's view on segregation. Following the *Brown v. Board* decision, Fred Sullens, editor of the *Daily News* in Jackson, Mississippi, proclaimed, "If you are a...white man or woman, then you must stand up and be counted." *Daily News* headlines further denounced the decision as "Blood on the White Marble Steps." There were, however, a few editors who chose to advocate desegregation. Some faced financial ruin and ostracism but a few, like P. D. East, were just considered strange. Mr. East ran several full-page, satirical ads about the Citizens' Council in *The Petal Paper*. Despite his lengthy attempts through humor to show the councils the ridiculousness of their position, the Citizens' Council largely ignored his parodies.<sup>23</sup> On the contrary, editors, including Hodding Carter, Jr., Hazel Smith, and Ira Harkey, Jr., faced public condemnation and financial reprisals for their deviations from dominant opinion.

The Louisiana-born Carter edited Greenville's *Delta Democrat Times* and used the paper to criticize council tactics. In *Look Magazine*, *Readers' Digest*, *The New York Times Magazine*, and *The Nation*, Carter exposed the councils as a dangerous threat to the South's progress. In most of his articles, he portrayed the councils as the "new Klan." Carter also warned that "the Councils have within them the seeds of terror." On April 1, 1955, the Mississippi House of Representatives hanged Carter in figurative effigy when

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<sup>22</sup> Zack J. Van Landingham to Director, State Sovereignty Commission, memorandum, October 14, 1959, Mississippi Department of Archives and History, 1956-1973.

<sup>23</sup> Reed Sarratt, *The Ordeal of Desegregation* (New York: Harper & Row, 1966), 253; Stan Opatowsky, "Dixie Dynamite: Article XI," *New York Post*, (January 18, 1957): 47.

it passed a resolution 89-19 that condemned him as a liar and further stated that the article "drew inferences and conclusions on the flimsiest and most speculative kind of evidence." The resolution further stated that the editor's comments were "wholly untrue and not warranted by the facts."<sup>24</sup>

While Carter rejected council policies, he was a fair-play segregationist, not a champion of racial justice. He opposed NAACP lawsuits and strongly opposed desegregation of primary schools. Carter and his wife Betty expressed fears "that the Citizens' Councils could force the South into another Civil War. Their mentality created [a climate] where any kind of interracial violence could flare up overnight." Racial, sectional, political, and social animosities shifted from a peripheral problem facing the South to a very central issue in the American political economy. As a result, Hodding Carter, Jr., sought to use his newspaper as a medium for interpreting the South to the North and the North to the South.

Carter was fortunate to avoid financial ruin, but Hazel Smith and Ira Harkey endured less propitious years as moderates crusading against Mississippi's racist environment.<sup>25</sup> Hazel Smith, editor of the *Lexington Advertiser*, joined Hodding Carter in the list of nonconformists. She refused to back down even when council supporters published an article stating, "Mrs. Smith does not reflect the thinking of most of the white people of the county at a time when solidarity of opinion is needed to preserve the Southern way of life." The *Advertiser* subsequently lost most of its advertising. Carter advised Smith to rally support in Holmes County and build a community base that could financially sustain the newspaper. Other than charitable and civic advertisements, Smith lost all of her advertisements and faced bankruptcy.<sup>26</sup>

The Civil Rights Department of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) learned of Smith's need for money and urged unions to send donations through them. The AFL-CIO

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<sup>24</sup> Hodding Carter, Jr., "A Wave of Terror Threatens the South," *Look*, March 22, 1955, 32; *The New York Times*, "Editor Condemned in Mississippi House," April 2, 1955, 38.

<sup>25</sup> Ann Waldron, *Hodding Carter: The Reconstruction of a Racist*, Chapel Hill, (North Carolina: Algonquin Books, 1993), 266.

<sup>26</sup> Waldron, *Hodding Carter*, 263.



wired the editor \$2,500 to keep her paper alive.<sup>27</sup> This further infuriated the councils, which were overtly anti-unionist. Public support of integration in unions and progressive newspapers made the AFL-CIO a target for not only the Citizens' Council but also other pro-segregation groups.

Ira Harkey, editor of the Pascagoula *Chronicle*, regularly exposed the true motives of the councils and did not hesitate to publish their involvement in anti-Afro-American activities. He first suggested that men who shared the beliefs of the councilors needed the facts "rammed down their throats." Among the facts listed in the article was that "the Negro is a human being... a radical idea in some parts of the South." Council supporters banded together to force Harkey out of business. Their efforts proved successful when he sold the *Chronicle* in 1963.<sup>28</sup> It is no surprise that the Citizens' Council and its like-minded supporters strove to oust nonconforming editors. The media provided the councils a medium for dispensing their appeals to all "respectable" white southerners.

The councils ensured that they disguised their policies in a more race-neutral language of states' rights. This distinguished the organization from the Ku Klux Klan (KKK) in that the Hooded Knights were undaunted by northern attacks on their extremist views. The KKK openly condoned extralegal violence toward minorities and communists. The Citizens' Council, however, sought to wield not only significant influence over blacks but to ensure that poor whites remained steadfast in their support of segregation. If working-class whites banded together with Afro-Americans, the Citizens' Council may not have been as influential. To this end, the Citizens' Council sought to control the media and the political arena to guarantee that its beliefs were disseminated throughout the state and its policies were voiced in the form of official legislation.

From the outset, the Citizens' Council pledged that it was politically neutral. This definition of political neutrality is a curious one because as a response to the *Brown v. Board* decision, it was without question a political move to maintain control of the states' supposed right to preserve

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<sup>27</sup> Opatowsky, "Dixie Dynamite: Article XI," 47; Hazel Smith's career is also discussed in Little Hodding's *The South Strikes Back*, 148-156 and in Alan Draper's *Conflict of Interests: Organized Labor and the Civil Rights Movement in the South, 1954-1968*, 140-141.

<sup>28</sup> Sarratt, *The Ordeal of Desegregation*, 258.

segregation. Louis Hollis, executive director of the Citizens' Council of America, said: "We all work to capture the power structure of our local community, or county, through a strong, locally autonomous Citizens' Council. And then we go to work to make our influence felt at the state level. When we have enough states in this category, it will be no problem to drive the rascals from our national government."<sup>29</sup> To maintain segregation and gain control of the federal government, the Citizens' Councils urged all chapters to ensure that all political candidates ardently supported preserving racial integrity and maintaining segregation.

The accepted method of tracking political candidates was to mail a questionnaire designed to weed out those who were either directly or indirectly connected to integrationist or subversive organizations. The Citizens' Council mailed such questionnaires to all candidates in Alabama for the May 8, 1956, state primary. Although this example is not from Mississippi, all questionnaires followed this basic format. The Citizens' Council sought to ensure, through this document, that no political candidate accepted direct or indirect support from organizations that were either "integrationist," "communist," or "subversive." The questionnaire served as the "segregation oath" that forced "all white men stand up and be counted."<sup>30</sup> If any office-seekers refused to return this questionnaire or if elected officials voted against legislation endorsed by the council, they were branded communists who supported the destruction of the southern way of life.

To minimize challenges to segregation, the Citizens' Council and anti-desegregation groups in Mississippi pushed two important 1954 state constitutional amendments. The first amendment, which increased voter qualifications and effectively reduced Afro-American suffrage, passed 75,488 to 15,718 in October 1954. The second authorized the state to abolish public schools if the Supreme Court enforced the *Brown v. Board* decision; it passed on December 21. The Citizens' Council endorsed both amendments. In their August 1956 Annual Report, the councils claimed credit for the passage of both bills. Increased voter qualifications, the councils estimated, would prove invaluable "to future peace and domestic tranquility in [Mississippi]." The councils also stated: "In passing [the school amendment], we told the world

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<sup>29</sup> McMillen, *The Citizens' Council*, 306.

<sup>30</sup> *Newsweek*, Citizens' Councils of Alabama Questionnaire, April 2, 1956, 26.

in no uncertain terms that before we would submit to integration we would abolish our schools and set up State-supported private schools." Two years later, in February 1956, Mississippi passed a bill that outlawed "advocating, urging or encouraging disobedience with the traditions, customs and usages of the state of Mississippi." The misdemeanor offense warranted up to a \$1,000 fine and six months in jail. Other such legislation in Mississippi banned encouraging a petition to file suit to force desegregation in schools. In each of these instances, the Citizens' Council of Mississippi openly encouraged whites to vote for these bills.<sup>31</sup>

Although the councils were clearly active in state and local politics, it is important to realize that their participation in and influence on politics depended heavily on the gubernatorial administration. During the Hugh White and James Coleman administrations, the councils were held at bay. Although both governors supported massive resistance to integration, they publicly denounced the Citizens' Councils's methods and believed that they were a detriment to Mississippi's future. In 1960, however, the climate changed when Governor Ross Barnett, "a rip snorting white supremacist," was sworn into office.<sup>32</sup> Throughout the first week of his term in office, Governor Barnett proclaimed his support of the Citizens' Council and boasted about his early membership in the organization.

Under Barnett's direction, the Citizens' Council plunged into a crusade to unite the South's 128 electoral votes under a banner of states' rights and racial integrity. They sought to force a deadlock between the major candidates by ensuring that neither received enough electoral votes for the presidency. The House of Representatives would be required to resolve the issue, and the South would be in a good position to name a segregationist President of the United States.<sup>33</sup> Although the Citizens' Council ultimately failed in this fight, leaders of the organization continued to work closely with the governor.

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<sup>31</sup> McMillen, *The Citizens' Council*, 320, Second Annual Report, (Greenwood, Mississippi: Association of Citizens' Councils of Mississippi, August 1956), 1, Mississippiana Collection, McCain Library and Archives, University of Southern Mississippi; Charles G. Hamilton, "Bills Seek to Ban Racial Agitation: Mississippi Legislative Measures Have Effect of Curbing N.A.A.C.P., Keeping Status Quo," *The Christian Century*, 73, no. 9 (1956): 276.

<sup>32</sup> Robert E. Baker, "Mississippi Adopts Blunderbuss Tactics," *The Washington Post and Times Herald*, September 28, 1959: B5.

<sup>33</sup> McMillen, *The Citizens' Council*, 328-329.



Their office stood directly adjacent to the governor's estate, and council leaders acted as Barnett's unofficial cabinet on racial affairs.<sup>34</sup> The councils' free reign in political affairs did not last, however. In late September 1962, no organization played a larger role in creating the climate of rebellion and overt racism when James Meredith was admitted to the University of Mississippi. The Citizens' Council sent out the call for white southerners in the Deep South to band together and to prevent the admission of this undeserving "Negro."

Louisiana promised 10,000 volunteers on the condition that they be admitted into the Mississippi National Guard and "assured a proper command." Retired Major General Edwin Walker called for "10,000 strong from every state in the union" to "rally to the cause of freedom." Largely because Governor Barnett was opposed to the idea, no army actually came to Mississippi's aid. Despite this setback, the Jackson Citizens' Council led an angry mob to the governor's mansion and surrounded it. The mob intended to protect the governor from the federal government. Hours later, after two were killed and 375 were wounded, Governor Barnett announced Mississippi's concession to the world: "We are physically overpowered" and "surrounded on all sides by the armed forces and oppressive power of the United States of America.... My heart still says 'Never' but my calm judgment abhors the bloodshed that would follow [further resistance]."<sup>35</sup>

From this point forward, Governor Barnett and his successor, Paul Johnson, shunned the Citizens' Council. Governor Johnson ran on a council ticket but, following his inauguration, was conveniently unavailable whenever the council held meetings. Johnson disapproved of council tactics but strongly supported resistance to the federal government and the Voting Rights Act of 1965. He was, however, willing to admit that Mississippi was the "architect" of her own "doghouse."<sup>36</sup> During the latter half of the 1960s, the Citizens' Council suffered from a lack of political power that it had enjoyed prior to the Meredith incident. On June 20, 1973, the Mississippi State Sovereignty Commission closed its doors, thereby cutting off significant financial aid to

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<sup>34</sup> McMillen, *The Citizens' Council*, 330-334.

<sup>35</sup> McMillen, *The Citizens' Council*, 335, 346.

<sup>36</sup> Neil McMillen, "Black Enfranchisement in Mississippi: Federal Enforcement and Black Protest in the 1960s," *The Journal of Southern History* 43, no. 3 (1977): 351; McMillen refers to Johnson as a moderate and, in comparison to previous governors, this is true.

the Citizens' Council. Throughout the 1950s and 1960s, the Citizens' Council supported a racialized political economy designed to ensure cheap labor, to preserve states, and to maintain segregation.

White Mississippi has always been largely disinclined to share political participation and economic resources with its Afro-American population. The nascent Civil Rights Movement gave way to a vigorous pro-segregation faction that aimed to protect the local racial state and thus guarantee white planters a subservient black and poor white labor force. Government agencies and offices, law enforcement departments, welfare authorities, and county boards comprised the local racial state in Mississippi. As evidenced by the gubernatorial election of Ross Barnett, the Citizens' Council permeated this system on all levels and thus exercised formidable control over state politics. Conformity to racial orthodoxy and control of the interventionist welfare state, a large facet of the council's political economy, depended on the passage of legislation.

During the years leading up to the *Brown v. Board* decision, the Congress of Industrial Organizations (hereafter the CIO), emboldened by northern successes, challenged racial discrimination and attempted to unionize the South in Operation Dixie. Bedrock segregationists, including James Eastland, one of the largest plantation owners in the state and future leader of the Citizens' Council, declared they would "handle any communists in the [CIO] that come to Mississippi."<sup>37</sup> Under the banner of anti-communism, southern businessmen and politicians rallied to maintain Jim Crow practices in their industrial base. Ultimately, the South maintained its reputation as unreceptive to trade unionism. Had the drive succeeded, the political and economic power of the southern conservatives would have deteriorated and perhaps given way to an earlier struggle for racial parity. Instead, the geopolitical system in the South offered poor whites and Afro-Americans little relief from the unwavering power structure.

The Taft-Hartley Act of 1947 stripped the National Labor Relations Act (Wagner Act) of 1935 of its teeth. Taft-Hartley outlawed closed shops that required all employees to join the recognized union and permitted unions to fire employees who failed to comply with guidelines. Instead, the act allowed

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<sup>37</sup> Ed Townsend, "Southern Unrest Hints Labor Secession from AFL-CIO," *Christian Science Monitor*, April 19, 1956: 3.

union shops, which enabled employees to work without immediately joining the union. More important, a provision of Taft-Hartley allowed states to bypass completely union security clauses by enacting right-to-work laws that outlawed union shops and afforded employees the "right to work" whether or not they joined the union.

In effect, the act greatly diminished the benefits of trade unionism and virtually destroyed the threat of organized labor for southern business and political leaders. Non-unionized members received the same pay and benefits of rank and file unionists; thus, employees lost their capacity to press demands upon employers. Furthermore, in unorganized industries, state right-to-work laws made it nearly impossible for the AFL-CIO to launch a successful campaign.

With the Citizens' Council employing a systematic program of fear and reprisals to enforce white conformity, councilors played an instrumental role in the passage of Mississippi's right-to-work laws in 1960. Organized labor adopted a pro-civil rights position long before the *Brown v. Board* decision. After the December 1955 merger of the AFL and the CIO, the new organization lauded integration in both public schools and trade unions. The Citizens' Council loathed the equalitarian voice of organized labor and replied with a fury. Roy V. Harris, president of the Citizens' Council of America, proclaimed to the nation: "If you're a white man, then it's time to stand up with us, or black your face and get on the other side."<sup>38</sup> While the council shared the KKK's commitment to maintaining the racial status quo, its efforts to buttress Jim Crow were ultimately wed to a broader goal of revitalizing the South's economy through the exploitation of both black and white labor. White southern elites were uninterested in job security for poor whites and minorities. Because unions forced employers to pay higher wages, southerners risked losing their supply of cheap, tractable labor.

Because the AFL-CIO mandated integration, the Citizens' Council waged war on local unions and exploited racial tensions to destroy organized labor in the South. Wealthy planters, mill owners, and business leaders recognized that if they stopped unions from organizing, their employees would lose their bargaining chip for better pay and benefits. Furthermore,

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<sup>38</sup> Alan Draper, *Conflict of Interests: Organized Labor and the Civil Rights Movement in the South, 1954-1968*, (Ithaca, New York: Cornell University ILR Press, 1994), 18.



unions would have engendered class unification, thereby diminishing a long-standing economic disparity for blacks and working class whites. In the "Manifesto of Southern Labor," the Citizens' Council charged the AFL-CIO with "aiding and abetting the complete integration" of whites and Afro-Americans. Bedrock segregationists' opposition to the AFL-CIO and its affiliates created a "general slackening in union morale" and "undermined the solidarity necessary in labor ranks for tough collective bargaining."<sup>39</sup> Ultimately, councilors and their supporters succeeded in destroying working-class solidarity and job security in the South.

Throughout the latter half of the 1950s, the councils engaged the AFL-CIO in a fight for the control of the South. The merged federation of labor fought vigorously to avoid a split in southern labor. Northerners observed that the "dissipation of energies over the race issue and fear of it" brought the labor movement in the South to a grinding halt. As a united front, segregationists and the councils had the manpower, money, and political support not only to maintain "segregation in the South but also" to check "union gains—if not cancel out entirely the labor progress made by labor in the past 1½ decades in the South."<sup>40</sup>

Until the late 1960s, the Citizens' Council existed "for the avowed purpose of destroying any person who disagrees with them."<sup>41</sup> While the councils strongly opposed desegregation of schools and public accommodations, their anti-unionist policies were inextricably linked to the issue of race. The Citizens' Council fought to eliminate the black vote and thereby prevent what it called "Negro domination." By removing the Afro-American voice from the political arena, the councils ensured that legislation concerning school segregation, voting requirements, pro-integration activities, and unions was passed. If blacks were permitted to vote, the Citizens' Council's influence over the political and economic arena would have significantly decreased.

The indomitable force of the Citizens' Council dissipated following the Meredith incident. Its members, however, remained largely unwilling to

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<sup>39</sup> Draper, *Conflict of Interests*, 25; Ed Townsend, "Labor Aides Anxious About Jolting of Dixie Union Structure," *Christian Science Monitor*, April 25, 1956: 4.

<sup>40</sup> Draper, *Conflict of Interests*, 25; Townsend, "Southern Unrest Hints Labor Secession from AFL-CIO," 3.

<sup>41</sup> "Editor Condemned in Mississippi House," 38.

accept America's equalitarian ideals and steadfastly refused to give more than token acknowledgment of social, political, and economic changes. The region's social customs had long been perpetuated to buttress the white power structure. From slavery to Reconstruction, Jim Crow, and resistance to the Great Migration, white southerners refused to relinquish their grasp on a source of labor that guaranteed their economic and political security.

Ultimately, the movement lost its struggle, but the unreconstructed neo-Conservatives found a way to renovate the council. Today, the purpose of the Citizens' Councils is furthered through the Council of Conservative Citizens (CCC), a racist, white-supremacist organization designed to preserve the southern way of life. This council traces its beginnings directly to the Citizens' Council of Mississippi. In 1985 Gordon Baum, Robert Patterson, and William Lord met in Atlanta, Georgia, to form an organization "more to do with race and integration." Membership rolls of the council were developed largely from Citizens' Council lists. Nevertheless, Gordon Baum, Chief Executive Officer of the CCC, claims that it was "not literally an outgrowth [of the Citizens' Council]...even though most of [their] people came from there."<sup>42</sup> Regardless of Baum's contention that his organization had departed from its predecessor, compelling evidence suggests otherwise.

Racially charged articles within its publication, *The Citizens' Informer*, attest to their unrelenting attacks on those who oppose separation of the races. Articles claimed that "although originally aimed at the South the whole nation is being damaged by the mania for 'Civil Rights.'" Others assert that "usurpations by the Federal government still reverberate in the social and constitutional damage inflicted upon our Republic...and have led to further assaults on the rights of the States, and the people, and on the moral and civil order."<sup>43</sup> Accordingly, the CCC focuses its efforts not on only states' rights, integration, and wage slavery, but also on opposition to gun control, immigration, homosexuality, miscegenation, affirmative action, Afro-American violence toward European-Americans, and the eradication of the white race.

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<sup>42</sup> Personal communication with Gordon Baum on June 29, 2006.

<sup>43</sup> Robert B. Patterson, "Black Monday after 50 Years," *Citizens Informer* 36, no. 1 (January-March 2005): 9, in author's possession; Joel T. Lefevre, "A Further Note on Black Monday and 'Civil Rights.'" Editorial, *Citizens Informer* 36, no. 1 (January-March 2005): 9, in author's possession.

## *The Fight for White Monday*

According to Samuel Francis, former editor of *The Citizens' Informer*, "the group speaks out for white European Americans, their civilization, faith, and form of government." Their condemnation of minorities and illegal immigrants—both on their website and in *The Citizens' Informer*—speaks volumes about their brazen racism toward non-whites and their unswerving dedication to preserving the southern way of life. The multifaceted efforts of the CCC are unified by the idea that "the federal government has become Frankenstein" and have, to the detriment of society, infiltrated every facet of American lives. Thus, they claim to "mainly represent the working class people, the little people. So did the Citizens' Councils."<sup>44</sup>

Although the Citizens' Councils of Mississippi became moribund by the close of the 1970s, they are still largely responsible for placing the state in a cycle of poor industrial development and poverty. Hence, Mississippi has neither the resources to improve its situation nor the will to do the job. The state's track record in civil rights and economic disparities among the working classes exposes the underbelly of the American dream. Several of the state's more prominent representatives and senators are linked to the CCC. This organization has signaled the rebirth of the councils and has only heightened the rhetoric of integration and states' rights in the South.

While an excess of twenty lawmakers is hardly indicative of the political support garnered between 1954 and 1985, the modern-day Citizens' Council has successfully allied itself with elected officials who adhere to right-wing conservative ideologies. Mississippi Governor Haley Barbour, former Governor Kirk Fordice, Senators Gary Jackson, Trent Lott, and Dean Kirby, and several other state representatives have delivered speeches to this organization. At a meeting in November 1994, Senator Mike Gunn of Mississippi delivered that state's report for the CCC, at the very least implying that the group has his support.<sup>45</sup> Robert Patterson, founder of the Citizens' Council of Mississippi, also actively participates in the CCC and is the former editor of its publication.

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<sup>44</sup> Samuel Francis, *RNC Leadership Rejects Middle American Supporters*, January 26, 1999. Members of the CCC have been directly quoted, saying: "[A]ll we want to do is promote and celebrate our European culture and heritage in America. We're the minority." (Diana G. Erwin, "Meeting Offers Potluck, U.S. Flags, Whiff of White Supremacy," Scripps Howard News Service, August 2, 2001); personal communication with Gordon Baum, June 29, 2006.

<sup>45</sup> *The Citizens Informer*, "Unity Meeting Savors Victory," Winter/December 1994: 1.



It is therefore evident that although the councils failed to prevent desegregation, they continue to influence the government decades after the Civil Rights Movement. The CCC has advanced its racist platforms from the local levels of government to the highest positions in Washington, D.C. Holding true to the legacy left by the Citizens' Council of Mississippi, this organization manipulates the fears of white southerners and unapologetically seeks to prevent further destruction of the European-American race. This mantra shows that racial and poverty lines have yet to be bridged in Mississippi.

*The Fight for White Monday*

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Suh,  
 Here's Sweet MUSIC!  
 Yes, YOU too, can be  
**SUPERIOR**  
 Join The Glorious Citizens Clan  
 Next Thursday Night!

What? Worried about being socially acceptable?  
 Learning to play the piano by ear? Taking dancing lessons? Using the right toothpaste?  
 Possibly taking a course in public speaking? Want to be the life of the party? No need to worry  
 anymore! The grand opportunity now awaits you!

Join The CITIZENS CLAN and BE SAFE From SOCIAL WORRIES

(Absolutely No Coupons Are Needed)

**BE SUPER-SUPERIOR**

Compare These 10 Freedoms with other Old Fashioned Offers

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>* Freedom to interpret the Constitution of the United States to your own personal advantage!</li> <li>* Freedom to hunt "Blackbirds" with no bag limit, and without fear of prosecution! (To date no member of the Clan has been convicted for killing a nigger)</li> <li>* Freedom to sit on a jury in behalf of your fellow members!</li> <li>* Freedom from worry and fear if you happen to sit before a jury!</li> <li>* Freedom to exercise a great Southern privilege: TO EXERT ECONOMIC PRESSURE!</li> </ul> | <ul style="list-style-type: none"> <li>* Freedom from fear of having economic pressure exerted against you!</li> <li>* Freedom to yell "Nigger" as much as you please without your conscience bothering you!</li> <li>* Freedom to wonder who is pocketing the five dollars you pay to join!</li> <li>* Freedom to take a profitable part in the South's fastest growing business: Slavery!</li> <li>* FREEDOM TO BE SUPERIOR WITHOUT BRAIN, CHARACTER, OR PRINCIPLES!</li> </ul> |
|--|---|
- (Many Other Freedoms, Too... Only A Few Listed Above)

- - This Wonderful Offer Open To White Folk Only - -

Other Items To Keep In Mind

- |  |  |
|--|--|
| Remember: No Niggers allowed! (Not even "good" Niggers can join this SUPERIOR Clan.) | Remember: Not to join until you're a Nigger Levert                   |
| Remember: You, too, can be SUPER SUPERIOR!   | Remember: The Time: 7:30 P. M., Thursday, March 22nd                 |
| Remember: For only five dollars, GUARANTEED SUPERIOR-ITY!                            | Remember: The Clan needs YOU—but most of all, YOU may need the Clan! |

This Page in Behalf of Liberalism, Fairness and Progress Donated By...

*The Petal Paper*

*East's Reaction to the Citizens' Councils*

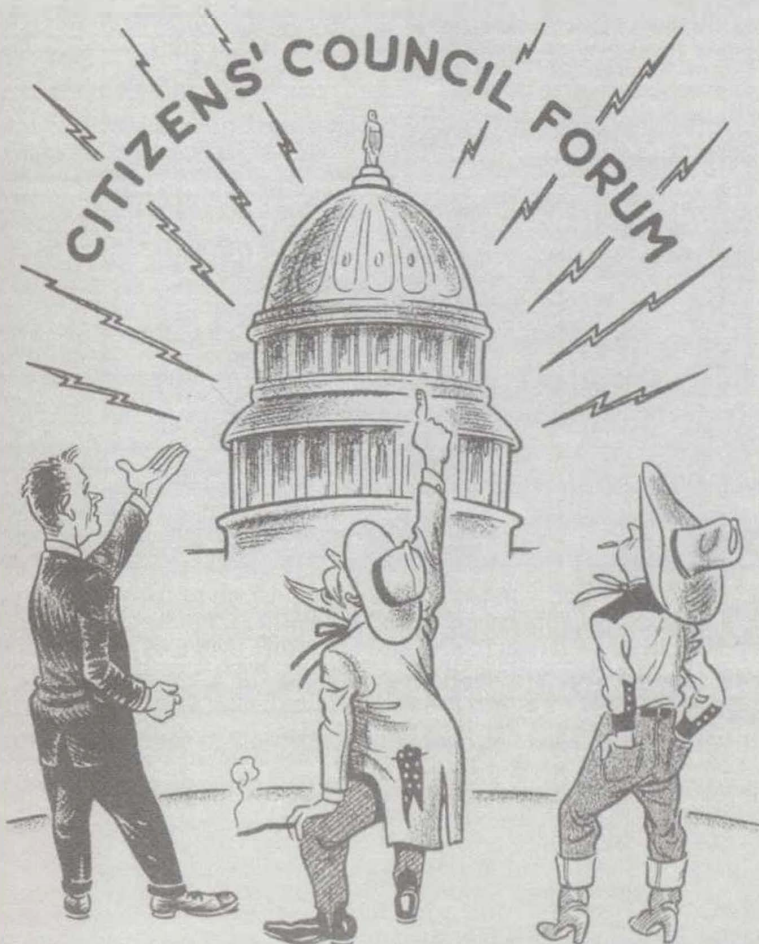
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*The Fight for White Monday*

*The Citizens' Council* 4, no. 5. "The Truth for a Change." (February 1959): 3.  
Series II, Item 1, Loc. 145, MS C49: Citizens Councils of America Literature.  
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# The Truth For A Change!



CITIZENS' COUNCIL, JACKSON, MISS.



GOVERNOR WALLACE IS WELCOMED (above) by former Gov. Ross R. Barnett and Jackson Mayor Allen C. Thompson, at far right. Citizens' Council officials in background are Louis W. Hollis, left, and W. J. Simmons, center. Below, part of crowd in Coliseum for rally, showing the many network and newsreel cameramen who covered the meeting.



*The Citizen: Official Journal of the Citizens Councils of America* 10, no. 9 (June 1966): 18. Citizens Council of America Literature (MS C49). Location 145. Series II, Item 13. Special Collections, University of Arkansas Libraries, Fayetteville.

## **Collaboration or Accommodation: Vichy France**

**BY KEVIN MICHAEL PAYNE**

On May 10, 1940, eight months after the start of the Second World War, the German army invaded France. The allied forces of France and Britain had been prepared to repel the German offensive in Belgium, believing that it would be impossible for a large army to pass through the Ardennes forest and the Maginot line. But the main German forces, led by General Erich von Manstein, quickly passed through the Ardennes forest and penetrated the interior of France. Then the German forces traveled north toward the English Channel, dividing the French and British forces. The French forces, surrounded and separated from their British allies, were quickly defeated in six weeks by the German Forces.

After the French army was defeated, Prime Minister Paul Reynaud stepped down from his position leaving the remaining government with the predicament of finding a new head of state. The French president, Albert Lebrun, and parliament selected Marshal Pétain as its new Prime Minister. Pétain, a former French general during the First World War and a national hero, was chosen as the new Prime Minister because he was in favor of proposing an armistice with Germany. On June 22 in Compiègne, France, Hitler and the French government signed an armistice, ending the war between Germany and France. The terms of the armistice divided France into two regions: the first being a German-occupied region of northern and western France; the second, an unoccupied, independent region of southern France that would be administered by the French government. On July 10 the French Parliament set up the new French capital in the city of Vichy and established the Vichy Regime. At Vichy, the French Senate and Chamber of Deputies voted to cede all governmental power to Marshal Pétain, suspended the constitution of the Third Republic, and made Pétain a dictator, effectively ending seventy years of the Third Republic. French officials signed the armistice believing it would bring peace, but the next four years of the Vichy regime would become a dark time in the history of France.

In August of 1944, Allied and Free French forces invaded and liberated France from the grasp of Germany. In the four years of Vichy's existence, the



regime had contributed to the German economy and war effort by drafting around 650,000 French citizens into forced labor positions in German factories; had executed over 30,000 French resisters of the German occupation; had enacted racial laws against Jews and immigrants; had arrested and taken the property of Jews, communist, and other supposed political enemies, and had sent 75,000 Jews to concentration and extermination camps in Germany and Poland. In 1945 Marshal Pétain and other members of the Vichy regime were arrested and either served life sentences in prison or were executed for their crimes against the French people and the state.

The reconstituted French government, under Charles de Gaulle, declared that the Vichy regime had been an illegal government that was under the influence of the German government, French traitors, and Nazi sympathizers. This view of an "alien" government being responsible for these crimes against French citizens and the state freed French people and officials of the Third Republic from having any influence over or responsibility for Vichy's enactment of racial laws and providing economic support to German forces. But in the late 1960s and early 1970s, historical books and movies on the Vichy regime began to present French society in a new light. These sources presented Vichy's collaborative and racial policies as being deliberately enacted by Vichy officials and supported by the French people, indicating that coercion from Nazi insiders or the German government had not influenced the Vichy's regime collaborative and racial policies.

This essay presents and examines the historiographic argument of Vichy's and French society's role in "collaboration" or "accommodation" with Germany's racial policies and the German war effort. The key issues examined in the argument of "collaboration" include Vichy's racial policies, the political and social atmosphere of France before the establishment of the Vichy regime, and reasons why French citizens and officials would want to collaborate with the Germans. The key issues analyzed in the argument of "accommodation" are reasons why accommodation was a lesser evil than German occupation, an examination of the political and Nazi sympathizers within the Vichy government, the public's view of the Vichy regime, and those who resisted against the Vichy regime and its racial policies.

About thirty years ago, one of the first and most influential books on the history of Vichy France, Robert O. Paxton's, *Vichy France: Old Guard and New Order, 1940-1944*, challenged the Gaullist history of Vichy, which stated that

German coercion and Nazi insiders had shaped the government into a machine that willingly collaborated with the Germans and had persecuted Jews and foreigners. After examining German records, Vichy's racial policies, and evidence that was used in the Vichy post war-trials, Paxton came to the conclusion that the collaborative economic and racial polices enacted by members of the Vichy regime and supported by the French people had not been influenced by the German occupation or political insiders, but by a growing paranoia of immigrants and the concerns of France becoming a new German theater of operations in the war. The French people wanted to create a stable nation among these crises, but they went to the extremes to create a France for only the native French citizens.

As war with Germany was becoming a reality, the French people were becoming more fearful and reluctant to become involved. The First World War had claimed many lives and had devastated the country. The terrible memories of that war were still fresh in the minds of French citizens when war broke out with Germany. After the defeat of the French army in the "Battle of France," the heads of the French parliament presented Hitler with an armistice in hopes of preventing a full German occupation of France and even greater losses to the French army. Paxton states that there did not need to be coercion or persuasion from Nazi sympathizers to know that continuing the war against the German army would have been militarily and politically suicidal. What was a more important priority to officials of the Third Republic was finding a way to retain French sovereignty and establish a new government that would rebuild France, a process that would be referred to as the "National Revolution."

Through this National Revolution, the newly formed Vichy regime would create a new "moral order" that would protect the French people in a vastly changing Europe by keeping French sovereignty through an extreme effort to appease the German government politically. On July 9, 1940, the French parliament voted 624 to 4 to revise the constitutional laws and grant full constitutional powers to Marshal Pétain, giving him the authority to carry out all executive, legislative, and judicial acts except for the declaration of war. With full governmental powers, Marshal Pétain set out to appease Germany by suppressing internal French resistance that could have disrupted the established polices of the Vichy regime or clashed with the German government.

To make French society fall in line and support the Germans, Pétain and the Vichy regime set out to create an attitude of anti-resistance. First, Pétain and the Vichy regime used propaganda and public forms of intimidation to prevent internal resistance against the Germans. In one extreme case, on August 21, 1941, a French communist resistance group killed a German naval cadet in the Barbes-Rochechouart metro station in Paris. In response to this murder, the Germans wanted the Vichy government to execute the six imprisoned communists. However, Vichy used the executions as a tool of intimidation against resistance groups and the French people by publicly guillotining the six communists. In other cases, the Information Ministry of Vichy forced media "blackouts" on newspapers and radio stations in order to control the media and hide Vichy's political and social actions from the public and French resistance groups. Many of these blacked-out stories were about the political cooperation the Vichy government was providing the German authorities, such as participating in the mass arrest of Jews and immigrants in French cities. The Information Ministry justified the media blackouts by informing the French media outlets that this blacked-out information had to be classified because leaking it to the public would jeopardize the new moral order that Pétain and the regime had established.

This "moral order," which was meant to create an attitude of anti-resistance, seemed to have been very effective, as there was very little French resistance against the Vichy regime or the Germans. The only notable resistance against the Vichy regime was from the Free French forces, a small but dedicated military force that saw the Vichy regime as a puppet government of the Germans and French traitors. But even this French resistance force was unable to convince French citizens of Vichy to join its ranks and liberate France from the Germans. On June 18, 1940, Charles de Gaulle, leader of the Free French resistance forces, gave a radio address to the French people attempting to persuade the citizenry to join the Free French forces in active resistance against the Germans. But by July, there were only 7,000 members of the Free French, and most of these members were Vichy outcasts, refugees, and French soldiers who fled with Charles de Gaulle and other Third Republic officials from France after the nation's military defeat. Further, most were citizens from the French North African colonies, not citizens from the Vichy region of France.

For this policy of appeasement to have been effectively implemented, the



Vichy regime needed to have support from the French people. For many French citizens, it was believed that supporting a policy of appeasement and cooperation with German demands would help France in two ways. First, it would allow France to keep its sovereignty and be free of German occupation. Second, a strong German presence in Europe would protect France from other foreign threats. Because the German army had spread so quickly throughout Europe, many French citizens believed that Germany would not only be victorious in the war against Britain but would also prevent the spread of communism into Western Europe. For their support in the German war effort, French citizens believed that Germany would create a new Europe in which France would be allowed independence and its culture protected from the growing threat of communism. Marshal Pétain and the Vichy regime's National Revolution succeeded because it played on the people's fear of German occupation and cultural corruption from outside influences. The National Revolution promised the French people a cultural revival that would be pure of foreign influences within a German-controlled Europe. This National Revolution not only promised a political reconstruction of France, but it also promised a racial reconstruction of French society.

In 1981 Michael R. Marrus's and Robert O. Paxton's, *Vichy France and the Jews* examined the timing and implementation of Vichy's racial policies to see if there was any coercion by German authorities to create and establish discriminatory laws against Jews in Vichy France. During the 1790s, France was the first European nation to extend full civil rights to Jews; but in just months of Vichy's establishment, foreign Jews and immigrants became the target of political and economic discrimination. In the summer of 1940, however, the German government was more concerned with the war against the British than enforcing anti-Semitic legislation in the unoccupied zone of France. With the German military forces occupied, it raises the question of who was enacting these discriminatory laws. Within the unoccupied zone of France, the heads of the Vichy regime wanted to advance their plan for the nation's cultural revival through the National Revolution. But prior to the German invasion of France, war refugees, foreign Jews, and immigrants from other European nations had migrated to France in order to escape from the Nazis. The heads of the Vichy regime believed that these foreigners would disrupt the nation's cultural revival and had to be removed quickly. Thus began a progressive set of legislation targeting immigrants and foreign Jews.

This discrimination started on July 22, 1940, when Marshall Pétain established a commission to review all naturalizations of immigrants and foreign workers who had become French citizens since 1927. The purpose of this review was to strip the citizenship of those found undesirable by the commission, mainly foreigners alleged to carry communist sympathies. Then a month later, on August 27, Vichy repealed the "*Merchandeau Law*," enacted in 1881, which outlawed any media attacks against "groups of persons who belong by origin to a particular race or religion, when it is intended to arouse hatred among citizens or residents." This action, in essence, legalized hate speech against Jews and immigrants. Many of these early laws targeted immigrants who had recently immigrated to France, but thereafter new laws started to target foreign Jews directly. On October 4, 1940, the "*Statut Des Juifs*" laws were enacted, allowing government agents to intern foreign Jews in "special camps" or send them to remote villages under police surveillance. Then, on October 7, the Vichy government repealed the "*Cremieux Decree*," of 1870, which had granted French citizenship to Algerian Jews.

As these xenophobic laws seem to contradict the perceived tolerant values of the French people, it was assumed that they must have been enforced by German authorities. But during the post-war trial of Raphael Alibert, Vichy's Minister of Justice who had authored the *Statut Des Juifs* laws, the court could not find any evidence of German orders or a paper trail enforcing these "racial" polices. So why did Vichy enact these racial laws and what purpose did they serve? The Vichy regime established these laws to prevent immigrants from entering the country and to intimidate refugees and immigrants already settled in France to leave the country. When the racial polices did not work as effectively as the regime had hoped they would, Vichy took direct action to rid France of foreigners. On July 5 Vichy sealed its borders to immigrants and Jewish refugees.

During Germany's implementation of the "Final Solution" in Europe, the only anti-Semitic legislation that Vichy refused to enforce was mandating its Jewish citizen to wear the Star of David on their clothes. But Vichy's refusal to enforce the Star of David legislation did not mean that Vichy wanted to protect all the Jews in France from Germany. The regime just wanted to protect native Jews from the Nazis, while keeping their authority and power to discriminate against foreign Jews. If the Star of David legislation had been enacted in Vichy France, it would have given the German government the

authority to deport native French Jews, whom the Vichy regime wanted to protect from the German concentration and extermination camps. What could explain this xenophobia within Vichy France? Was this xenophobia an isolated problem among the members of the Vichy regime or was it a prevalent problem in French society prior to the establishment of the Vichy regime?

Raya Cohen's article, "Liberty, Equality, Fraternity, But Not for All: France and the 'Alien' Jews, 1933-1942," and Michael R. Marrus's article, "Vichy before Vichy: Anti-Semitic Currents in France during the 1930s," examine the origins of French xenophobia and conclude that the xenophobia that occurred in Vichy France had been a product created in the aftermath of the First World War. Cohen and Marrus argue that political disruptions and an economic depression after the First World War created resentment toward foreign refugees and Jews during the last days of the Third Republic. After the First World War, refugees from many war-torn regions of Europe looked for a safe place to rebuild and start over with their lives. France became a haven for many of these refugees and Jews for several reasons. First, France had been accepting immigrants and refugees in order to replenish its depleted work force. Second, a large number of Jews moved to France from Germany, fearful of the Nazis who rose to power in Germany. The Nazis' increasing hostilities toward Jews, most evident in the Kristallnacht (The Night of Crystal) where the Nazis burned down 267 synagogues, murdered 91 Jews, and had 30,000 Jews imprisoned in concentration camps in November 1938, made many more Jews leave Germany for France.

The First World War had claimed the lives of nearly 4.5 million Frenchmen, which is known to the French as the "Lost Generation" because most of the soldiers who were killed were teenagers and young adults. These deaths greatly affected France's economy, as there was a shortage of young Frenchmen needed to replace the aging work force. France needed cheap labor to rebuild its economy, so the Third Republic accepted large numbers of immigrant workers and refugees who would work in the industrial factories or be recruited into the French Foreign Legion. Prior to the 1930s, it was estimated that more than a half million refugees came to France from Italy and Spain alone. Soon after, an additional 20,000 refugees and 30,000 Jews emigrated from Germany to escape the Nazis. But many of these immigrants and refugees were not granted full citizenship, making them second class



citizens without full rights and thereby prone to discrimination.

During the early 1930s, French political parties and interest groups started to pressure the Third Republic to enforce immigration laws because of growing economic and social fears. Leftist and extreme right-wing groups were divided on how to handle the immigration situation. Leftist political parties wanted to settle refugees in rural areas of France, keeping them out of the French political and commercial centers, to protect the industrial jobs of French workers. Meanwhile, the political right wanted to expel all the refugees from France, believing that the foreign Jews and refugees were a part of a Bolshevik scheme to overthrow the government.

Even though these political parties wanted "racial" legislation against foreigners, their influence was relatively minor in comparison to the size and clout of France's working class. France's working class wanted the Third Republic to pass "Economic Protectionism" legislation in order to protect their jobs from immigrant workers. Specifically, French workers' unions supported leftist political parties and candidates that wanted the government to restrict the number of refugees and immigrants allowed to immigrate to France and resettle foreigners to rural areas of France.

These unions received their first political victory in July 1934 by persuading the parliament to pass legislation that prevented non-native-born citizens from obtaining governmental positions prior to ten years of citizenship. Then, in August 1935, the Third Republic passed legislation allowing merchant and craftsmen unions to set employment quotas for "foreign workers." Soon after the establishment of the Nuremberg laws in Germany, France did not want to support the influx of fleeing Jews and refugees. Therefore, in May and November 1938, the government issued two more laws — one that prevented foreigners from entering France, and another that enabled the deportation of illegal refugees. Once the Vichy regime was established in France, this prior era of French xenophobia and the Third Republic's immigration policies greatly influenced Vichy's agenda to enact and enforce anti-racial and immigrant policies.

If French xenophobia and pressure from the worker unions led to the creation of the fascist Vichy regime, why can the French account of the Vichy regime ignore this prior period of French xenophobia? Zeev Sernhell, author of "Morphology of Fascism in France," indicates that Charles de Gaulle's declaration of Vichy as a foreign, or alien, entity allowed historians to create

an optimistic view of the French people in order to be "immune" to Vichy's actions during the war. Sternhell argues that many historians who support the "immunity" argument have inaccurately portrayed the French political state as being too democratic and well established in France's history, making it unsusceptible to the attractions of fascism.

To support this view of an immune France, many historians have compared the democratic establishments of the French and German governments. France's government structure, since the "*Declaration of the Rights of Man and of the Citizen*" in 1789, was steeped in republican virtues of government for around two hundred years. Germany's Weimar Republic, established in 1919 nearly fifty years after the unification of the German states, was a democracy in its infancy compared to France's aged democracy. This young democracy was ill-prepared to handle the extreme views of the Nazi party, allowing the Nazis to take advantage of the democratic process. The Nazis proceeded to gain control within the new republic by exploiting unfounded fears of Jews and other non-Germans pervading the government and German society. These historians assume that if a fascist party, like the Nazi party, had been in France during this time, it would have been nearly impossible for the party to have been elected democratically because the French people would have rejected the extremist views of the party and vote for a more democratic candidate or party. Consequently, the only way fascism could have taken control of the French government was through a foreign entity.

Sternhell argues that this is a very basic way to view the establishment of the Vichy regime because it looks for a specific entity or catalyst, like a French equivalent to the Nazis, that would have enforced fascist policies in France. This "immunity" view of Vichy ignores the basic cause of fascism in Germany and France: extreme nationalism. In an immunity interpretation of German Fascism, the interpretation would create the impression that the Nazi party (the catalyst) created or ignited German nationalism. But in actuality, German nationalism allowed the Nazi party to enact and enforce fascist policies. The same sort of nationalism allowed fascist policies to be enacted and enforced under the Vichy regime, the only difference being that Germany had a visible entity that personified the nation's extreme nationalism, the Nazis. France did not have a strong nationalist entity politically, but nationalistic views were widespread among the French people. As Cohen and

Marrus have specified, the French working class was a major influence in the Third Republic's decision to enact xenophobic laws against immigrants. And when these xenophobic laws were extended under the Vichy regime, there was no opposition from the French people.

On the other end of the spectrum, there is the argument that Vichy's collaborative and racial policies were perpetuated by traitors and through pressure from the German government. Michael Curtis's, *Verdict on Vichy; Power and Prejudice in the Vichy France Regime*, and Philippe Burrin's, *France under the Germans: Collaboration and Compromise*, view the "collaborators" argument advanced by writers like Paxton and Marrus as too general in condemning Vichy France. Specifically, Curtis and Burrin see this argument as being too general in its incrimination of the French people for being xenophobic and for willingly collaborating with Germany for their own personal gain. Curtis and Burrin want to make a distinction between the members of the Vichy regime and French society who favored accommodating German demands until the allied forces liberated France and those who collaborated willingly in support of the German war effort and Vichy's enactment of racial policies against foreigners. Curtis and Burrin also point out that in hindsight one can see how the four years under the Vichy regime had been a dark time in French history, but to those who had to choose between German occupation of France or accommodation, the latter seemed like the only safe option to choose.

When the French army was defeated during the Battle of France, the Third Republic's Prime Minister, Paul Reynaud, and Minister of War, Charles de Gaulle, wanted the army and government to retreat to the French colonies in North Africa and continue the war against Germany. But for Marshal Pétain and a French society that remembered the horrors of the First World War, which claimed the lives of 4.5 million Frenchmen and who witnessed the Battle of France claim another 125,000 lives and leave another 1.6 million French soldiers prisoners of war, there seemed little hope for victory against the German forces. Marshal Pétain, a national hero for defending France against the Germans in the First World War, and Maxime Weygand, France's Commander in Chief, believed that the Third Republic could not abandon its people and leave them in the hands of the enemy. Therefore, they proposed that an armistice with Germany was the only way to protect the French people and the nation's sovereignty.



On June 17, 1940, Pétain notified the public that he was ending the hostilities between Germany and France with an armistice. In the terms presented in the armistice, Pétain did agree to collaborate economically with Germany but would not have signed the armistice if Germany had wanted France to hand over the French navy or the North African colonies because it would have aided the German military against the allies. At his postwar trial in 1945, Pétain stated that by economically collaborating with Germany, he had used his power to “shield” the French people from German occupation and had secured the southern region of France so the Allied and Free French Forces could have an opportunity to invade and liberate France.

Based upon his statements during his post-war trial, Pétain tried to keep the level of French collaboration with the Germans to a minimum, but that was impossible because of the political pressures from within and outside the government. The main outside forces that pressured the Vichy regime were the French fascist groups that wanted power within the newly formed government. One group, the Parti Populaire Français (French Popular Party), led by Jacques Doriot with a membership of around 100,000 French citizens, was supportive of Vichy's racial legislation and wanted further collaboration with Germany. While similar fascist groups were also pressuring the Vichy regime for further collaborative efforts with Germany, the most influential German sympathizer was a member of Vichy's governing elite.

Pierre Laval, the Vice-Premier of the Vichy regime from July 1940 to August 1944, was one of France's most politically influential collaborators with Germany. Laval started his political career as a member of the French Socialist Party and had been the party's representative in parliament in 1903. After the First World War, Laval's political views changed dramatically, and he re-entered the Chamber of Deputies as a staunch conservative. Over the course of his political career in the Third Republic, he held several positions, including foreign minister and was prime minister in 1931-32 and 1935-36. As foreign minister, Laval worked closely with Britain's foreign secretary, Aristide Briand, to establish good relations with Germany and the Soviet Union. In October 1935, Laval joined with other foreign secretaries in an effort to appease Benito Mussolini after Italy's invasion of Ethiopia. Laval and the other secretaries secretly offered Mussolini two-thirds of the territory Italy had conquered in Ethiopia, as well as permission to enlarge existing colonies in East Africa, if Mussolini would end his invasion of Ethiopia. But

these secret meetings were leaked to the French press, which criticized Laval for trying to appease Mussolini and forced him to resign from office.

After his dismissal, Laval proceeded to build a commercial empire based on newspapers and radio and established a political relationship with Marshal Pétain. When Germany defeated the French army during the Battle of France, Laval used his media empire to draw public support for Pétain's armistice and the establishment of the Vichy regime in an attempt to have influential power within the new government. Once Vichy was established, Laval was named the vice-premier of France and Pétain's legal successor. As vice-premier, Laval used his position to influence the National Assembly into giving Pétain dictatorial powers, believing that he could easily persuade Pétain, and in essence, control the regime's policies.

During the first year of Vichy's establishment, Laval developed a close relationship with Otto Abetz, the German ambassador to France. Laval proposed to Abetz that France should form a military alliance with Germany. Once Laval's connection with German authorities was discovered, Pétain and other members of the government became concerned with Laval's actions and relationship with the German ambassador and had him arrested. When the German government found out about Laval's arrest, Abetz sent German troops to Vichy and forced Pétain to release Laval and have him taken to Paris under the protection of the German army. In 1942, during the implantation of the Final Solution, Abetz forced Pétain to make Laval the vice-premier of Vichy again, keeping a collaborator within the Vichy regime.

As Laval regained his power within Vichy, he set out to help the Germans in every way possible. Laval quickly started to aid the German war effort by drafting over 500,000 French workers into forced labor positions in German factories, which produced weapons and other military necessities. He also played an instrumental role in aiding the German implementation of the Final Solution in France as the government official who ordered the arrest and deportation of foreign Jews to the German concentration and extermination camps. Laval even went beyond the early efforts of the Nazis in the extermination of the Jews by forcing the German authorities to take 5,000 Jewish children to concentration and extermination camps, when the Germans were only taking non-French Jewish citizens above the age sixteen out of the Vichy sector of France. Although there were various individuals within the regime who were willing to collaborate with the Germans, some

French citizens actively resisted Vichy's racial policies and collaborative efforts with the Germans.

Susan Zuccotti's *The Holocaust, the French, and The Jews* and John F. Sweets's *Choices in Vichy France: The French under Nazi Occupation* describe the various resistance groups that opposed the Vichy regime and its racial policies, and the types of resistance that occurred in Vichy France. At first, many French citizens supported Marshal Pétain and the Vichy regime because the armistice had kept the Germans from occupying southern France. But quickly, citizens started to resent the regime because it could not provide for the people's basic needs. The effort to accommodate the German demands for food and other war supplies kept the Germans out of the Vichy region of France, but made life hard for the average citizen. Jobs were scarce and food was in short supply for most French families. By the fall of 1943, about 50 percent of all France's industrial and agricultural production was going to Germany, and hundreds of thousands of French citizens were being forced to work in German factories. Because Pétain and the Vichy regime could not support the people's needs for food and jobs, they quickly lost legitimacy with the French people.

Others actively opposed Vichy's racial policies among the French media and the Jewish rescue organizations. The French communist paper, *L'Humanite* (Humanity), on multiple occasions printed stories the Information Ministry wanted to black out, such as the mass arrest of Jews by the French police. Many of the stories printed by papers such as *L'Humanite* made many French citizens aware of the regime's actions toward Jews. After reading these stories, some Vichy citizens decided to help protect their Jews from the regime. There were various rescue organizations formed by Jews in France and around Europe that protected Jews during the implementation of the Final Solution from the French and German authorities. For example, two Jewish rescue groups, the Service Andre and the Maurice Cachoud Group, hid over a thousand Jews from the German and French police squads in small, rural towns, such as the village of La Chambon-sur-Lignon.

In addition to active resistance in the French media and from rescue groups, some individuals sympathized with their Jewish neighbors and helped make their lives more bearable under Vichy's racial laws. From interviews and collected accounts from Vichy citizens, Zuccotti describes citizens who helped their Jewish neighbors, such as sympathetic shopkeepers who let their



Jewish neighbors go to the front of long shopping lines so that they could get home before the established curfew. Other French citizens risked their lives protecting the identities of Jews from Vichy authorities. For example, during the implementation of the Final Solution in Vichy France, farmers hid Jews from the French police and German roundup squads. After the allies defeated Germany, it was calculated that 76 per cent percent of the approximate 330,000 Jewish citizens of France had survived the war because of the combined efforts of the Jewish rescue organizations and the individuals who risked their lives to protect Jews from Vichy and German authorities.

Both perspectives of this Vichy argument present compelling views on the Vichy regime and the French people, but these arguments alone do not explain all the details of these four dark years. It can be accepted that the collaboration argument of Paxton, Marrus, and Cohen, is too general in its accusations that incriminates everyone in French society as willingly wanting to collaborate and support the German war effort. Conversely, the accommodation argument brought up by writers such as Burrin and Curtis ignores the xenophobia present in French society during the Third Republic or depicts it as an isolated issue among radical political groups. Together, these divided perspectives can provide real insight into French society and the policies of the Vichy regime.

Was the establishment of Vichy a lesser evil than continuing the war with Germany? In hindsight, we already know the consequences of the French people's willingness to propose an armistice with Germany. But for many French citizens and politicians, the surprising defeat of the French army shook the foundations of French society to its core. With the Germans on the march, it seemed impossible for the British army to defeat the advancing German forces. Therefore, instead of fighting a losing battle, it seemed that the best possible course to take was to save their nation's sovereignty and avoid occupation by German forces.

It seems hard to believe that politicians like Marshal Pétain and Weygand, who had fought to defend France from Germany in the First World War, would willingly collaborate with Germany for personal gain. Other Third Republic officials who agreed with Pétain's armistice and National Revolution probably wanted to protect the citizenry from the German forces and saw accommodation as the only way to protect the French people and the nation's sovereignty. By fleeing to the North African colonies, the French

government and army could have continued the war against the German forces, but they would have been leaving their French citizens in the grasp of German occupation forces. Germany already had around 1.6 million French soldiers held prisoners of war and had three-fifths of France under occupation by the summer of 1940. If the Germans had occupied the rest of France, would they have blackmailed the French government into ending the war with threats of retribution against the French people? This could have been one of the consequences that Marshal Pétain and other members of the Third Republic believed would happen if the government were to flee the country in order to continue the war.

The problem with accommodating German demands was that there was no way for Pétain or any other Vichy official to have kept Vichy France an independent, or unoccupied, nation in the event of allied advances against Germany or German victory over the allied forces. When allied forces gained control of Northern Africa in 1942 and were preparing to invade Italy, Germany violated the 1940 armistice and invaded Vichy France on November 10, 1942, occupying all of France until the liberation of France by allied forces in 1944. On the other hand, if Germany had defeated the allied powers, who or what would have prevented Germany from occupying France after the war?

But in either case of accommodation or collaboration, the French people increased Germany's chances of winning the war against the allies. The armistice helped Germany in three ways. First, it kept France out of the war. Second, as Zuccotti pointed out, France helped the German war effort by contributing up to 50 percent of their industrial and agricultural production, and the work drafts forced hundreds of thousands of Frenchmen to work in German war factories to produce military goods for the German army. Third, the establishment of Vichy allowed Germany to conserve military resources that would have been required if there had been a German effort to occupy the entire French nation.

Was there pressure from the German government or Nazi sympathizers within Vichy that coerced Vichy officials into collaborating with the Germany? In most cases, there is very little evidence to show coercion on the part of German authorities to force the Vichy elite to enact racial legislation or economic collaboration in the unoccupied region of France. Many of Vichy's politicians were willing to accommodate the economic demands of

Germany in exchange for sovereignty. But this sovereignty meant that the German government did not try to enforce or influence Vichy's policies. Therefore, Vichy's racial and anti-resistance policies were a creation of Vichy alone and were meant to accomplish the nationalistic goals of Vichy's elite.

It can be shown that there were Nazi sympathizers within the Vichy government, but not to the extent that the historians who support the accommodation argument would lead one to believe. If there needs to be a poster child of Nazi sympathizers, it would have to be Pierre Laval. Laval saw the establishment of the Vichy regime as an opportunity not only to gain political power within Vichy but to establish a political and military relationship between France and Germany. Once Laval got too close with his German contacts, Pétain tried to regain control of his government by having Laval arrested. But when German authorities found out about Laval's arrest, they quickly reprimanded Pétain and reinstalled their insider to keep the Vichy regime under their thumb. The Vichy government under Laval helped Germany's war effort with the forced labor of French citizens and the implementation of the Final Solution in France by sending large numbers of foreign Jews and their children to the extermination camps in Poland.

France had one of the largest percentages of Jewish populations to survive the Holocaust. Nearly 76 percent of France's 330,000 Jewish citizens survived the war, but this percentage can be misleading. How does this percentage compare to other nations affected by the Holocaust? In comparison to countries that were fully occupied by the German forces like Poland, or especially in the case of the Netherlands where only 5 percent of the Jewish population survived the war, France lost a quarter of its Jewish population not from German intervention, but largely from its own laws and actions. The large portion of the Jews who survived the Holocaust in Vichy were native French Jews, not foreign Jews. This is evident from the fact that Vichy's racial laws, especially in the decision not to enforce the Star of David legislation, segregated foreign Jews from native Jews. These laws protected native Jews from German authorities and military, while making foreign Jews an easy and open target for French and German roundup squads.

Many Jews owe their lives to those who had the courage and were willing to risk their lives to protect them. But many of the organizations that helped save Jews, like Service Andre and the Maurice Cachoud Group, were Jewish organizations, not French organizations. Many French citizens did not help



foreigners because they were more concerned with their own problems, such as food shortages and finding work. Another reason why French citizens did not care about the problems of immigrants was that most French citizens resented foreigners in their country and wanted them out. The French working class had wanted and won economic protectionism legislation to protect their jobs from immigrants during the Third Republic, and this attitude of resentment toward foreigners did not change in the transition over to the Vichy regime. While some French citizens were willing to help their Jewish neighbors, these stories are mostly undocumented and in short supply.

Was French society xenophobic? It is reasonable to believe that Vichy and the French society were both guilty of xenophobia. Marshal Pétain and other members of Vichy established their regime to appease Germany in order to keep the nation's sovereignty after what they believed would be German victory in Europe. To keep order within this sovereignty, the heads of Vichy wanted to rebuild France by getting rid of supposed threats, such as foreigners who were alleged to spread communism within France or take jobs away from the French people. But this xenophobia was not isolated with just the members of the Vichy government. The regime had been encouraged by the French people to carry out these racial policies. Vichy's racial policies were a continuation of the racial policies established during the Third Republic and became progressively more xenophobic under the Vichy regime. This xenophobia did not extend from just politically fascist or racist groups but came from the cries for economic protectionism from the large French working class. For the French politicians and people, Vichy became an opportunity to rebuild France without foreigners.

The arguments of Vichy collaboration or accommodation are just two of the many perspectives on the actions of the French people during the Second World War, but these perspectives show just how divided interpretations of Vichy France can be. However, both perspectives share one base assumption: Vichy was a French entity, not an alien enigma that was outside the control of the French people. The events that took place in Vichy provide an interesting case study of human behavior. Vichy was a reaction, and representation, of the political and social changes that were occurring in France. France once had a society that accepted immigrants into their country when other European nations would not. But France had become politically, socially, and economically chaotic. In this chaotic period, immigrants and refugees became

easy scapegoats for the French people to blame their problems on. This xenophobia led to discrimination and the tragic deaths of French citizens who were seen as outsiders and threats to the creation of a pure French state.

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## Interracial Adoption in the 1950s: Welcome House and Pearl S. Buck's Activism to Instill Parental Love

BY MATTHEW ARENDS

In 1951 "David W." had already celebrated his first birthday in foster care and was six months away from celebrating his second, still without a permanent, loving family. As part of the ever-growing number of unwanted children in post-World War II United States, David had spent his life in foster care. The oversight agency handling the boy's adoption faced difficulties in placing him because of his unknown paternal background. Originally, the agency believed that he was of Puerto Rican descent; however, the staff advised his caretakers to continue his foster care because they suspected that his complexion would become darker in the near future.

As time passed, David's doctors agreed that he was not developing "Negroid" characteristics, but they could not agree how to describe his coloring to potential parents. If he was placed with a "Negro" adoption agency, his chances of finding a family plummeted. Each doctor described him differently. Some thought he was very skinny or chiseled, while others referred to his little body as full. They argued whether his physique was due to his ethnicity or to the economic factors that affected his eating habits. David could even be described as Mediterranean, depending on the ethnicity of potential parents. The doctors knew it was important to describe him correctly because physical features would prove to be the most important factor in finding him a home. If they described the child as too ethnic, they believed that his new parents could fear he would be unable to assimilate. While the doctors discussed and fought over potential parents and descriptions, David waited for a family to adopt him. The caretakers overseeing his placement worried so much about his ethnicity that they did not believe a family would adopt the young child based solely on love if they were given the chance.<sup>1</sup>

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<sup>1</sup> This story is based on a discussion of a child in foster care and the problems of matching during a seminar given by Dr. Viola Bernard at Columbia University. See, "Placing Children of Unknown Background and the Problem of Matching, 1951," Minutes of Dr. Bernard seminar, March 6, 1951, Viola W. Bernard Papers, Box 161, Folder 5, Archives and Special Collections, Augustus C. Long

## *Interracial Adoption in the 1950s*

In the early 1950s, children like David spent many years in foster homes waiting to be adopted by parents who matched their religion, race, and ethnicity. The idea of matching dominated adoption beliefs until 1949, when author Pearl S. Buck established Welcome House, a program that ignored matching race and religion in order to place children in loving homes. Despite attacks from critics of transracial adoption and the unreadiness of many Americans to accept multicultural families in the 1940s and 1950s, Buck worked tirelessly to promote the merits of transracial adoption. The establishment of Welcome House was extremely important to the welfare of African American children and others of mixed parental backgrounds because it increased their chances of finding them a permanent family. Buck believed that children and their adoptive parents could create a household based on love regardless of whether the child and parents “matched.”

Buck’s childhood and experiences in foreign lands during times of crisis, such as the Boxer Rebellion, helped shape her beliefs of racial equality. Through Buck’s work in Welcome House, The Pearl S. Buck Foundation, and her numerous writings, the activist/author was able to help mixed race orphans in the United States and abroad find loving families, regardless of whether their ethnicities or religious backgrounds matched those of the adoptive parents. While not all Americans celebrated Buck’s humanitarian work, attacks from the political right wing and accusations of communist sympathy by the FBI did not stop Pearl S. Buck from helping the world’s orphans find loving homes.

This paper examines how Pearl S. Buck fought for transracial adoption and examines her work in helping African American orphans, as well as children of “mixed backgrounds,” find permanent homes. The paper uses various primary sources written by Pearl S. Buck, including *Reader’s Digest*, *Ebony*, and various monographs, to explain her philosophy on adoption. Some of Buck’s personal letters are also available through the FBI’s Freedom of Information-Privacy Act and the Adoption History Project. Through these sources, I explain the problems faced by mixed-raced orphans in the early post-World War II era and Buck’s solutions to these problems. I also assess

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Library, Columbia University. As accessed on *The Adoption Project*,  
<http://darkwing.uoregon.edu/~adoption/archive/CACPCUBPM.htm>. (Accessed on Oct. 3, 2006).

the work of Pearl S. Buck's foundations and the attacks she faced from the FBI and other critics.

An abundance of secondary literature exists that covers the history of transracial adoption in the United States, as well as current issues in transracial adoption in the United States and abroad. Much of this literature tries to explain how transracial adoption took shape and how the public accepted it. Because this paper deals with the topic of Pearl S. Buck's influence on the acceptance of transracial adoptions in the United States directly following the end of World War II, the study of transracial adoption by Laura Briggs has been very helpful.<sup>2</sup> Briggs's article cites the different ways that Americans were bombarded with images of orphans in war-torn countries and how these images affected the public view of transracial adoption. Briggs devotes a section of her article to Pearl S. Buck and Welcome House. However, she does not do Buck justice because she fails to characterize her work as the most important factor in the acceptance and increase of transracial adoptions in the United States in the 1950s and 1960s. Other texts ignore Buck's contributions altogether or state that the first transracial adoption agency was created in Quebec, Canada, in 1960.<sup>3</sup> Finally, the secondary literature devoted to Pearl S. Buck's life primarily focuses on her literary career, not her humanitarian work.<sup>4</sup>

### **American Adoption Practices: Before Welcome House**

In 1949, when Pearl S. Buck created Welcome House, the adoption movement followed the idea of matching. The practice of matching kept children like David W. from finding a family to love him. The idea of matching meant that a child's adoptive parents should closely resemble or match the child's original parents as much as possible. Adoption agencies hoped to match the child's "physical, emotional, intellectual, racial, and

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<sup>2</sup> Laura Briggs, "Mother, Child, Race, Nation: The Visual Iconography of Rescue and the Politics of Transnational and Transracial Adoption," *Gender & History*, Vol. 15 (August 2003): 179-200.

<sup>3</sup> The Open Door Society was established in 1960, eleven years after Welcome House. Rita J. Simon and Howard Altstein, *Adoption across Borders: Serving the Children in Transracial and Intercountry Adoptions* (Lanham: Rowman & Littlefield Publishers, Inc, 2000), 1, and Ruth G. McRoy and Louis A. Zurcher, *Transracial and Inracial Adoptees: The Adolescent Years* (Springfield: Charles C. Thomas Publisher, 1983), 4.

<sup>4</sup> Peter Conn, *Pearl S. Buck: A Cultural Biography* (New York: Cambridge University Press, 1996), and Paula A. Doyle, *Pearl S. Buck* (New York: Twayne Publishers, Inc., 1965), 148-149.



religious” characteristics in hopes of making the transition as easy as possible for child and parents.<sup>5</sup> This idea, however, kept many children from being adopted because of differences in skin color, religion, or even eye color. The idea of matching dominated adoption agencies and was pushed by powerful organizations such as the Child Welfare League, which Pearl S. Buck would fall into great conflict with over the issue.

The state controlled adoption laws. Although the law required only religious matching in the 1940s and 1950s, the structure of adoption laws allowed factors such as race to be taken into consideration when placing a child.<sup>6</sup> This practice allowed adoption agencies to ignore the constitutional rights of American citizens based on race or ethnicity. The merit of matching was enforced in 1907 with the court case of *Purinton v. Jamrock*. In this case, the court seriously considered taking away Kate Jamrock from her foster parents because she came from a Catholic background unlike her Protestant foster parents.<sup>7</sup> Though ultimately Kate was allowed to stay with her foster parents, this case set the tone for additional cases and expressed the importance of religious matching.

Matching did not give most children without families a chance for quick adoption. The children who filled adoption agencies did not resemble the white Anglo-Saxon Protestant Americans who were looking to adopt them. Before 1945, the adoption of African American children was so infrequent that they were put in the same category as special needs children and orphans suffering from mental retardation. By mid-century, approximately 50,000 African American children needed homes. Because of matching and the small number of African American parents seeking adoption, these children remained parentless.<sup>8</sup> For many of the African American children, the only viable option was transracial adoption.

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<sup>5</sup> Rita J. Simon and Howard Altstein, *Adoption, Race, and Identity: From Infancy through Adolescence* (New York: Praeger, 1992), 2.

<sup>6</sup> “Matching,” *The Adoption Project*, <http://darkwing.uoregon.edu/~adoption/topics/matching.html> (Accessed on Oct. 3, 2006).

<sup>7</sup> “*Purinton v. Jamrock*,” 1907, 195 Massachusetts Reports 189-190, 194-196, 199-201 As accessed on *The Adoption Project*, <http://darkwing.uoregon.edu/~adoption/archive/PurintonvJamrock.htm> (Accessed on Oct. 3, 2006).

<sup>8</sup> “African American Adoptions,” *The Adoption Project*, <http://darkwing.uoregon.edu/~adoption/topics/AfricanAmerican.htm> (Accessed on Oct. 3, 2006).

At the end of World War II, African American and mixed-race orphans in the United States joined children around the world in needing permanent homes. World War II left thousands of orphans in Europe and Asia, and many American soldiers stationed in these areas fathered children with no intention of parenting or helping the mother. These children would not be accepted by their motherlands because of their mixed race. They also were ignored by the United States for the same reason. Placed in overcrowded orphanages, many children died from starvation, poor health, or negligence.<sup>9</sup> Fortunately, Pearl S. Buck and the new idea of transracial adoption would help many of these mixed-race children.

The growing number of unwanted children at home and abroad gave Buck reason to look into the quality of the American adoption agencies. Her research suggested that American adoption agencies were not able to deal with such a problem. Pearl S. Buck's book, *Children for Adoption*, analyzed the Catholic, Protestant, and Jewish adoption agencies of the 1950s and early 1960s and exposed their flaws. The Catholic agency Buck analyzed charged 11.5 percent of a couple's annual salary to adopt a child and only allowed Catholic families to adopt Catholic orphans. Potential parents were also required to wait two years after marriage before adopting a child and wait at least two additional years before adopting a second child, depending on the agency. Unlike the Catholic agencies, the Jewish adoption agencies allowed children to be adopted by all families regardless of their religion and ethnicity. The Jewish agencies also did not require that their families "match" the orphans as the Catholic agencies did. However, potential parents were required to raise their children Jewish even if they were not practicing Jews. Protestant agencies also had problems. Many children from Protestant adoption agencies suffered from malnutrition. The Protestant agencies also required that potential parents wait a minimum of five years after marriage before adopting a child and be of the same race as the child they planned to adopt. All of these agencies faced difficulty with placing African American children because of their endorsement of matching or religious restrictions.

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<sup>9</sup> Pearl S. Buck, "Should White Parents Adopt Brown Babies?: Noted author implores friends everywhere to open their hearts and homes to mixed blood," *Ebony*, June 1958, 26-30.

The typical adoption agency of the 1950s and 1960s created barriers between children and their potential parents, a reality that Buck set out to change.<sup>10</sup>

### **Pearl S. Buck's Early Life**

Pearl Sydendensticker Buck was born on June 26, 1892, in Hillsboro, West Virginia. Early in Pearl's life, her parents (Absalom and Caroline) traveled to China to work as missionaries; they remained there until Pearl reached adolescence. China became Buck's second home and gave her the opportunity to live as a minority among different races and religions. While in China, Pearl's parents adopted a Chinese girl, Ts'ai Yün. During this time, Buck also saw the devastation of the poor, as she experienced the violence of the Boxer Rebellion and later revolutions.<sup>11</sup> As a result, Buck gained a respect and compassion for the Chinese culture.

Pearl married Lossing Buck in 1917 and bore their first child, Carol, in 1921. The child suffered from Phenylketonuria (PKU), a genetic disorder that can cause mental retardation. After the death of her first husband and a hysterectomy, Pearl and her second husband, Richard Walsh, adopted two Caucasian boys. Later, they adopted four children of mixed-race parentage from Europe, Asia, and the United States. Between 1930 and her death in 1972, Buck wrote many best-selling novels, including *The Good Earth*, for which she received the Pulitzer Prize in 1932.<sup>12</sup> The fame and fortune that Buck received from her acclaimed writing allowed her time to fight for causes that she truly believed in.

With the number of unwanted children growing and a lack of real solutions created by the community, adoption agencies, and state governments, Buck took it upon herself to create the change needed — that is, to establish Welcome House. As a well-known advocate of adoption, Buck was contacted by an adoption agency about a child for whom they could not find a home. The child, Robbie, the result of a love affair between an Indian man and a white missionary woman spending time in India, was placed for adoption because his parents did not want him. Because Buck thought she

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<sup>10</sup> Pearl S. Buck, *Children for Adoption* (New York: Random House, 1964), 92-124.

<sup>11</sup> Pearl S. Buck, *My Several Worlds* (New York: John Day Company, 1954), 5-33.

<sup>12</sup> "Pearl S. Buck (1892-1973)," *The Adoption Project*, <http://darkwing.uoregon.edu/~adoption/people/buck.html> (Accessed Oct. 3, 2006)



was too old to adopt Robbie, she made it her job to find a placement for him. Because of the fear that Robbie would be placed into a "Negro" orphanage, Buck agreed to be Robbie's foster parent until she could find a permanent home for him. Buck felt that it would be a "[p]ity to put the burden of prejudice on a little boy if he could escape it."<sup>13</sup> Within five days of receiving the child, another baby, Peter, was sent to Buck. Peter's story was much like Robbie's: he was the result of a love story between a Chinese man and a white American student studying abroad. Peter was born in America but was then sent to an orphanage because of his mixed race.<sup>14</sup>

As described in her *Reader's Digest* article, Buck believed that some caring couple would want these two beautiful children, and she began looking for potential parents in her Pennsylvania neighborhood. Buck promptly proved the adoption agency wrong when she quickly found happy homes for the two orphans within her own neighborhood. That experience made Buck realize that orphanage policies discouraged the possibilities of connecting loving parents with adoptive children. To fix these problems associated with matching, Pearl S. Buck created Welcome House, which would place orphan mixed-race children through transracial adoption on the premise of love.

### Welcome House

Welcome House began as a large farmhouse next to Buck's home. Purchased with the help of Buck family friends, the facility was not an official agency; rather, it was an extension of her home. In the first year, Buck found adoptive homes for nine children, all of mixed backgrounds. With the help of local citizens, she created a board of directors and wrote a formal application to the State of Pennsylvania to create a private adoption agency. In 1949 Welcome House received its charter to place children of mixed races born in America and became an adoption agency like no other in the country. Two social workers and an additional two workers were hired to take care of the business aspect of the agency.<sup>15</sup>

As Welcome House began to gain more attention from families within Pennsylvania and throughout the country, there were more potential parents

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<sup>13</sup> Pearl S. Buck, "Welcome House," *Readers Digest*, July 1958, 46.

<sup>14</sup> Pearl S. Buck, "Welcome House," 46-47.

<sup>15</sup> Buck, *Children for Adoption*, 83-88.

than available children. This was fine with Welcome House because Buck's original goal was to change the adoption industry as a whole, which would allow Welcome House to close. In spite of this, Buck and Welcome House took this opportunity to expand their charter and allow for Welcome House to specialize in additional children that other adoption agencies had trouble placing. As the mother of a child with PKU, Pearl S. Buck felt obligated to help children with physical or mental handicaps find loving homes. Welcome House proved to Buck that matching was not imperative to the happiness of adoptive families, but rather that love would prevail over prejudice.<sup>16</sup>

Although child placement within loving homes remained a Welcome House priority, Buck also pursued a more global agenda in seeking better international relations between the United States and Asia. As an American who had lived in Asia for much of her life, Buck saw that both countries had much to offer each other. Many activists such as Buck saw the bridge connecting China and the United States falling apart because of the rise of power of the Communist Party in 1949, Chinese aid to Korea against the United States military, and the United States's lack of cooperation with Chinese nationalist independence movements.<sup>17</sup> Directly after World War II, the United States paid little attention to Asian countries. Foreign aid to Asian countries was also very low because the United States based aid "on a Cold War calculus," ignoring human needs if their governments were communist.<sup>18</sup>

Buck felt that the adoption of orphans of mixed American and Chinese parentage would improve relations between the United States and China. She believed that if American families adopted half-Chinese children, they would see the commonalities between cultures and have more of a desire to be friendly with Asian nations. If Americans gained a sense of Chinese identity, they would not concentrate on the different problems faced by China and other Asian countries and would lend aid or intervene. They would invest more time and effort in Asian foreign policy than the usual European foreign policy.<sup>19</sup>

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<sup>16</sup> Buck, *Children for Adoption*, 88-90.

<sup>17</sup> Christina Klein, *Cold War Orientalism: Asia in the Middlebrow Imagination, 1945-1961* (Berkeley: University of California Press, 2003), 143-144.

<sup>18</sup> Conn, *Pearl S. Buck*, 307.

<sup>19</sup> Klein, *Cold War Orientalism*, 145.

As well as creating a solution for the fissure between Asian countries and the United States in the late 1940s and early 1950s, Welcome House and transracial adoption were also seen as ways to fight the ever-growing problem of combating communism around the world. From a young age, Buck saw how revolutionaries hurt China. She saw how they hated Westerners for the years of oppression they had caused them. Buck believed that communism was not right for China and that the United States needed to become involved in Asian foreign policy to combat it. Yet Buck also witnessed the communist witch hunts in the country and openly stated that nations around the world saw our extreme measures as both foolish and oppressive.<sup>20</sup>

Welcome House was also a way to fight America's racial prejudices. Buck's anger toward America's lack of equal rights for all men, women, and children, as well as American prejudices, was well documented in many of her novels, such as *The Angry Wife*; however, Welcome House was her first real solution to the problem.<sup>21</sup> Welcome House allowed all children regardless of race, religion, or ethnicity an equal opportunity to find a loving family. Welcome House provided African American orphans with opportunities not available through "Negro" orphanages. Transracial adoption placed children with families based on the sole idea of love rather than what Buck considered to be the unimportant factors of racial and ethnic matching. Buck proposed that integrating children of color into white communities increased America's tolerance and acceptance of African American and mixed-race children as their equals. Buck expressed these feelings when she said, "So I can dream of a day when childless parents will take a child for their own, without caring what the color of skin may be. On that day prejudice will really be ended and the ultimate reach of love achieved."<sup>22</sup>

The solution to the problem of the unwanted child, as Buck saw it, was the community. Welcome House offered the community a chance to take responsibility for all of their unwanted citizens. As Buck stated in her book, *Children for Adoption*, "The community must assume responsibility for each child within its confines. Not one must be neglected, whatever his conditions. The community must see that every child gets the advantages and

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<sup>20</sup> Conn, *Pearl S. Buck*, 317.

<sup>21</sup> Conn, *Pearl S. Buck*, 305.

<sup>22</sup> Buck, *Welcome House*, 50.



opportunities which are due to him as a citizen and as a human being."<sup>23</sup> Welcome House placed the responsibility of saving orphans on community members.

Buck felt that community members must be observant of families in their neighborhoods, become aware of the problems within each of these families, and intervene in family dynamics when necessary. Her research showed that taking children out of their biological homes should be a last resort solution. Adoption should always be the last option for children because of the potential problems it caused them and their families in the future.<sup>24</sup> The drain that unwanted citizens have on society is the fault of the community they grew up in. Buck noted, however, that "[t]he final punishment is always on the child."<sup>25</sup>

### **The Pearl S. Buck Foundation**

As the number of parents seeking children of mixed backgrounds in the United States increased, Pearl S. Buck furthered the idea of community responsibility to a global scale with the creation of the Pearl S. Buck Foundation. After World War II, a large number of children with mixed ancestry lived in countries all over the Pacific; typically, fathers were American citizens (usually connected to the military) and mothers were Asian. Because these children were not born in the United States, they were not American citizens. Cultural mandates forced them to live in poor Asian orphanages. These children were not accepted by their American soldier fathers and were ignored by their Asian mothers because of the discrimination against "half breed" children in Asian countries. Because neither the American nor the Japanese government would take responsibility for protecting and helping these children, Buck took it upon herself to create an organization that would give these children a better way of life.<sup>26</sup>

The Pearl S. Buck Foundation was established in February 1964. Buck asked Ted Harris, who had many years of experience in transracial adoption through Welcome House, to be the president. She assumed the position of

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<sup>23</sup> Buck, *Children for Adoption*, 70.

<sup>24</sup> Buck, *Children for Adoption*, 71.

<sup>25</sup> Buck, *Children for Adoption*, 75.

<sup>26</sup> Conn, *Pearl S. Buck*, 360.

chairman, and a local lawyer was consulted as the legal counsel. However, many of the original Welcome House members did not agree with Buck's new direction. In her defense, Buck stated, "After fifteen years in the field of lost and needy children I am convinced that the most needy in the world are the children born in Asia whose mothers are Asian but whose fathers are American."<sup>27</sup> Buck created a high-profile board for her foundation, including a number of politicians and celebrities such as former president Dwight D. Eisenhower, actress Joan Crawford, and Senator Robert F. Kennedy, to popularize her new foundation and its goal. Buck worked tirelessly to promote her new organization, traveling around the country throwing lavish balls in an attempt to raise money for her cause. Critics charged that the foundation did not filter enough of the raised funds to Asia, keeping the money instead for its American headquarters.<sup>28</sup> Despite the critics and lack of funds, Buck pushed on, spending much of her own money to open offices in South Korea (1965), Okinawa and Taiwan (1967), the Philippines and Thailand (1968), and finally South Vietnam (1970).<sup>29</sup>

Buck's greatest strength for drawing America's attention to the problem was through her writing. In 1963 Buck published *Welcome Child*, a children's book filled with images of a young Korean girl named Kim. Through the help of Welcome House, Kim joined an American family through adoption. The book follows Kim's journey of assimilation into American society. Kim learned to love her new white parents and brothers and showed that she was extremely capable of excelling in the American school system and getting along with her white classmates. Kim even became a respected member of the family's Christian church. Moreover, the community accepted Kim as its own member and allowed her to gain her citizenship.<sup>30</sup>

Buck's book, *Welcome Child*, served many purposes. It helped adopted children feel more comfortable in American society and white children be more accepting of their adopted siblings. It also helped adults see the possibility of adopting a child from another country. The text showed families how easily children were able to assimilate into American culture and

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<sup>27</sup> Conn, *Pearl S. Buck*, 355.

<sup>28</sup> Conn, *Pearl S. Buck*, 357.

<sup>29</sup> Conn, *Pearl S. Buck*, 359.

<sup>30</sup> Pearl S. Buck, *Welcome Child* (New York: The John Day Company, 1963), 10-93.

live happy lives. The photographs throughout *Welcome Child* (taken by Alan D. Haas) document a happy, carefree Kim in the arms of her new American parents. These images are in great contrast with photos of poor sick children throughout war-torn Asia and illustrate how children could be "saved."

### **Buck's Work in Publications**

Buck promoted Welcome House and the foundations in numerous magazines and other publications. Many of Buck's original stories and essays had appeared in *Asia Magazine* in the mid-1920s. Through this magazine, Buck stressed the need for American and Asian countries to work together. As World War II came to a close, many Americans became less interested in Asian countries and forced *Asia Magazine* to publish its last issue in 1946.<sup>31</sup> Yet the demise of *Asia Magazine* did not slow down Buck. She regularly contributed articles and columns to a diverse group of American magazines, including *Women's Home Companion*, *Today's Health*, *Reader's Digest*, and *Ebony*.

Buck brought the problems of adoption into the homes of American women through her 1955 article, "The Children Waiting: The Shocking Scandal of Adoption," in *Woman's Home Companion*. The magazine gave Buck a large audience of white middle-class women who may not have been aware of Welcome House or the issues of transracial adoption. Buck expressed two key issues in the article. First, she attacked the idea of matching and the Child Welfare League for creating the "red tape of adoption procedures."<sup>32</sup> Second, she expressed the need for nonreligious adoption agencies to create equal processes so that all orphans could be adopted in a timely manner. This article was important because it spoke to the women who would be potential adoptive parents as well as donors to Buck's organizations.

Buck continued her influence by writing in magazines such as *Ebony*, which allowed Buck to reach the African American audience. This was extremely important because of the exceptionally low numbers of African

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<sup>31</sup> Conn, *Pearl S. Buck*, 304.

<sup>32</sup> Pearl S. Buck, "The Children Waiting: The Shocking Scandal of Adoption," *Woman's Home Companion*, (September 1955): 33, 129-132.  
<http://darkwing.uoregon.edu/~adoption/archive/BuckTCW.htm>. (Accessed on Sept. 26, 2006).



American parents adopting African American or mixed-race children in the post-World War II period. In her article, "Should White Parents Adopt Brown Babies?" Buck stated that many mixed-race Asian children were finding homes, yet many mixed-race African American children were not. This article was a call for African American families to take up the community's responsibility by becoming active in the adoption movement and transracial adoption. In addition, the article also focused on white Americans. The title of the article alone—"Should White Parents Adopt Brown Babies?"—poses the question to white families and later expresses the positives of doing so.<sup>33</sup> Buck longed for a time where parents adopted children based on love, ignoring skin color or ethnicity. She wrote about her own experiences of adopting an African American child and how the child flourished because her society accepted her. Buck emphasizes that children's temperament should be the only characteristic matched to the family and that focus on race or religion hurts many children's chances of finding happy homes.

In a 1972 article published in *Today's Health*, Buck discussed the benefits to African American children who are adopted by white families, arguing that the family would enjoy a bicultural understanding. Just as Buck had an understanding of both American and Asian society, this biculturalism would help Americans become more egalitarian and tolerant. Families would also benefit greatly from having a child of a different race and in return care more deeply for the world they lived in as a whole.<sup>34</sup>

### Attacks on Buck

Buck's humanitarian work with Welcome House and the Pearl S. Buck Foundation helped countless orphans and families, but it also created enemies and many harsh critics. Buck's attacks on the operation of adoption agencies in the United States and abroad after World War II in speeches and publications such as *Woman's Home Companion* created tension between Buck and the Child Welfare League. In response, Joseph H. Reid, Executive

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<sup>33</sup> Pearl S. Buck, "Should White Parents Adopt Brown Babies?," 26-31.

<sup>34</sup> Pearl S. Buck, "I Am the Better Woman for Having Two Black Children," (*Today's Health*): January 1972, 21-22, 64. <http://darkwing.uoregon.edu/~adoption/archive/BuckIBW.htm> (Accessed on 9/26/2006).

Director of the Child Welfare League, wrote a letter to the editor for the September 1955 issue of *Women's Home Companion*. In it, Reid challenged three issues presented by Buck: that most children in institutions could be made available for adoption, that many orphanages existed only to create jobs and did not have the children's best interest in mind, and that matching by religion was the greatest barrier to children finding adoptive parents. Reid explained that public apathy and lack of funds drove matching policies and child placement.<sup>35</sup> Yet Buck believed from her research with Welcome House that this was not the case. There were homes for all of the children who needed them; communication between agencies, however, was poor, and powerful organizations such as the Child Welfare League made matching a powerful force. Buck continued to push for transracial adoption and gained many supporters even without the support of the Child Welfare League.

Buck also came under pressure from politically conservative Americans because of her many travels between the United States and Asia. Buck's attempts to create peace between the two regions, in the hope of saving the world's children, was seen as anti-American to much of the political right wing. Buck also feared the growing power of the military and its effects on the daily lives of Americans. The amount of money spent on the military each year after World War II seemed preposterous to Buck. Military spending cast a shadow over social issues that were more important to her than the supposed threat of communism. Buck's continued attacks on the American government for its Cold War policies and growing American colonialism led the FBI to keep a close watch on her.<sup>36</sup>

The FBI began monitoring Buck in 1946 because they feared her connections with Asia, India, and the African American population at home. Buck's supposed power over minorities and people abroad made the FBI question her motives as well as her loyalty. Her compliments directed at Russian society and connections to liberal organizations within the United States made her suspect and an object of FBI surveillance. In fact, her FBI file totaled well over two hundred pages even though she was never actually

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<sup>35</sup> Joseph Reid to Paul Smith, September 15, 1955, Child Welfare League of America Papers, Box 15, Folder 7, Social Welfare History Archives, University of Minnesota.  
<http://darkwing.uoregon.edu/~adoption/archive/RedidBuckltr.htm> (Accessed on 9/26/06)

<sup>36</sup> Conn, *Pearl S. Buck*, 304-309.

arrested for any wrongdoing.<sup>37</sup> Buck did not let accusations by the FBI or political right wingers slow down her mission to make adoption better for everyone involved. She continued to travel between Asia and the United States regardless of the extra time she had to spend in customs and still spoke to left wing political groups, ignoring the threat of becoming a casualty of the communist witch hunt.

### Conclusion

Before Pearl S. Buck's death in 1972, she donated her sixty-eight-acre estate to what would become Pearl S. Buck International (PBI), a combination of Welcome House and the Pearl S. Buck Foundation. PBI continues to support Buck's original mission by helping children of mixed backgrounds from around the world find loving families. With headquarters in China, South Korea, Taiwan, the Philippines, Thailand, Vietnam, and the United States, PBI has helped more than 7,000 mixed-race children find homes.<sup>38</sup> By 2000, more than 24,000 Chinese children had been adopted by American families, a number that can be attributed to Buck's efforts during the 1950s and 1960s.<sup>39</sup> Buck pushed for community responsibility and racial equality despite attacks from the Child Welfare League, right wing organizations, and the FBI, making transracial adoption a reality rather than a barrier for post-World War II families and children.

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<sup>37</sup> James S. Allen, "The Case of Pearl Buck," Freedom of Information-Privacy Act Pearl S. Buck, Federal Bureau of Investigation, as found on <http://foia.fbi.gov/foiaindex/pearlsbuck.htm> (Accessed on 9/26/06)

<sup>38</sup> Pearl S. Buck International, <http://www.psb.org/site/PageServer> (Accessed on 11/24/06).

<sup>39</sup> Klein, *Cold War Orientalism*, 270.



## Yucca Mountain: The Political Place for Waste

BY STIRLING CROW

*"Isn't this really a 'not in my backyard' issue? If we can't locate this facility at Yucca, a remote, isolated spot in a sparsely populated state, we can't locate it anywhere."*

– Representative Peter Kostmayer, Congressional Hearing, January 10<sup>th</sup>, 1992<sup>1</sup>

The Mojave Desert receives less than six inches of precipitation per year. Its meager rainfall and unrelenting aridity make it one of the most inhospitable places on Earth. Yet this desert contains the most studied piece of land within the United States: Yucca Mountain.<sup>2</sup> Located in southwestern Nevada, Yucca Mountain has become the center of a legislative brawl within the U.S. Government and has gained increasing media attention during the past thirty years. Political decisions, instead of scientific analysis, have turned a piece of desert land that most Americans consider "desolate" and "barren" into a source of nationwide controversy. This paper surveys the forces behind those decisions along with the political events that have shaped the current Yucca Mountain debate.

At the center of the conflict sits something that infuriates many Nevadans because their state produces none of it: commercial nuclear waste. The by-product of nuclear power plants, this waste is the end result of a long process that fuels energy demands in the United States. As of this writing, there are 104 nuclear power plants that provide roughly 20 percent of the nation's power.<sup>3</sup> These plants create electricity through the use of uranium pellets that are gathered together in fuel rods. The fuel rods are placed in a reactor core

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<sup>1</sup> House Document 102-47: *High-Level Radioactive Waste Legislation. Hearing before the Subcommittee on Energy and the Environment on H.R. 1301 and H.R. 776* (Washington D.C.: GPO, 1992).

<sup>2</sup> Valerie Kuletz, *The Tainted Desert: Environmental and Social Ruin in the American West* (New York: Routledge Press, 1998), 103.

<sup>3</sup> *Nuclear Regulatory Commission: Find Operating Nuclear Power Reactors by Location or Name*, <http://www.nrc.gov/info-finder/reactor/> (accessed April 20, 2005).

that contains water, gas, or some other type of coolant. By removing or inserting rods, scientists are able to create a controlled atomic reaction called "fissioning," which creates tremendous amounts of heat.<sup>4</sup> The heat is transferred from the rods to the water (or gas), creating steam. The steam then powers turbines attached to magnets that generate electricity.

Although efficient, the process creates vast amounts of high-level radioactive waste. After the fuel rods have fissioned, their chemical state becomes drastically unstable. Fissioning causes new elements such as cesium, strontium, and plutonium to form from the used "spent" uranium fuel rods. These new elements take a very long time to decay; for example, plutonium-239 has a half-life of about 24,000 years. This means that in about 24,000 years, the plutonium will finally become stable. The problem with these elements is that as they decay, they emit gamma radiation that disrupts the processes of DNA and RNA carried out in organic organisms.<sup>5</sup> Therefore, the by-products of fissioning are radioactive and harmful to human beings and other animals. The nuclear power industry calls the spent fuel rods high-level nuclear "waste" because there is no known use for these dangerous elements after fissioning.

The U.S. Government has taken on the responsibility of what to do and where to store this waste. Enter Yucca Mountain, an isolated lump of volcanic tuff that many politicians, scientists, and businessmen view as the best place to store the radioactive waste. Yucca Mountain, however, was not always the chosen site for high-level nuclear waste. In the early 1980s, Congress passed legislation ensuring a fair, scientific process for determining where to store the hazardous uranium by-products. The government recommended various sites for a long-term storage facility, otherwise known as a repository. That process, however, became the victim of political manipulation and the subject of heated controversy. Ultimately, political actions, instead of scientific decisions, drove the selection process in making Yucca Mountain the site for commercial nuclear waste. These past political events have created debate and skepticism that haunt the nuclear waste

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<sup>4</sup> *Office of Civilian Radioactive Waste Management: Nuclear Waste: The Facts*,  
<http://www.ocrwm.doe.gov/ymp/about/keyfacts.shtml> (accessed April 20, 2005).

<sup>5</sup> *Nuclear Regulatory Commission: Backgrounder on Radioactive Waste*,  
<http://www.nrc.gov/reading-rm/doc-collections/fact-sheets/radwaste.html> (accessed April 20, 2005).

repository program today. The decisions made then, and now, will be relevant for the next 24,000 years.

### Genesis of the Waste Problem

In 1957, Shippingsport, Pennsylvania, became the home of America's first commercial nuclear reactor, making it the first creator of commercial nuclear waste.<sup>6</sup> Yet in the 1950s and 1960s, the federal government and the nuclear industry considered waste disposal a non-controversial technical problem. A favorable political climate toward the nuclear industry, coupled with faith in the absolute safety of nuclear reactors, allowed for the construction and implementation of numerous plants around the United States. An informal alliance among the Atomic Energy Commission (AEC, forerunner of the Department of Energy), the Joint Committee on Atomic Energy, and the nuclear industry relied on the assumption that reprocessing of spent uranium fuel rods would greatly reduce the volume of waste.<sup>7</sup> But events in the 1970s, including a shift in the public mood, soon changed the worry-free atmosphere toward uranium by-products. Contributing factors, such as increasing public disdain of nuclear power, the early failures of the government to locate a repository, India's successful detonation of an atomic bomb, uneconomical reprocessing costs, and legislative action in California, eventually led to a national policy for commercial nuclear waste.

Public opposition of nuclear power increased during the 1970s due to various well-publicized events. Leakage of radioactive wastes at military facilities such as Hanford, Washington, caught the attention of the media.<sup>8</sup> Likewise, other incidents in the late 1970s created concern and fear. In 1979, 94 million gallons of radioactive water broke through a dam at Church Rock, New Mexico, spilling into the Rio Puerco River.<sup>9</sup> Most famously, in 1979, the partial core meltdown at the Three Mile Island nuclear plant brought negative media coverage upon the nuclear industry. The growing strength of the environmental movement also spurred the emergence of anti-nuclear interest

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<sup>6</sup> Riley Dunlap, *Public Reactions to Nuclear Waste: Citizens' Views of Repository Siting* (Durham: Duke University Press, 1993), 5.

<sup>7</sup> Dunlap, *Public Reactions to Nuclear Waste*, 7.

<sup>8</sup> Dunlap, *Public Reactions to Nuclear Waste*, 7.

<sup>9</sup> Kuletz, *The Tainted Desert*, 26.



groups. Faced with public resistance, utility companies quit ordering the construction of additional nuclear power plants.<sup>10</sup> Nuclear power, its benefits, and its dangers had become a controversial issue by the end of the 1970s. This shift in public mood was one cause in the push for a nuclear waste policy.

Past government failures in finding adequate storage waste solutions also created a need for a national policy. In 1970, the AEC announced the tentative selection of a salt mine near Lyons, Kansas, for the storage of high-level nuclear waste from both commercial and defense activities.<sup>11</sup> The AEC wanted to put radioactive waste in Lyons and assured Congress that the salt mine had been thoroughly characterized as a safe and permanent disposal site. However, the Republican representative from that district, Joe Skubitz, took action against the site and blocked authorization for proceeding. Shortly after, researchers discovered that the salt mine was not secure. Radioactive materials would have leached into the water supply of the nearby town.<sup>12</sup> Questions and growing public opposition to the Lyons salt mine forced the AEC to pursue other alternatives in 1971.<sup>13</sup> Alpena, Michigan, another site being studied for storage, also failed to win approval.<sup>14</sup> Fierce local resistance to nuclear waste storage added to the need for an overall national policy.

Worldwide events dramatized the urgency of an overall waste plan. Nuclear proliferation—the spread of nuclear technology from one nation to another—became a center point of debate when India tested its first atomic bomb in 1974. India, having limited resources of uranium, received shipments of the enriched element from Canada for use in their research reactor called CIRUS. Using plutonium from the reactor's spent fuel rods, India developed and successfully exploded an atomic bomb in May of that year.<sup>15</sup> Public outcry in Canada against India's bomb led the Canadian

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<sup>10</sup> Dunlap, *Public Reactions to Nuclear Waste*, 5, 7.

<sup>11</sup> *Los Alamos Labs: The Actinide Research Quarterly: 1<sup>st</sup> Quarter 2002*, <http://www.lanl.gov/orgs/nmt/nmtdo/AQarchive/02spring/WIPP.html> (accessed April 20, 2005).

<sup>12</sup> *House Document 97-164*, 2.

<sup>13</sup> *Environmental Protection Agency Document Concerning Radioactive Waste*, [http://www.epa.gov/radiation/docs/yucca/bid/402-r-01-005\\_ch1.pdf](http://www.epa.gov/radiation/docs/yucca/bid/402-r-01-005_ch1.pdf) (accessed April 20, 2005).

<sup>14</sup> James Flynn, *One Hundred Centuries of Solitude: Redirecting America's High Level Nuclear Waste Policy* (Oxford: Westview Press, 1995), 35.

<sup>15</sup> Michael B. Gerrard, *Whose Backyard, Whose Risk: Fear and Fairness in Toxic and Nuclear Waste Siting* (Cambridge: MIT Press, 1995), 28.

government to cease exchange of nuclear materials and technology; additionally, the United States realized the possible dangers and national security risks involved with not having strict government oversight over spent fuel rods and nuclear waste.<sup>16</sup>

Reprocessing of spent fuel rods, the method used to extract any remaining usable uranium, came under attack during the 1970s. Storage capacities of nuclear waste depended upon estimates of reprocessed uranium; however, reprocessing programs failed, thereby increasing the storage demands and risks of radioactive spent fuel rods. Economically, the recycling and reprocessing of nuclear fuel proved to be futile because reprocessing was costly compared to using fresh uranium. Only three commercial reprocessing plants were built in the United States; all of them failed. The first reprocessing plant, located in West Valley, New York, operated for six years and shut down in 1972 after numerous fires and accidents. When it closed, the plant left behind hundreds of thousands of gallons of highly radioactive waste. Consequently, it required a large-scale clean-up effort that cost millions of dollars.<sup>17</sup> Another plant in Morris, Illinois, never opened because of technical and financial problems. Likewise, the reprocessing plant in Barnwell, South Carolina, encountered drastic costs to the point where it also closed before its opening.

The creation of India's atomic bomb from the plutonium of spent fuel rods set back political efforts to encourage reprocessing. During the last days of his presidency, Gerald Ford announced a temporary ban on commercial reprocessing of nuclear waste, and President Carter extended the ban during his administration. In the 1980s, President Reagan tried to revive the reprocessing program. The unfavorable economics of reprocessing, however, had already killed any incentive to move forward.<sup>18</sup> Future expectations of nuclear waste storage requirements had to be recalculated. At the same time, nuclear waste continued to accumulate with no place for

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<sup>16</sup> George Perkovich, *India's Nuclear Bomb: The Impact on Global Proliferation* (Berkeley, California: University of California Press, 1999)  
[http://www.findarticles.com/p/articles/mi\\_qa3680/is\\_200010/ai\\_n8913260](http://www.findarticles.com/p/articles/mi_qa3680/is_200010/ai_n8913260) (accessed April 20, 2005).

<sup>17</sup> Irvin Molotsky, "House Approves Nuclear Cleanup at New York Site," *New York Times*, September 16, 1980, Section A, Late edition.

<sup>18</sup> Gerrard, *Whose Backyard, Whose Risk*, 28.

storage. As a result, the government began to feel the pressure for a comprehensive program in regards to nuclear waste.

Legislative action in the late 1970s also created an impetus for the government to take responsibility. Lawsuits in California, later upheld by the Supreme Court, linked the expansion of the nuclear industry with the solution of storing nuclear waste.<sup>19</sup> In 1976, California enacted a suspension on the construction of new reactors until the federal government could devise an approved method for permanent disposal of commercial nuclear waste. The state government decided that the lack of such a program, along with uncertainties of future expenses, posed an economic risk to electric utilities and their customers. The statute gave California the authority to consider economic implications of nuclear waste disposal. Accordingly, the state could deny licensing based on the economic evaluation of any proposed nuclear power plant. The Supreme Court upheld the statute, and shortly thereafter other states such as Oregon, Wisconsin, Maine, Montana, and Connecticut passed similar moratorium laws.<sup>20</sup>

Many analysts during this time foresaw a dismal future for nuclear power. Besides the factors described above, restrictive regulatory requirements, delays created by public opposition, loss of competitiveness due to inflation and unexpected costs, growing environmental concerns, and public health factors painted a bleak outlook for the commercial nuclear industry.<sup>21</sup> Without a solution to the problem of nuclear waste, the options for utility companies were limited.

In response to these problems and other energy issues at the time, the Carter Administration restructured various departments within the federal government. In 1977, the Department of Energy (DOE) was created to combine energy-related activities across the government and promote better decision making during times of energy crises. The DOE became the regulator for military nuclear facilities and the authorizing agency for radioactive wastes from commercial nuclear power plants. But from its outset, the DOE grappled with numerous internal problems due to two conflicted mandates. One mandate, inherited from the AEC, was the

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<sup>19</sup> Dunlap, *Public Reactions to Nuclear Waste*, 8.

<sup>20</sup> Flynn, *One Hundred Centuries of Solitude*, 21.

<sup>21</sup> Dunlap, *Public Reactions to Nuclear Waste*, 5, 8.



promotion of nuclear technology and its development. The second mandate was to ensure the protection of the public from radioactive hazards. Since its creation, opponents of the DOE have claimed that its actions show a bias toward the first of those mandates.<sup>22</sup> Later developments surrounding the national policy of nuclear waste corroborate that very claim.<sup>23</sup>

### Formation of Original Legislation

In 1978, the Carter Administration directed an organization called the Interagency Review Group to conduct a detailed study of the problem surrounding nuclear waste. That group submitted a report of the situation in 1979, and an extended debate over various solutions began within the administration. Finally, in February 1980, President Carter sent his plan to Congress. During this period, politicians and scientists explored new ways to discard waste, such as sub-seabed disposal, dumping material in Antarctica, and launching of waste into space. Regardless, Carter's proposal followed previous federal recommendations that centered on storing nuclear waste in mined geologic repositories. To ensure the best technical location, his waste plan endorsed the evaluation of sites with differing geologic structures. He also called for the consultation and full participation of the states, the public, and the scientific community.<sup>24</sup>

Congress wrestled with this policy for two years before any legislation passed. Floor debates, reports, hearings, and a tremendous effort within both the House and the Senate took place. Congress argued over a multitude of issues. For example, should a storage site contain only commercial nuclear waste? Should nuclear waste from defense activities also be included? After all, 90 percent of the total volume of nuclear waste originated from defense activities. Likewise, another issue involved how much public participation was appropriate in establishing a repository.<sup>25</sup> The main issues in creating legislation, however, focused on the fair evaluation of a storage site, an impartial process for choosing that site, and the dangers of federal responsibility regarding storage.

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<sup>22</sup> Flynn, *One Hundred Centuries of Solitude*, 9.

<sup>23</sup> Dunlap, *Public Reactions to Nuclear Waste*, 15.

<sup>24</sup> Dunlap, *Public Reactions to Nuclear Waste*, 8.

<sup>25</sup> House Report 97-785: *Report of the Committee on Energy and Commerce on H.R. 6598* (Washington D.C.: GPO, 1982), 94-95.

Congress struggled to find a fair way of determining where a repository should be located. Many western states had already been singled out by the DOE as potential nuclear storage repositories. In response to a bill that excluded eastern states from a repository, Representative Edward Markey, a Massachusetts Democrat, stated,

Why should we adopt a criterion which excludes every state east of the Mississippi? Why shouldn't we consider Illinois or Mississippi, New York, Michigan, perhaps in their remote areas, for nuclear waste disposal? If it is safe, if it can be done without endangering public health or safety, why should we automatically exclude Eastern States in this legislation?<sup>26</sup>

Other representatives felt that proposed legislation lacked assurances that potential repository sites would receive objective, fair evaluations. They reasoned that the Department of Energy already favored locations where research studies had previously been conducted.<sup>27</sup>

Along with bickering over proper evaluation techniques, Congress argued over a fair method of choosing a site once evaluations had been completed. Representative Ron Wyden, an Oregon Democrat, recommended the establishment of an independent commission for site selection and site evaluation. He based his suggestion on the DOE's track record and their poor attempts to include concerned citizens. Representatives and senators, especially those whose states had sites already analyzed by the DOE, worried that the shorter the time span of the selection process, the stronger the bias would be for the selection of those familiar sites.<sup>28</sup> Representative Jim Santini, a Democrat from Nevada, stated:

It is apparent that the Department of Energy plans to move quickly on its own agenda to decide where to place nuclear waste. In a speech to the Atomic Industrial Forum on April 6, Secretary [of Energy] Edwards stated that he had urged his staff to take the

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<sup>26</sup> House Document 97-164: *Hearings before the Subcommittee on Energy Conservation and Power on H.R. 1993, H.R. 2881, H.R. 3809, and H.R. 5016 - 97<sup>th</sup> Congress, 2<sup>nd</sup> Session* (Washington D.C.: GPO, 1982), 227.

<sup>27</sup> *House Report 97-785, 94-95.*

<sup>28</sup> *House Document 97-164, 216.*

nuclear waste schedule we inherited and accelerate every one of the dates on it.<sup>29</sup>

Santini also argued against bills that endorsed short time frames for disqualifying sites. He stated that a short time frame virtually assured that the sites selected for "characterization" (evaluation and scientific study of a site) would be the ones the DOE was most familiar with. Santini noted that a short timetable could taint or prejudice the judgment of selection process.<sup>30</sup> At this time, the DOE had already targeted Yucca Mountain as a strong choice for nuclear waste storage. Congressmen like Santini wanted to ensure the implementation of a fair process. That way, their state would not be the automatic choice for nuclear waste.

Arguments also raged over whether the federal government should even take responsibility for nuclear waste. Proponents of government responsibility argued that the lack of federal authority to provide spent fuel storage could create national security problems, unnecessary transportation hazards, and unneeded handling dangers.<sup>31</sup> Others in Congress, such as Jim Santini, argued that many utility companies that claimed to have storage dilemmas had either ignored ways to solve their own problems on-site or deliberately delayed planning, anticipating that the government would provide a solution.<sup>32</sup>

An amalgam of thirty-six bills eventually formed the Nuclear Waste Policy Act (NWPA) of 1982. The final version of the bill was a compromise among the objectives and views of the DOE, utilities, National Academy of Sciences, state officials, and environmental groups.<sup>33</sup> As the 97<sup>th</sup> Congress reached adjournment, the threat of a filibuster by Senator William Proxmire, a Democrat from Wisconsin, encouraged consensus. His demands strengthened the power of states to reject the presidential nomination of a particular site. If a president chose a specific repository, the state in which that site was located could veto the president's selection. That veto, however,

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<sup>29</sup> *House Document 97-164*, 223.

<sup>30</sup> *House Document 97-164*, 223.

<sup>31</sup> *House Report 97-785*, 94-95.

<sup>32</sup> *House Report 97-785*, 96-97.

<sup>33</sup> Flynn, *One Hundred Centuries of Solitude*, 38.



could be overridden by a vote in Congress. Proxmire demanded the agreement of both houses, instead of just one, to override the state's veto.<sup>34</sup> The key compromise of the NWPA consisted of the requirement for both a western and an eastern repository. Regardless, the brand of politics that formed the compromise would eventually unravel it.

In late December 1982, the Senate passed the Nuclear Waste Policy Act; likewise, the House voted in favor of Bill H.R. 3809 with 256 yeas to 32 nays.<sup>35</sup> President Ronald Reagan signed the bill on January 3, 1983, thereby enacting into law the plan for the selection of a nuclear waste repository.

### **Nuclear Waste Policy Act of 1982**

Overall, the NWPA of 1982 established federal responsibility for the management of commercial high-level radioactive waste. A compromise among industry, government, and environmentalists, it laid out procedures for site selection, funding aspects for the program, and compensation benefits for the chosen site's state.<sup>36</sup> Above all, the NWPA attempted to ensure fairness and sound judgment in the determination of a radioactive repository.

The original NWPA mandated the selection of two repositories: one, in the East, the origin for most of the commercial nuclear waste; and one, in the West, where the DOE had already conducted some site studies.<sup>37</sup> It established a schedule for site evaluations and set deadlines for recommendations to the president. Recommendations for a site in the West were due by January 1985 followed by recommendations for a site in the East by July 1987.<sup>38</sup> The rationale behind the differing dates was that research had already been conducted on various sites in the West; therefore, scientists needed more time to conduct studies on sites in the East. The NWPA specified the technical means of waste disposal and called for quick action in the creation of technical, demographic, and economic guidelines for site

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<sup>34</sup> "Reagan Expected to Sign Atomic Waste Burial Bill," *New York Times*, December 22, 1982, Section B, Late edition.

<sup>35</sup> "Reagan Expected to Sign....," *New York Times*, December 22, 1982, Section B, Late edition.

<sup>36</sup> Dunlap, *Public Reactions to Nuclear Waste*, 10. Raymond Murray, *Understanding Radioactive Waste*, ed. Judith Powell, 4<sup>th</sup> edition, (Columbus: Battelle Press, 1994), 162.

<sup>37</sup> Flynn, *One Hundred Centuries of Solitude*, 3, 34-35.

<sup>38</sup> Dunlap, *Public Reactions to Nuclear Waste* 9.

evaluation within 180 days after the passage of the act.<sup>39</sup> The chosen repositories were for commercial waste only; the president, however, could approve the inclusion of defense wastes.<sup>40</sup> Overall, the majority of Congress agreed on the processes within the NWPA because of the compromise that Arizona Representative Morris Udall offered: the requirement of two regional repositories, a provision that promoted geographic equity.<sup>41</sup>

The NWPA also strove for equity in its financing provisions. The act required those who benefited from the repository to pay for its development. This meant that the repository would be funded not by general taxpayer revenue, but by the utility companies that generated nuclear waste. The NWPA assessed a fee on nuclear-generated electricity with the revenue going into the new Nuclear Waste Fund.<sup>42</sup> To deal with these extra costs, utility companies passed the expense on to their customers. Still intact today, utility companies pay for this fee by charging their customers a fee of one-tenth of a cent per kilowatt-hour used.<sup>43</sup> Although customers in areas serviced by nuclear power bear this expense, areas powered by non-nuclear-generated electricity usually do not bear those fees.

Compensation for those living in potential repository areas was another item of importance within the NWPA. Affected state and local jurisdictions and Indian tribes were to be given monetary payments. The provisions instructed the DOE to provide funds for affected levels of state and local governments to offset the repository's negative economic impacts on the surrounding area. The reasoning behind providing monetary compensation was to transfer some of the benefits reaped by the nuclear power utilities to the individuals who bore the cost of living close to the repository.<sup>44</sup>

Overall, the NWPA strove to ensure fairness in the selection of a site. As previously discussed, efforts in the 1970s by the AEC had failed to site repositories in Lyons, Kansas, and Alpena, Michigan.<sup>45</sup> Critics of the AEC

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<sup>39</sup> Dunlap, *Public Reactions to Nuclear Waste* 10; Murray, *Understanding Radioactive Waste*, 162.

<sup>40</sup> Murray, *Understanding Radioactive Waste*, 162.

<sup>41</sup> Flynn, *One Hundred Centuries of Solitude*, 34-35.

<sup>42</sup> Section 302 of NWPA as cited in Flynn, *One Hundred Centuries of Solitude*, 34-35; Dunlap, *Public Reactions to Nuclear Waste*, 10.

<sup>43</sup> Murray, *Understanding Radioactive Waste*, 162.

<sup>44</sup> Flynn, *One Hundred Centuries of Solitude*, 34-35.

<sup>45</sup> Flynn, *One Hundred Centuries of Solitude*, 35.

had denounced the lack of regard for public involvement during those previous siting attempts; consequently, the NWPA included provisions to guarantee public input. The act entitled affected states and Indian tribes to complete information regarding any plans involving site characterization, design, development, construction, regulation, and operation.<sup>46</sup> Additionally, the NWPA mandated that information about all activities associated with selecting and building a repository, including scientific data and analysis, be provided to stakeholders, state governments, Indian governments, and the public.<sup>47</sup> Before the DOE made crucial decisions, they were to consult and cooperate with affected parties. The act also allocated money from the Nuclear Waste Fund for candidate sites to conduct studies of their own. Local or state governments could hire scientists to perform geologic, hydrologic, and socioeconomic research, thereby allowing them to act as peer advisors to the DOE and identify problem areas that needed further study.<sup>48</sup>

Other provisions also attempted to ensure fairness. For example, nomination of a site required an environmental assessment of the repository's impacts.<sup>49</sup> Likewise, the multi-step decision process for site selection was open to public scrutiny, making it difficult for the DOE to choose a site on arbitrary grounds. Much like a contest, there would be rounds of elimination from the original recommendation of nine sites for each repository. Even if the DOE picked a politically favorable site in the first round of selections, that site would have to prove superior to the other potential locations.<sup>50</sup> Lastly, the NWPA allowed any state designated to host a repository the ability to file a notice of disapproval. In other words, the state could veto a site (though Congress still had the power to overrule that veto).<sup>51</sup>

To its credit, the NWPA offered a rational, fair plan for the selection of a nuclear waste repository. Two years of negotiations and legislation had helped to forge a solution to the problem of nuclear waste. But it would take t

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<sup>46</sup> Section 117c of NWPA as cited in Flynn, *One Hundred Centuries of Solitude*, 35.

<sup>47</sup> Section 113c of NWPA as cited in Flynn, *One Hundred Centuries of Solitude*, 3, 35.

<sup>48</sup> Section 116c of NWPA as cited in Flynn, *One Hundred Centuries of Solitude*, 3, 37.

<sup>49</sup> Dunlap, *Public Reactions to Nuclear Waste*, 10.

<sup>50</sup> Section 113b of NWPA as cited in Flynn, *One Hundred Centuries of Solitude*, 36.

<sup>51</sup> Flynn, *One Hundred Centuries of Solitude*, 3.



another two years for political actions to begin disrupting and unraveling those regulations.

### Inability to Follow Instructions

Soon after 1982, criticism from environmentalists foreshadowed the pending abandonment of the NWPA's policies. The Environmental Policy Institute charged that the search for a permanent disposal site was already a failure because the DOE picked sites based on "inadequate information and political expediency."<sup>52</sup> In contrast with their criticism, Robert Morgan, the director of the Office of Civilian Radioactive Waste Management, declared that the DOE would make its decision on technical merits, rather than political factors. But the DOE did not make its decision based on technical merits. Politics drove the decisions made within the department.

In 1983 the DOE and other governmental agencies quickly went to work to comply with the NWPA's provisions. The Environmental Protection Agency, instructed by the NWPA to develop radiation exposure standards, determined by January 1984 that a repository must not create more than 1,000 deaths over its 10,000-year lifetime. The Nuclear Regulatory Commission would oversee this standard, requiring the DOE to prove it could meet this requirement in order for a construction license to be granted.<sup>53</sup> Another course of action spurred by the NWPA was the establishment of general guidelines in November 1984 for the evaluation of possible repository sites. For example, those guidelines covered rules regarding preclosure and postclosure periods. Preclosure referred to the construction and operation of a repository, and postclosure referred to the period after operation and sealing of the repository.<sup>54</sup> Under the direction of the NWPA, progress toward a fair nuclear waste solution became a reality.

That progress, however, was short-lived. The DOE veered from the NWPA's instructions and decided upon the repositories that only it wanted. Instead of following the mandated process, the DOE abandoned viable repository sites because of political opposition in the East. The narrowing of

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<sup>52</sup> "U.S. to Look at 5 Sites as Atomic Waste Dumps," *New York Times*, December 13, 1983, Section 1, Late edition.

<sup>53</sup> Flynn, *One Hundred Centuries of Solitude*, 4, 33.

<sup>54</sup> Miley Merkhofer and Ralph Keeney, "A Multiattribute Utility Analysis of Alternative Sites for the Disposal of Nuclear Waste," *Risk Analysis*, Vol. 7 (New York: Plenum Press, 1987), 174, 196.

choices for a western repository along with the negation of the eastern repository illustrate the force of politics that invalidated the provisions and principles within the NWPA.

In December 1984, the DOE published draft environmental assessments that nominated five sites as suitable for characterization, the data-gathering process which involves construction of exploratory shafts for underground testing. Those five sites were:

- Davis Canyon, a site in bedded salt in Utah.
- Deaf Smith, a site in bedded salt in Texas.
- Richton Dome, a site in a salt dome in Mississippi.
- Hanford, a site in basalt in Washington.
- Yucca Mountain, a site in volcanic tuff in Nevada.<sup>55</sup>

Within days, groups in Nevada, Texas, and Washington filed suit against the government, challenging the legality of the environmental assessments and designation process. Governor Richard Bryan of Nevada pledged to fight the selection of Yucca Mountain. In Washington state, environmentalists took issue with the nominations. Larry Shook, an activist against the site selections, argued that Hanford, Washington, had already seen enough nuclear waste. Shook asked: "Here we've got an old bomb factory casting plutonium to the wind, and they want us to take a high-level dump, too?... People are really up in arms about it."<sup>56</sup> Similarly, Governor Mark White of Texas promised to fight the selection of Deaf Smith so loudly that he would restore hearing to the frontier scout (Erastus "Deaf" Smith) after whom the targeted county was named.<sup>57</sup> Along with the objections of politicians, the scientific community's response to the nominations asserted that the DOE had chosen sites based on favoritism instead of pure science.

Criticisms from the National Academy of Sciences (NAS) and the Nuclear Regulatory Commission pointed out omissions and problems within the data, inappropriate methodology for site comparisons, and DOE bias within the evaluation process.<sup>58</sup> In response to over 20,000 comments on the

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<sup>55</sup> Merkhofer & Keeney, *Risk Analysis*, 173-174.

<sup>56</sup> Ivan Peterson, "Issue of National Nuclear Waste Dump Polarizes Three States," *New York Times*, January 25, 1985, Section A, Final edition.

<sup>57</sup> Peterson, "Issue of National Nuclear...", *New York Times*, January 25, 1985, Sec. A, Final edition.

<sup>58</sup> Dunlap, *Public Reactions to Nuclear Waste*, 15-16; Merkhofer & Keeney, *Risk Analysis*, 174.

draft environmental assessments, the DOE decided to conduct a more rigorous comparison and evaluation based on Multi-Use Attribute (MUA) methodology, a technique for making decisions out of complex situations. Furthermore, the DOE asked the NAS Board of Radioactive Waste Management to independently review their MUA analysis.<sup>59</sup> MUA analysis had a record of success; for example, Ralph Keeney, one of the researchers for the new study, had already used MUA in determining appropriate site selections for nuclear power plants in the Pacific Northwest.<sup>60</sup> From the fall of 1985 to the spring of 1986, the DOE conducted this new evaluation using the MUA methodology.<sup>61</sup>

Researchers broke the findings of the MUA study into two rankings, preclosure and postclosure. Preclosure factors included variables such as adverse impacts to people living near the site, transportation costs of nuclear waste, repository costs, health and safety, and socioeconomic impacts. A site might score exceedingly well with one factor, but the combined ratings determined the total comparative score. For example, Richton Dome in Mississippi was ranked first for health and safety due to its close proximity to the majority of nuclear plants in the east. (In regards to transportation impacts, the closer the repository to the waste source, the less risk there is of an accident that may harm the health and safety of people.) Richton Dome, however, placed second due to total comparative scores.

The preclosure comparisons ranked the sites in the following order from most desirable to least desirable: Yucca Mountain, Richton Dome, Deaf Smith, Davis Canyon, and Hanford.<sup>62</sup> Postclosure assessments ranked the three salt sites of Davis Canyon, Deaf Smith, and Richton Dome as having the highest degree of confidence in providing isolation for waste for at least 100,000 years after closure. Yucca Mountain followed the three salt repositories, and Hanford came in last in regards to confidence in preventing disturbance of nuclear waste.<sup>63</sup> Before the research group released the total scores of the sites, they allowed the NAS Board of Radioactive Waste to

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<sup>59</sup> Merkhofer & Keeney, *Risk Analysis*, 174.

<sup>60</sup> Merkhofer & Keeney, *Risk Analysis*, 193.

<sup>61</sup> Merkhofer & Keeney, *Risk Analysis*, 173.

<sup>62</sup> Merkhofer & Keeney, *Risk Analysis*, 187.

<sup>63</sup> Merkhofer & Keeney, *Risk Analysis*, 189.



comment on the methods used for the analysis. The Board commended DOE "for the high quality of the chapters that were reviewed. The use of MUA method is appropriate...."<sup>64</sup>

The DOE released the overall results of the MUA analysis and the NAS review of that analysis on May 28, 1986. The MUA comparative scores, which combined the preclosure and postclosure factors, ranked the sites in the following order:

1. Yucca Mountain, NV.
2. Richton Dome, MS.
3. Deaf Smith, TX.
4. Davis Canyon, UT.
5. Hanford, WA.<sup>65</sup>

But on the same day, the DOE announced that the Secretary of Energy had recommended to President Reagan and received approval for the characterization of the following sites:

- Yucca Mountain, NV.
- Deaf Smith, TX.
- Hanford, WA.<sup>66</sup>

"How is it that Washington scientifically ranks fifth but is nominated third?" asked Kenneth Eikenberry, the Attorney General of Washington state, who filed a suit against the Department of Energy.<sup>67</sup> In a similar display of opposition, Texas' Attorney General sued the DOE in the U.S. Court of Appeals to block any scientific studies on the Deaf Smith site. Nevada also challenged the selection of sites in Federal Court. Secretary Herrington's nomination disregarded the ranking of the MUA analysis, thereby providing critics of the DOE further reason to believe that the nominations were indeed political in nature.<sup>68</sup>

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<sup>64</sup> Merkhofer & Keeney, *Risk Analysis*, 192.

<sup>65</sup> Merkhofer & Keeney, *Risk Analysis*, 191.

<sup>66</sup> Merkhofer & Keeney, *Risk Analysis*, 174.

<sup>67</sup> "Nuclear Waste Plan Angers 2 Western States," *New York Times*, June 8, 1986, Section 1, Late edition.

<sup>68</sup> "Nuclear Waste Plan Angers....," *New York Times*, June 8, 1986, Section 1, Late edition.

The Secretary of Energy's choices were questionable due to various issues. Fiscally, the Secretary's selected portfolio of sites would cost more than the top three ranking MUA sites. Ralph Keeney, one of the researchers on the MUA team, stated, "the selected portfolio is the equivalent of approximately \$400 million more expensive than the portfolio of Yucca Mountain, Richton Dome, and Deaf Smith."<sup>69</sup> Another study reported, "Deaf Smith was chosen over Richton Dome... despite the fact that Deaf Smith is estimated to cost \$650 million more than Richton Dome."<sup>70</sup> Also of interest are the MUA analysis researcher's concluding remarks in regards to the study:

In general, a model's results might be legitimately rejected by decision makers because they feel the decision logic is inappropriate, they disagree with the model's inputs, or they feel that key objectives have been omitted... the recommendation decision is the responsibility of the Secretary of Energy. The value judgments assessed were meant to reflect those governing the decision, but they may not do that well.<sup>71</sup>

Many thought that Secretary of Energy Jim Herrington would replace Hanford with Richton Dome, yet he proceeded with his original choice from December 1984. Bias in his selection was apparent because familiarity with nuclear facilities was common among his three chosen sites. Hanford had been a major nuclear weapons facility for 40 years, thereby creating a community inclined to support nuclear technologies. Likewise, the DOE calculated that Yucca Mountain's location near the Nevada Test Site and Deaf Smith's proximity to the Pantex nuclear weapons assembly plant would decrease the local political opposition for a repository in either of those places. The search for a western site had been narrowed to three areas where a history of public support for nuclear technology presumably already existed.<sup>72</sup>

Controversy also surrounded the siting process for an eastern repository. On January 16, 1986, the DOE announced candidate sites in the East that had

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<sup>69</sup> Ralph Keeney, "An Analysis of the Portfolio of Sites to Characterize for Selecting a Nuclear Repository," *Risk Analysis*, Vol. 7 (New York: Plenum Press, 1987), 216.

<sup>70</sup> Robin Gregory and Sarah Lichtenstein, "A Review of the High-Level Nuclear Waste Repository Siting Analysis," *Risk Analysis*, Vol. 7 (New York: Plenum Press, 1987), 223.

<sup>71</sup> Merkhofer & Keeney, *Risk Analysis*, 192.

<sup>72</sup> Flynn, *One Hundred Centuries of Solitude*, 39-40.

been surveyed as potential geologic repositories.<sup>73</sup> After this announcement, strong public opposition erupted in the Midwest, Northeast, and South. Making matters worse, in April 1986, the Chernobyl nuclear power plant accident in Russia intensified public fears over radiation contamination. As a result, public hearings regarding an eastern repository in the spring of 1986 attracted thousands.<sup>74</sup> On May 26, 1986, two days before the DOE's announcement concerning the western sites, Secretary Herrington declared he had indefinitely suspended the DOE's search for a repository in the East. He reasoned that a single repository would fulfill the nation's needs for the foreseeable future.<sup>75</sup> Although Herrington claimed that the DOE sought to reassess the need for a second repository, his decision was deliberate and political. Since 1986 was an election year, many saw the decision to abandon a second repository as an attempt to enhance the re-election prospects of several eastern members of Congress and to defuse political opposition from the more populous states. Senator George J. Mitchell, a Republican from Maine, praised the abandonment of an eastern repository by saying, "I am absolutely delighted by today's decision and what it means to our state. A dark cloud of uncertainty and doubt has been lifted."<sup>76</sup>

Environmentalists, like Brooks Yeager of the Sierra Club, suspected further political motives by noting that New Hampshire, one of the eastern states where the search was called off, had an early presidential primary in 1988 in which Vice President Bush would probably rally for the Republican nomination.<sup>77</sup> Other critics pointed out that Herrington's "lack of need" argument was at complete odds with Ben Rusche, the director of the Office of Civilian Radioactive Waste Management, who had testified a month earlier in Congress that the country needed a second repository.<sup>78</sup> Some individuals declared that the DOE officials had decided on a particular site from the beginning of the site selection process. "Now that they've dropped the second-round sites, we're saying it's strictly political," stated Rob Nielson, a

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<sup>73</sup> Flynn, *One Hundred Centuries of Solitude*, 40.

<sup>74</sup> Dunlap, *Public Reactions to Nuclear Waste*, 16.

<sup>75</sup> Robert D. Hershey, "U.S. Suspends Plan for Nuclear Dump in East or Midwest," *New York Times*, May 29, 1986, Section A, Late edition.

<sup>76</sup> Hershey, "U.S. Suspends Plan...", *New York Times*, May 29, 1986, Section A, Late edition.

<sup>77</sup> Hershey, "U.S. Suspends Plan...", *New York Times*, May 29, 1986, Section A, Late edition.

<sup>78</sup> Flynn, *One Hundred Centuries of Solitude*, 40.



spokesperson for the Nevada Nuclear Waste Project Office.<sup>79</sup> Indeed, political maneuvering was the basis for the DOE's decision. Secretary Herrington had entirely abandoned the instructions in the NWPA, and one DOE consultant involved in the decision mentioned in a report that political relief was the reason for dropping the second repository site.<sup>80</sup>

Herrington's decision angered congressional supporters of the NWPA, such as Morris Udall from Arizona, who had developed the clause in the original legislation for two repositories. Additionally, the western states targeted for site characterizations objected strongly to the burden of a sole repository.<sup>81</sup> Congressional supporters of both the NWPA and the western states with characterization sites slashed the DOE budget. A chastened Herrington then restarted the search for a second repository in the East.<sup>82</sup> But it was too late to correct mistakes. The NWPA had been thwarted. The political mood toward nuclear waste pressured senators and representatives to abandon the act's careful guarantees of equity and fairness.

### "Screw Nevada Act"

In 1987 Congress passed amendments to the Nuclear Waste Policy Act, (hereafter referred to as NWPA). Through compromise and bargaining, the provisions of 36 bills formed 100 H.R. 3545. This bill was attached to the Omnibus Budget Reconciliation Act of 1987 and passed in the closing hours of December 23, 1987, as Congress rushed to vote on legislation before the holidays.<sup>83</sup> In accordance with the DOE's wishes, the legislation wrestled with many of the provisions such as the restriction of research to one repository, and the authorization for a temporary storage site for nuclear waste, also known as a Monitored Retrieval Storage (MRS) facility. In response to Congress's amendments, a lobbyist for the Sierra Club appropriately summarized, "It's a lousy way to pick the nation's first waste repository. There was just overwhelming political momentum not to have to

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<sup>79</sup> "Nuclear Waste Plan Angers...", *New York Times*, June 8, 1986, Section 1, Late edition.

<sup>80</sup> Flynn, *One Hundred Centuries of Solitude*, 40.

<sup>81</sup> Dunlap, *Public Reactions to Nuclear Waste*, 16.

<sup>82</sup> Flynn, *One Hundred Centuries of Solitude*, 40.

<sup>83</sup> Flynn, *One Hundred Centuries of Solitude*, 41.

deal with this again. Nevada is the victim of a high-stakes game of musical chairs."<sup>84</sup>

Section 161 of the NWPAA imposed an indefinite moratorium on the siting of the second repository until Congress decided to appropriate funding specifically for the purpose of a new search.<sup>85</sup> Forbidding further crystalline rock studies, this provision directed the DOE to only evaluate the Yucca Mountain site and inherently stipulated that the department cease consideration of the Deaf Smith and Hanford sites.<sup>86</sup> Since Yucca Mountain would be the only site characterized, the NWPAA allocated funds for Nevada to receive financial compensation. Furthermore, the act mandated that the DOE report to Congress between 2007 and 2010 on the need for a second repository.<sup>87</sup>

In regards to a Monitored Retrieval Storage facility, the NWPAA redefined the definition and status of such a project. Limits of fuel storage at an MRS facility were set at 10,000 tons; additionally, the NWPAA mandated that the Nuclear Regulatory Commission (NRC) had to issue a construction license for a repository before an MRS facility could be built. This meant that a potential repository site, such as Yucca Mountain, had to go through characterization, approval, and construction authorization before any MRS facility could be depended upon for the storage of temporary waste. This provision, therefore, ensured that an MRS site designed for temporary storage could not become a permanent repository for waste.<sup>88</sup> Lastly, the NWPAA also stated that an MRS facility could not be constructed in the state of Nevada.<sup>89</sup>

The main purpose of the NWPAA was to restructure the DOE's high-level radioactive waste program. Other provisions included the creation of a position called the nuclear waste negotiator, whose assignment was to seek a volunteer host site for the MRS facility. A nuclear waste review board within

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<sup>84</sup> Cass Peterson, "Hill Conferees Target Nevada for Nuclear Dump," *Washington Post*, December 18, 1987, Section 1, A10, Final edition.

<sup>85</sup> Section 161 of NWPAA as cited in Flynn, *One Hundred Centuries of Solitude*, 40.

42 USC 10172a

<sup>86</sup> Dunlap, *Public Reactions to Nuclear Waste*, 16.

<sup>87</sup> Murray, *Understanding Radioactive Waste*, 163.

<sup>88</sup> Dunlap, *Public Reactions to Nuclear Waste*, 16; Murray, *Understanding Radioactive Waste*, 163.

<sup>89</sup> 42 USC 10165g

the NAS was also created, thereby adding increased scientific analysis on further research. Other parts of the legislation focused on transportation issues of nuclear waste by requiring that spent fuel be shipped in NRC-approved packages; furthermore, state and local authorities had to be notified if shipments of nuclear waste entered into their areas. The act also allowed for the continuation of sub-seabed disposal studies for nuclear waste.<sup>90</sup> The regulations set forth in the act appeared reasonable; the reasons behind the legislation, however, were entirely political in nature.

The NWPA, in reality, was an explicit political power play. "It was base, raw, power politics," asserted Senator Harry Reid, a Nevadan Democrat.<sup>91</sup> By restricting site characterization to Yucca Mountain, 49 of the 50 states no longer had to face the prospect of storing nuclear waste. Also, by canceling the search for an eastern site, the NWPA abandoned the geographic fairness contained in the original NWPA. Of the three states elected for characterization, Nevada was in the weakest position to oppose any legislation surrounding Yucca Mountain. Its population was less than that of Texas and Washington, and it only had two congressional districts, thereby making its representation in Washington, D.C., weak. Texas and Washington state both had unified delegations opposing the repository in their states. Furthermore, Texas's and Washington's congressmen held influential seats in government. Texas had Representative Jim Wright, a Democrat, as Speaker of the House; Senator Lloyd Bentsen, a Democrat, as chair of the Senate Finance Committee; Senator Phil Gramm, a Republican, who was a personal friend of President Ronald Reagan; and Vice President George Bush. Washington state had Representative Tom Foley, a Democrat, who was the House Majority Leader at the time.<sup>92</sup>

The decision to limit site characterization violated the ethical principles established in the NWPA of 1982 that required the characterizations to be based on technical and scientific criteria. The motivations behind the NWPA were anything but scientific. In 1992, at a hearing over new legislation regarding Yucca Mountain, Representative Peter Kostmayer, a

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<sup>90</sup> Murray, *Understanding Radioactive Waste*, 163.

<sup>91</sup> Susan Rasky, "Nevada May End Up Holding the Nuclear Bag," *New York Times*, December 20, 1987, Section 4, 4, Late edition.

<sup>92</sup> Flynn, *One Hundred Centuries of Solitude*, 40-41.



Democrat from Pennsylvania, acknowledged the following information to the governor of Nevada:

I do agree with one thing you said, Governor; that is, in 1987, a colleague of Senator Bryan's picked up votes from other Members of the Senate by saying we won't put it in your State; join me, we will put it at Yucca. That is the site we will study. That was very irresponsible, and I think that is a bad thing....<sup>93</sup>

Additionally, an aide to Senator Bennett Johnston, a Democrat from Louisiana and the architect of the NWPAA, reportedly told Nevada Governor Bob Miller that "the decision to target Yucca Mountain was politically motivated."<sup>94</sup> Other political intentions can be seen in the legislation. The granting of continued sub-seabed disposal studies for nuclear waste was a meager attempt to placate the frustrations of Nevada Senator Chic Hecht.<sup>95</sup> The NWPAA was the result of political factors that singled out Nevada and Yucca Mountain in order to alleviate political tension for 49 other states. Because of this, many Nevadans, including senators and representatives, refer to the NWPAA as the "Screw Nevada Act."

### Events Since 1987

Political manipulation continued to control the nuclear waste policy after 1987. The Energy Policy Act of 1992 weakened the standards of radiation exposure that the Environmental Protection Agency had planned on using in the licensing requirements for Yucca Mountain. The Environmental Protection Agency originally proposed to compute risk in terms of cumulative radiation over 10,000 years. The new provision, however, mandated an "individual dose" standard that disqualified Yucca Mountain as a repository if there was evidence, at any point in time, that an individual had been exposed to a high dose of radiation. This provision weakened the EPA standards because it was more unlikely for a single large dose of radiation to be released within Yucca Mountain than for the high cumulative releases of

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<sup>93</sup> House Document 102-47, 47.

<sup>94</sup> Flynn, *One Hundred Centuries of Solitude*, 41-41.

<sup>95</sup> Murray, *Understanding Radioactive Waste*, 163.

radiation over time.<sup>96</sup> Through this bill, Congress again repudiated the processes of the NWPA of 1982 by changing radiation standards. As a result, the DOE had one less political problem to deal with in their characterization process.

More recently, a federal appeals court ruled in 2004 that the DOE failed to follow scientific advice from the National Academy of Sciences. The academy recommended that radiation standards cover a period of 300,000 years, yet the DOE chose to follow the EPA law that would only address radiation leaks during a 10,000-year period. The court's ruling demanded that the EPA rewrite its law to conform to the National Academy's recommendation.<sup>97</sup> The intention of the DOE to unabashedly disregard the National Academy's advice again exposes government intentions to make Yucca Mountain a repository with disregard for scientific counsel. Further politics can be seen in the suggestions of the Nuclear Energy Institute, a lobbying group for nuclear power. They propose that the DOE can either rewrite its plan to conform to the National Academy of Science's recommendation, or Congress can enact legislation allowing the DOE to deviate from the 300,000-year radiation standards.<sup>98</sup> Following scientific regulations does not appear to be in the government's interest. Matthew Wald, a reporter for the *New York Times*, appropriately stated, "When the Energy Department loses a case in court, it often seeks to have Congress overturn the decision by amending the law. And the court even suggested that Congress could change the law to mandate a 10,000-year standard."<sup>99</sup>

## Conclusion

Today, commercial nuclear waste continues to sit on the sites of nuclear power plants in either storage pools or dry casks. If the DOE had followed the original provisions in the NWPA, that waste might have made its way to a repository by now. Once the fairness within the NWPA's plan had been compromised, the targeted states for waste storage strongly opposed any

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<sup>96</sup> Flynn, *One Hundred Centuries of Solitude*, 42.

<sup>97</sup> Matthew L. Wald, "Nuclear Waste Repository in Nevada Suffers Setback," *New York Times*, July 10, 2004, Section A, 12, Late edition.

<sup>98</sup> "Court Rejects Nevada Bid to Block Nuclear Waste Site," *Planet Ark Website*, <http://www.planetark.com/dailynewsstory.cfm?newsid=25982&newsdate=13-Jul-2004> (accessed March 22, 2005).

<sup>99</sup> Wald, "Nuclear Waste Repository...", *New York Times*, July 10, 2004, Section A, 12, Late edition.

DOE decision and stalled the repository siting process through means of litigation. Although the DOE has consistently won in court, the justified yet drawn-out opposition to waste storage has become a costly burden on taxpayers.

As an incentive to find a site, the original NWPA of 1982 instructed the DOE to sign contracts with utility companies to accept spent fuel by 1998. After 1998 came and went, nuclear power utilities began suing the U.S. government because of its failure to relieve them of nuclear waste. In August 2004, the U.S. settled with the Exelon Corporation, a major nuclear power company, and agreed to pay them \$80 million immediately for storage costs already incurred, along with an additional \$220 million by 2010. The settlement also stated that if a repository was delayed until 2015, the total monetary compensation would rise from \$300 million to \$600 million.<sup>100</sup> Congress originally created the Nuclear Waste Policy Act in order to provide a plan that ensured equity and fairness in the selection of repositories. As a result of negating those provisions, the public is now paying for the consequences of political machinations.

No one wants nuclear waste in their backyard. The issue is so powerful it supersedes political party lines. Both Democrats and Republicans have gone to lengths to keep radioactive materials out of their states. The implications involved with nuclear waste storage have ultimately radicalized politicians to neglect rationality and act with only political interests in mind. This abandonment of sagacity is evident in the DOE's nomination of sites where local populations were more likely to accept radioactive waste, the secretary of energy's decision to cancel an eastern waste repository in order to increase eastern senators' re-election prospects, and the DOE's disregard for radiation standards to further expedite site characterization. The negation of the NWPA's original provisions has resulted in a situation where fairness does not exist. As a result, Nevada has ultimately become a political scapegoat for forty-nine other states. What began as a fair proposal to a serious problem soon became a mangled mess of political bias and distorted legislation. The failures of the government to abide by its original plans have truly made Nevada's Yucca Mountain the political place for waste.

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<sup>100</sup> Matthew L. Wald, "U.S. Settles Nuclear Case over Burial of Waste," *New York Times*, August 11, 2004, Section C, 12, Late edition.



## Major Isaiah Stillman and the Odd Battalion

BY ZACHARY J. TREADWAY

Major General Alexander Macomb, Commanding General of the Army, when writing his official account of the Black Hawk War for Secretary of War Lewis Cass in November 1832, makes no mention of the Battle of Stillman's Run.<sup>1</sup> Why would the Commanding General of the Army omit the first battle of the war in his official report? The fifteen-week campaign was inglorious at best—a cluster of bungled attempts to “coerce the hostile Indians into subjection.”<sup>2</sup> Perhaps General Macomb simply wanted to forget about the day that started it all, or perhaps it was an accidental omission. If we omit the Battle of Stillman's Run from the official record, however, the entire story changes: Black Hawk becomes the aggressor once more, militiamen become heroes again, and citizens of north central Illinois never flee their farms in terror and barricade themselves in fortified warehouses. Stillman's lust for glory and lack of experience forced a battle that extinguished any hope of a peaceful resolution to a situation that could have been concluded with a handshake.

A series of questionable treaties over a three-decade-long period preceding the Black Hawk War led to a move by the Sac and Fox Indians from their traditional home on the eastern side of the Mississippi River in present-day Rock Island, Illinois, to the western side of the river. Many of these treaties were forced by white settlers who claimed Indian land, occupied their villages, and took possession of Indian crops.<sup>3</sup> In an act of defiance, Chief Black Hawk, or Makataimeshekiakiak, led a large force of warriors and settlers back across the Mississippi on April 6, 1832, with the aim of seeking alliances and reclaiming their ancestral ground.<sup>4</sup> Black Hawk spent much of the next month traveling through central and northern Illinois seeking the

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<sup>1</sup> Crawford Beecher Thayer, ed. *Hunting a Shadow* (Banta, 1981), xxxvi.

<sup>2</sup> Frank Stevens, *The Black Hawk War* (Chicago: 1903), 137-138.

<sup>3</sup> Perry A. Armstrong, *The Sauks and the Black Hawk War with Biographical Sketches, Etc.* (Springfield: H.W. Rokker, Printer and Binder, 1887), 58-70.

<sup>4</sup> Newton Bateman and Paul Selby, eds., *Historical Encyclopedia of Illinois* (Chicago and Peoria: Munsell Publishing Company, 1902), 202.

assistance of friendly tribes and attempting to form a unified Indian front to oppose the whites.<sup>5</sup> Black Hawk's attempts proved fruitless, however, and in the second week of May, having been turned away and given no quarters or supplies from his would-be allies, Black Hawk was in despair. He was in council and resigned to his fate, deciding to move south again and surrender because his people had no food and he could not muster enough men to go to war.<sup>6</sup> On this fortuitous day, a group of mounted militia under the command of Major Isaiah Stillman was moving toward Black Hawk's camp at Old Man's Creek with delusions of grandeur. Stillman believed that if he could bring Black Hawk to his knees, he and his commander, Governor John Reynolds, would win glory and renown as heroic Indian fighters.<sup>7</sup> Such status could do much for both men's political ambitions, as Governor Reynolds had dreams of the presidency, and Stillman was an ambitious prairie merchant eager to make a name for himself.

Isaiah Stillman was born in Massachusetts in 1792. It is not known when he moved to Illinois, but he became justice of the peace of Sangamon County in 1825.<sup>8</sup> Isaiah's younger brother Stephen served as the first state senator of the Sangamon County district from 1822 to 1826, so it is possible that after Stephen established himself in the state, Isaiah followed and undoubtedly used Stephen's assistance to secure the position.<sup>9</sup> In 1827 Isaiah Stillman became a captain in the militia, perhaps enlisting two years prior while serving as justice of the peace.<sup>10</sup> At that time, military service was a deciding factor in personal and professional success, as evidenced by many leading figures and future leaders who joined either the regular army or, in this case, the militia. Service in the militia offered opportunities for steady and swift promotion. By attaining high rank, a person could interact with a wider range of other like-minded, high-ranking militia officers. Through these contacts

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<sup>5</sup> Donald Jackson, ed., *Black Hawk, An Autobiography* (University of Illinois Press, 1990), 106.

<sup>6</sup> Jackson, *Black Hawk, An Autobiography*, 121-122.

<sup>7</sup> Armstrong, *The Sauks and the Black Hawk War*, 310-311.

<sup>8</sup> Ernest E. East. "Black Hawk War Commander Buried Here," *The Peoria Journal-Transcript* 5 May 1935.

<sup>9</sup> John Clayton, *The Illinois Fact Book and Historical Almanac: 1673-1968* (Carbondale: Southern Illinois University Press, 1970), 198-199.

<sup>10</sup> Eby, "That Disgraceful Affair," *the Black Hawk War* (New York: W.W. Norton & Company Inc., 1973), 123.

and their roles as community leaders, officers could expect whatever business or industry they were involved in to gain reputation and clientele. Stillman had this plan in mind when he joined the militia, and it is the main reason he so thoroughly applied himself toward seeking promotion. After his promotion to captain in 1827, it took him a mere four years to be selected brigadier general of the Fifth Grand Division of the Illinois Militia.

Stillman lived in Canton in Fulton County from approximately 1831 to 1845, serving as the town's magistrate in 1831 (the same year he was elected brigadier general) and later as an assessor, earning \$1.50 for each day employed in official business.<sup>11</sup> He also worked as a merchant, bringing goods to Copperas Creek Landing, which he originally founded but never owned because of some local custom that forbade the purchase of this piece of land.<sup>12</sup> In January 1832, Stillman petitioned Governor Reynolds for permission to act against a group of Potawatomis that was stealing hogs and burning hay in the area between Copperas Creek and Spoon River. Although at the time, the governor forbade any "lawless and violent mode of address..." against the Potawatomis, he later accepted Stillman's offer to act against the Indians after Black Hawk returned to Illinois to try to regain his tribe's ancestral land.<sup>13</sup>

Isaiah Stillman was active in local politics from his first appearance in the records as Sangamon County's justice of the peace in 1825 to his magistracy of Canton in 1831. He was also a well-known entrepreneur in the area, making the Reverend Tatum's sermon one Sunday as one of two shrewd businessmen who refused to purchase a coon skin from the reverend because they "weren't of much account."<sup>14</sup> It could have been these entrepreneurial qualities, combined with his experience as a justice of the peace and his brother's prominence in state politics, that Stillman used to secure his selection to major general of the Fifth Grand Division of the Illinois Militia in 1831.

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<sup>11</sup> Alonzo M Swan. *Canton: Its Pioneers and History: A Contribution to the History of Fulton County*, (Canton, Fulton County Illinois, 1871), 98-100.

<sup>12</sup> Helen Hollandsworth Clark, ed., *A History of Fulton County Illinois in Spoon River Country 1818-1968* (Fulton County Historical Society, 1969), 70.

<sup>13</sup> Eby, "That Disgraceful Affair," *the Black Hawk War*, 124.

<sup>14</sup> Swann, *Canton: Its Pioneers and History: A Contribution to the History of Fulton County*, 26.



Despite his meteoric promotions, Stillman appears to have had no actual military experience.<sup>15</sup> Given the fact that all commanding officers in the state's militia at that time were elected by the "enrolled militia of the district, division, or those comprising his command,"<sup>16</sup> it is easy to see how a man with little, or no, actual military experience could hold such rank. Progression in rank required popularity among one's men and commanders; the ascension of Abraham Lincoln from private to captain in the span of one month during the Black Hawk War has been largely attributed to his popularity around the campfire.<sup>17</sup> Lincoln himself was never directly involved in combat during the war and made light of the fact by saying: "I had a good many bloody struggles with the musketoes [*sic*]; and, although I never fainted from loss of blood, I can truly say I was very often hungry."<sup>18</sup>

During his tenure in the militia, Isaiah Stillman was simultaneously a major, lieutenant colonel, and major general. Perry A. Armstrong's book, *The Sauks and the Black Hawk War*, published in 1887, helps to clarify the confusing nature of the rank of militia officers at the time of the war. Under law, the Illinois State Militia was divided into five grand divisions and then subdivided into brigades. Each division was commanded by a major general, and each brigade was commanded by a brigadier general. Each regiment was commanded by a colonel, but instead of having a permanent lieutenant colonel, there were one to three majors under the colonel, with the senior major acting as a lieutenant colonel on the regimental level. Battalions that did not form part of a regiment were called "odd battalions" and commanded by a major.

Having outlined the structure of the Illinois militia as it appeared in 1832, it must be said that it appears (from Stillman's example) that no position was permanent, and the rank of a commanding officer depended basically on popularity and the number of troops one commanded at any given time. In 1832 all of Illinois between the Illinois and Mississippi Rivers—seventeen counties in all—comprised the Fifth Military Division, with Major General

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<sup>15</sup> Armstrong, *The Sauks and the Black Hawk War*, 310.

<sup>16</sup> Armstrong, *The Sauks and the Black Hawk War*, 302.

<sup>17</sup> E. Duis. *The Good Old Times in Mclean County, Illinois* (Bloomington: The Leader Publishing and Printing House, 1874), 123.

<sup>18</sup> Joseph R. Fornieri, ed., *The Language of Liberty* (Regnery Publishing, 2003), 4.

Stillman as commanding officer. When Stillman was ordered to muster troops in response to Black Hawk's crossing in April 1832, he was in charge of roughly 150 mounted militiamen and carried the rank of major. If the entire Fifth Grand Division had been mustered and Stillman put in charge, he would have carried the rank of major general with him into the field, but as he was in charge of just a small contingent, he carried the rank of major.<sup>19</sup>

Major General Daniel Bailey of Tazewell County commanded the Fourth Grand Division, which comprised all seven counties in northeastern Illinois. Major Bailey had originally enrolled in the militia on July 19, 1813, and had been promoted to first lieutenant in July 1814; he left the service in 1815 and returned to fight Black Hawk in April 1832.<sup>20</sup> These two men developed a personal rivalry that would have a negative impact on the outcome of the Black Hawk War.

On April 16, 1832, Illinois Governor John Reynolds called for 1,000 mounted militia from the areas making up the Fourth and Fifth Divisions to report to duty at Beardstown by April 22.<sup>21</sup> According to Armstrong's estimate, Stillman may not have received the order until April 23. No railways or telegraphs led to Fulton County at the time, and it likely would have taken at least a week for the message to arrive. Stillman would have been responsible for coordinating the delivery of supplies and arms for his troops, which he had to do en route to the rendezvous point.<sup>22</sup> Major David Bailey (Major General of the Fourth Grand Division) was summoned at the same time as Stillman, and in a letter to the governor, expressed his frustration with his fellow officer:

Governor, I have just returned from Fort Clark & saw Genl. Stillman which was just ready to march and would start this morning agreeable to his orders heretofore received so to do and have taken all the arms ammunition & provisions which has been sent to that place which he says was sent for him only or by his orders he has one Hundred men and a fifth of that number from the county of Peoria

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<sup>19</sup> Armstrong, *The Sauks and the Black Hawk War*, 302.

<sup>20</sup> Armstrong, *The Sauks and the Black Hawk War*, 301, 303.

<sup>21</sup> Bateman and Selby, *Historical Encyclopedia of Illinois*, 202.

<sup>22</sup> Armstrong, *The Sauks and the Black Hawk War*, 303.

which County my orders calls on me to raise fifty from which will be impossible.<sup>23</sup>

From the outset of this campaign, Stillman and Bailey shared an obvious animosity toward each other. Both were charged with patrolling the frontier, while the remainder of the militia was being organized. Stillman had close to 150 men, and Bailey had approximately 200; both were to patrol the area between the Mississippi and Illinois Rivers.<sup>24</sup> It is not known exactly when these men were able to raise and equip their men and commence their patrols or how arduously they actually employed themselves in patrolling, but by May 12, they had settled in at Dixon's Ferry and welcomed the arrival of Governor Reynolds and General Whiteside's men.

The call to arms produced nearly 2,000 militia volunteers—twice the number requested by Governor Reynolds. By April 28, the militia force at Beardstown was organized into four regiments, a spy battalion, and an odd battalion.<sup>25</sup> Shortly thereafter, the militia, under command of Governor Reynolds, marched to Oquawka to await provisions and was mustered into active service by Lt. Jefferson Davis, thereby falling under the command of General Atkinson.<sup>26</sup> This might warrant some explanation, as it is usually the duty of the governor to act as the commander in chief of that state's militia forces. But once General Atkinson mustered the militia into active service, it no longer fell under the direct control of Governor Reynolds. Instead, militiamen found themselves under the control of regular army officers. During this approximate two-week period—between April 28 and May 12—Majors Stillman and Bailey were supposed to be readying their men and patrolling the territory between the rivers.

Once all the forces had gathered at Dixon's Ferry, Majors Stillman and Bailey began to work on the governor. Both men were in charge of a battalion of state militia that had not yet been mustered into federal service and were, therefore, at the immediate disposal of the governor. Stillman was a persuasive talker, and it did not take long for him to convince Governor Reynolds that he was "an old and experienced Indian fighter, and familiar

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<sup>23</sup> Letter: Bailey to Reynolds at Beardstown. Reprint, Illinois Historical Society, October 1938.

<sup>24</sup> Bateman and Selby, *Historical Encyclopedia of Illinois*, 203.

<sup>25</sup> Armstrong, *The Sauks and the Black Hawk War*, 303.

<sup>26</sup> Bateman and Selby, *Historical Encyclopedia of Illinois*, 202.



with the Indian modes of warfare."<sup>27</sup> Although Stillman had limited military background, he persuaded the governor that he had, in fact, considerable experience in these matters. It helped Stillman's cause that "the Governor, like Caesar, was ambitious, and had already cast an eye upon the Presidential chair and the White House."<sup>28</sup> In Stillman's and Bailey's brigades, Governor Reynolds saw his chance to win glory and fame as a frontier Indian fighter and, along with this national recognition, a great elevation in personal and political standing.

With these fanciful thoughts in mind, Governor Reynolds combined Stillman's and Bailey's brigades of mounted militia and put Stillman in overall command, even though Major Bailey had a larger force on hand and a longer record of service, dating back to the War of 1812.<sup>29</sup> This decision caused a permanent rift between the two commanders, Major Bailey having expected to be appointed commander and become resentful of whatever means Stillman used to trump him. Along for the ride was Colonel James M. Strobe of Galena, not of the present unit but eager to dash about on prairie adventures. As a civilian, Strobe was the prosecuting attorney for all of the counties in northwestern Illinois and as a soldier commanded the Twenty-Seventh Regiment of the state's militia. He was apparently an inveterate talker with great talents for embellishment.<sup>30</sup>

On May 12, 1832, Governor Reynolds issued the following order: "Major Stillman, you will cause the troops under your immediate command, and the Battalion under Major Bailey to proceed without delay to the head of 'Old Man's Creek,' where it is supposed there are some hostile Indians, and coerce them into submission."<sup>31</sup>

The hostile Indians in question were in fact Black Hawk and his beleaguered band. His meetings with Winnebago and Potawatomi chiefs had proved fruitless, and Black Hawk sent most of his men to forage some ten miles distant while he camped with about forty men and the rest of the party consisting of women and children. Black Hawk decided to await another

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<sup>27</sup> Armstrong, *The Sauks and the Black Hawk War*, 311.

<sup>28</sup> Armstrong, *The Sauks and the Black Hawk War*, 311.

<sup>29</sup> Cecil Eby, "That Disgraceful Affair," *the Black Hawk War*, 126.

<sup>30</sup> Armstrong, *The Sauks and the Black Hawk War*, 312, 313.

<sup>31</sup> David McCulloch, ed., *History of Peoria County Volume II* (Chicago and Peoria, Munsell Publishing Company, 1902), 204.

meeting with the Potawatomis in hopes that they would provide at least some form of sustenance.<sup>32</sup>

Stillman's odd battalion made easy progress the first day, encountering no hostile Indians. Stillman's account of the battle mentions nothing out of the ordinary about May 13, so one can imagine Stillman and his men stopping just before dusk to make camp for the night, assigning duties for the evening's watch, and the two majors perhaps creating excuses to avoid each other's company while Colonel Strode commanded the campfire audience. By the second day, it seems that the personal feud between Majors Stillman and Bailey began to affect the order of march, with neither listening to the other's opinion or advice, and their battalion "straggled along more like a band of hunters than soldiers."<sup>33</sup> At some point during the second day, they closed in on Old Man's Creek and entered a swampy pass, wherein their supply wagon became mired and immovable. What happened next is impossible to know for certain and has been a source of confusion and debate ever since. Having removed all that they could carry from the wagon, the soldiers were left with a barrel of whiskey that no one wanted to leave behind, but that none could carry. Some sources say that the men filled their canteens, coffee pots, and bottles full of whiskey,<sup>34</sup> while other sources claim that the soldiers had no such containers and decided to drink the whiskey.<sup>35</sup> Other accounts, like Major Stillman's, do not mention whiskey whatsoever, but this is understandable.

Fewer commentators take the middle road and say that while there were undoubtedly some who would rather drink a barrel of whiskey than let it go to waste, others would have remained sober. These men were not professional soldiers, and many probably assumed that hunting Indians was a lot like hunting deer — and a little whiskey just made it more enjoyable. But there is no irrefutable evidence to support either that they were all drunk or that none of them were drunk. Certainly claiming that all the men were drunk would help to explain what happened later that night, but it is not possible to say with certainty. Whiskey consumption or not, the men proceeded slowly that

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<sup>32</sup> Black Hawk, *An Autobiography*, 119–122.

<sup>33</sup> Armstrong, *The Sauks and the Black Hawk War Etc.*, 313.

<sup>34</sup> Duis, *The Good Old Times in Mclean County, Illinois*, 103.

<sup>35</sup> Armstrong, *The Sauks and the Black Hawk War*, 313.

second day with their column strung out for miles. They began to make camp on the north side of Old Man's Creek about an hour before sunset, with stragglers coming in piecemeal.<sup>36</sup>

From here the account becomes confusing, but most sources agree that shortly after the battalion made camp, three Indians approached with gestures of peace, seeking an audience with the commander.<sup>37</sup> Some sources, like Black Hawk's autobiography and the testimony of Elijah Kilbourne, a translator with Stillman's forces, say that these Indians entered the camp carrying a white flag. Behind these flag bearers, Black Hawk sent a group of five mounted warriors to observe the negotiation from afar and report on its progress. Stillman's account refutes this, saying that although the Indians had made signs of peace, it did not happen in the camp and when it did occur, it served as a delaying tactic with no truth of intent.

Stillman states that after his battalion made camp, his scouts spotted a small party some distance ahead. Thinking that these were some of their own scouts, the men originally thought nothing of it and sent a small group under Lt. Gridley to bring them back to camp. After a quick head count confirmed that all of his men were present, Stillman decided that another small party under the command of Captain Covell should venture out to aid the scouts in determining the nature of the small group. As the militia reached the occupied bluff, the Indians leveled their guns and took aim. Lt. Gridley's men, surprised at the unexpected greeting, turned about and galloped back toward camp with the Indians giving chase. Captain Covell's men charged on the scene just in time to turn around the fleeing Lt. Gridley and face the Indian party as a combined force. A small bout of ineffective gunfire was exchanged. Now outnumbered, it was the Indians' turn to run. Captain Covell and Lt. Gridley pursued the Indians for some distance and killed three, captured three, and lost one of their own.

After this initial encounter, Stillman states that his entire battalion marched toward Sycamore Creek five miles away. Three miles into the march, Stillman claims that an Indian approached with signs of peace. After some negotiation, the Indian was promised a peaceful surrender and given

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<sup>36</sup> Eby, "That Disgraceful Affair," *the Black Hawk War*, 128.

<sup>37</sup> Armstrong, *The Sauks and the Black Hawk War*, 315; Black Hawk, *An Autobiography*, 122; McCulloch, *History of Peoria County Volume II*, 204.



instructions as to where and when the surrender would take place. Stillman moved his men to the specified location and found no Indians, which convinced him of treachery. At that time, Stillman ordered his men to advance to Sycamore Bluff, where they encountered the Indians in "martial order; their line extended a distance of nearly two miles" and quickly advancing on his position. From Stillman's narrative, it is easy to imagine two organized, disciplined forces maneuvering and engaging in combat in proper order. We are to believe that the militiamen themselves were in martial order, facing a massive enemy force highly trained and skilled in European modes of warfare. Stillman describes how his men held their ground, fighting off an attempt by Black Hawk to out flank them before finally, in the failing light, surrounded by whooping savages, being compelled to give ground to the superior host.<sup>38</sup>

Stillman's narrative is the only account that does not place three Indians inside the camp. His story would have us believe that one Indian approached an entire column of militia and offered surrender merely as a means of buying time for the enormous army of Indians to form in martial order atop Sycamore Bluff. Because of the gross exaggerations of this narrative, it is safe to say that we can discredit at least some of what Stillman has to say, including what he does not say about three Indians entering his camp with a white flag.

Some, however, took Stillman's lack of account concerning this issue as evidence that it never occurred. J.A. Atwood, writing 72 years after the fact, was one such staunch believer.<sup>39</sup> Still others, such as E. Duis, claimed that the Indians entered the camp to talk with Stillman's men and subsequently raised a red flag, signaling war.<sup>40</sup>

It does not make sense that Black Hawk would send only three warriors into an enemy encampment without a flag of truce or carrying a red flag as a declaration of war. The white flag was an unambiguous symbol of a party's intent to negotiate a settlement to avoid a conflict. It makes sense, given that his people were already in dire straights and he had concluded that his efforts had proven fruitless, that Black Hawk would send a white flag and offer of surrender; he had, earlier that day, stated those exact intentions to his people.

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<sup>38</sup> Stevens, *The Black Hawk War*, 137-138.

<sup>39</sup> J.A. Atwood, *The Story of the Battle of Stillman's Run* (Mount Morris Illinois, 1904), 6-8.

<sup>40</sup> Duis, *The Good Old Times in Mclean County, Illinois*, 104.

Major Stillman, on the other hand, seemed to want nothing to do with negotiations or peace settlements. He had convinced Governor Reynolds that he was a supreme Indian fighter although he had, to our knowledge, never seen combat. His mention of accepting an offer of surrender in his narrative can be seen as an attempt to justify his actions; the Indians had apparently planned a trap for him.

The governor wanted his men to destroy the Indian threat, and through this glorious deed, reap the rewards and honor due to the man who pacified the hostile native band. It seems that, to this point, the only option Stillman could see was a fight. No easy surrender would do; it had to be a clear, decisive victory. Anyone could simply march two days and accept a peaceful surrender, but only a supreme Indian fighter could inflict a crushing blow upon what were seen as a villainous band of natives. The quest for glory seems to have clouded Stillman's vision.

Black Hawk had, after sending the three men with a white flag to offer peace negotiations with the white commander, sent a group of five mounted warriors to follow and keep an eye on the parley party. Upon sight of the five mounted warriors atop a nearby hill, the militiamen were convinced of a deception and, according to varying accounts, half to the full number of militia mounted and gave pursuit in an "irregular chase across the prairie."<sup>41</sup> In the confusion of soldiers hurriedly mounting and rushing out of the camp, one of the three flag-bearing Indians was shot and killed. Two of the five observers were run down and killed in the pursuit, but three were able to make it back to Black Hawk's camp and alert the chief to what had transpired.

Black Hawk did not have much time to organize what few men he had at his camp (most of his people were foraging some 10 miles away), and he took the 40 or so men with him and hid in the brush along a tree line that bordered the prairie. Upon the arrival of the unorganized mass of soldiers, Black Hawk and his men raised a war cry and opened fire on the unsuspecting militia men, and then charged out of the woods with a reckless abandon.<sup>42</sup>

The militia force was caught completely off guard and, in the failing light and anxiety of the moment, imagined that they heard the war cries of a thousand Indians. Stillman claimed that the Indian column was two miles

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<sup>41</sup> McCulloch, *History of Peoria County Volume II*, 204.

<sup>42</sup> Black Hawk, *An Autobiography*, 125-126.

long, with "their flanks extending from one creek to the other."<sup>43</sup> Kilbourne claimed that his comrades were falling around him "like leaves."<sup>44</sup> In that atmosphere, a panic gripped the militiamen, and suddenly the reality of fighting Indians vanquished any fanciful, preconceived ideas, and each man thought first of maintaining his own life. In this manner, the militia fled in the face of battle, rode back to camp, and without stopping or slowing down, proceeded through the encampment toward Dixon's Ferry. Stillman had long since lost whatever control he held over the unorganized mass of militia, and as they charged through camp, they raised the specter of a massive Indian army heading toward them, which caused a panic to grip those men still in the camp. They too mounted quickly and fled without concern for their belongings.

Stillman had no control over his men. Whatever derogatory effects came from the lack of cooperation between Major Bailey and himself during the previous two days can only be presumed. It is clear, however, that once the militia began to move, no one was able to control the retreat. Stillman's lack of military leadership skills and absence of field experience can be brought to bear here. The generally undisciplined nature of the militia can also be noted.

Black Hawk's forty warriors had completely routed 275 mounted militiamen. A small number of men continued in pursuit for some time, but the battle was over. Black Hawk's men helped themselves to the much needed provisions left behind by the whites, while Stillman's men raced headlong through the night toward the sanctuary of Dixon's Ferry.

The first man to reach Dixon's Ferry in the middle of the night was Colonel James M. Strode of Galena. Sometime after midnight on May 15, 1832, Colonel Strode arrived breathless at Dixon's Ferry with news that Stillman's odd battalion of rangers had been destroyed in battle. Strode fell on Governor Reynolds and General Whiteside with news of a thousand Indians at Old Man's Creek offering battle with "such accuracy and precision of military movements never witnessed by man—equal to the best troops of Wellington in Spain."<sup>45</sup> Strode, with Stillman and a few others, tried to cover

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<sup>43</sup> Stevens, *The Black Hawk War*, 138.

<sup>44</sup> J. B. Patterson, ed., *Black Hawk, Autobiography of Ma-Ka-Tai-Me-She-Kia-Kaik, or Black Hawk* (Oquawka Illinois: 1882), 164-166.

<sup>45</sup> Eby, "That Disgraceful Affair," *the Black Hawk War*, 127.



the retreat of the volunteers but were overwhelmed by the Indian onslaught until Strode himself was the last man standing on the battlefield. It was then, after a musket ball nearly tore through the colonel's ear that he decided to make haste to Dixon's Ferry.

Strode's story, as ludicrous as it was, seemed to gain some credence as more stragglers arrived at Dixon's Ferry with similar reports of utter destruction. The tales coming in from Old Man's Creek caused further panic among the leadership at Dixon's Ferry, who immediately began to petition for reinforcements, supplies, and more militia.<sup>46</sup> The residents of neighboring towns such as Canton reacted immediately upon hearing the news by barricading themselves into makeshift forts and fortified warehouses.<sup>47</sup> A clear panic seized the entire region, as word of Stillman's route and the massive Indian army spread with ever greater embellishments.

The day after the battle, with stragglers still rolling in, a contingent of troops sallied forth to inspect the battlefield and ascertain the position of the Indian army. The party, which included young Abraham Lincoln, discovered the mutilated bodies of eleven men and commenced to bury them in a mass grave with a simple marker. It was quickly deduced that the frightened soldiers coming from the battle had exaggerated, but this did little to stem the panic of the surrounding locals.<sup>48</sup> Subsequent events would only worsen the lot of prairie families caught in the middle of this burgeoning war. One week after Stillman's defeat, a group of Indians raided the Davis farm, catching the two families that worked the land off guard. Two young girls were taken hostage, and nine men somehow managed to escape. The rest were killed.<sup>49</sup>

Major Isaiah Stillman was discharged from state service on June 28, 1832. It was common practice for soldiers and officers in the militia at that time to be discharged and their units disbanded from service after a major campaign, as evidenced by Major David Bailey's discharge in June 1815 after his service in the War of 1812. Major Bailey was discharged again on June 16, 1832, after the Battle of Stillman's Run.<sup>50</sup>

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<sup>46</sup> Armstrong, *The Sauks and the Black Hawk War*, 317-328.

<sup>47</sup> Swan, *Canton: Its Pioneers and History*, 76-80.

<sup>48</sup> Armstrong, *The Sauks and the Black Hawk War*, 330-335.

<sup>49</sup> William T. Hagan, *The Sac and Fox Indians* (Norman and London, University of Oklahoma Press, 1958), 160-161.

<sup>50</sup> Armstrong, *The Sauks and the Black Hawk War*, 301.

The last year that Stillman appears in Canton's official records was 1837, when he lost an election bid for the position of alderman, receiving only 3 of the 158 votes tallied.<sup>51</sup> He apparently ended his political career with this defeat, at the age of 45, as his name did not appear on the records for subsequent years. Stillman suffered a far greater loss that year as his younger brother Stephen died on March 28, and Isaiah presided over his estate. One document from this event refers to Stillman as a general, but the record does not state if he was still a general in the militia or if this was an informal title paying homage to his past service.<sup>52</sup> He remained in Canton for some time and must have had continued success, as he was elected the Worshipful Master of Canton's Morning Star Lodge No. 30 upon its opening on October 6, 1845. The Masonic lodge operated in Canton until 1875, closing after a mysterious controversy caused such dissention among its members that the Grand Lodge decided to dissolve the Canton lodge's charter.<sup>53</sup> Isaiah Stillman apparently spent the last years of his life at Kingston in Peoria County. Although it is difficult to say when the move occurred, it is safe to say that he continued to sell merchandise and enjoyed some success. Isaiah Stillman died on April 15, 1861, leaving his widow, Hannah Stillman, and their three children an estate valued at \$4,500.<sup>54</sup>

The battle that bears Stillman's name forced Black Hawk to continue the war and led to the eventual massacre of his followers at the Battle of Bad Axe on August 2, 1832. If the Battle of Stillman's Run had not occurred, it is safe to say that there would have been no Black Hawk War. Also, if experienced regulars had fought at Stillman's Run, the Black Hawk War might well have been a one-battle affair. Stillman had a chance to end it before it began. He had the opportunity to negotiate the surrender of the willing chief, but through vainglory and lack of discipline, that opportunity slipped from his grasp. As it stands, the conflict lasted for fifteen weeks and involved some of America's greatest historic figures, undoubtedly leaving an impact on each.

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<sup>51</sup> Swan, *Canton: Its Pioneers and History*, 100.

<sup>52</sup> East, "Black Hawk War Commander Buried Here," page number unreadable.

<sup>53</sup> Otto T. Meier, "Morning Star Lodge History," *Morning Star Lodge No. 734*, (November 8, 1975) <http://t1s4.tripod.com/history.htm>.

<sup>54</sup> East, "Black Hawk War Commander Buried Here," page number unreadable.

The life of Isaiah Stillman—apart from small glimpses and shadows—has largely been forgotten. Apart from his record of public service, odd documents that list him as a voter or a candidate, his life outside the war is a mystery. That he strove to succeed in public life is obvious; that his failure as a militia commander helped to end his political career can be safely assumed. We have no idea what kind of husband or father he was and can only infer from sporadic evidence that he was a successful businessman. What we do know is that without Isaiah Stillman, the outcome of the Black Hawk War might have been quite different.



# Undercutting Today's Pedagogy: Progressivism to Objectivism and the Contradiction It Presents for Measuring Success in the Classroom

BY JOHN BIERBAUM

"What is the mission of the public schools?...To transform a heterogeneous mass of untrained children, often the offspring of an interminable line of untrained parents, into a great nation of men and women."<sup>1</sup>

## Introduction

In the late nineteenth century, Julia Richman penned these words as waves of immigrants from Eastern Europe were arriving in her New York City neighborhood. With nearly forty years of experience in public education, Richman was hardly a stranger to the challenges that immigrants posed to the public school system. She firmly believed that public schooling was the most effective way to educate everyone, including immigrants, in the life skills needed to be successful in American society. She devoted her life to establishing a learning environment that nurtured an individualized curriculum based on students' interests. Although Richman's efforts were devoted, in part, to what some might call an overzealous belief that new immigrants needed to become "true" Americans before continuing formal schooling, her methodology warrants further discussion. Her style of teaching and administration evolved into the more contemporary pedagogical models—progressivism and constructivism.

This paper examines the philosophical influences, attraction, and rhetoric of using progressivism as the common pedagogical practice of today's teachers despite the tendency of educational legislation to reflect objective aims and base progress on "high-stakes testing." While recognizing the value of state standards and legislative goals and initiatives, I contend that progressive pedagogy, if implemented effectively, can achieve similar results. This paper is divided into topical areas, each of which supports this thesis.

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<sup>1</sup> Public Broadcasting Service, *Schoolhouse Pioneers*,  
< <http://www.pbs.org/onlyateacher/richman.html> > (October 25, 2006).

First, I discuss how progressivism can be used effectively to facilitate and accommodate the stages of cognitive and social development described by Jean Piaget, Robert Gagne, and Lev Vygotsky (that is, that high-stakes testing comes up short in addressing developmental needs). To illustrate this evolutionary pedagogy and devolutionary assessment practice, I set this incongruity against the backdrop of the high-stakes assessment practices, namely, stemming from the positivist school of thinking that would evolve as a rebuttal to Russia's successful launching of the *Sputnik* satellites in the 1950s. To maintain mathematical and scientific superiority in the United States, Congress passed landmark legislation in 1958 that would forever change the landscape of public education. As a result of this legislation, the U.S. government sowed the seeds of state- and federal-mandated curriculum guidelines for high schools across the nation and changed the definition of "achievement" in the context of the American classroom, which holds to this day. I outline the connections between *Sputnik* and the U.S. education legislation, as I feel it is closely related to this topic.

Second, I look at the 1983 report, *A Nation at Risk: The Imperative for Educational Reform*, which came about as an ill-received update to post-*Sputnik* education achievement. Unfortunately, educators have since been charged to teach and asked to achieve success in the context of politics and statistics, rather than individualized student-centered learning, which still resonates in the spirit of "No Child Left Behind" (NCLB). I discuss the paradox that this combination of positivist assessment and progressive teaching presents in attempting to facilitate and develop student learning while objectively assessing its merits.

Finally, I posit that if the initiatives driven by federal education legislation, such as the NCLB, continue to hold curriculum responsible, it is wholly unachievable and therefore seemingly outlandish in its benchmarks for student learning and teacher responsibility. At the very least, this situation leads to injustice to all students on some level; perhaps more disturbing is its regrettable ramifications for minority and children at risk. I visit these specific problems and address the fact that our ill-fated progressive vision is still salvageable and may potentially hold the key for true student assessment in the present and future. Because the many voices in the discussion regarding this topic cannot fully be addressed in this paper, the main aspects of my argument include, but are not limited to, the

implementation of learning communities, hidden curriculum, and sound progressive assessment built on individual progress.

Ultimately, I do not propose any problem that is inherently new, nor do I claim a remedy for the current sickness in our schools' assessment strategies. My aim is to shine new light on useful pedagogical ideas of the past that could help our schools better define and measure success in the future that I do not think can be accomplished under NCLB.

### Dewey and the Chicago Lab Schools

For most currently practicing educators, the phrase, *realizing the democratic ideal*, should have a familiar ring. In fact, it is the motto of the teacher education program at Illinois State University, which is one of the more renowned normal schools in the country. According to Illinois State's College of Education mission statement, the democratic ideal charges the classroom teacher to "unite the moral and intellectual aspects of teaching by embodying what one might call its virtues."<sup>2</sup> The school in this aspect acts *in loco parentis*—molding and shaping Julia Richman's heterogeneous mass of untrained children into a capable, active citizenry. In fact, Illinois State is not alone in its strides to capture citizenship-building and implement its manifestations into classroom curriculum. In the summer of 2001, Fresno Pacific University cosponsored a conference titled, "Creating Effective Citizens, Renewing the Spirit of America." This conference was held in conjunction with the National Conference for the Social Studies Task Force to Revitalize Citizenship Education, which hands out bumper stickers that state, "*Creating Effective Citizens*," at the drop of a hat. Although it might be of a different hue, this educational approach is not unlike that of Richman's, and to be sure, it has its roots in one of the past generation's more venerable educational philosopher's notebook—that of John Dewey.

In the decades following the Civil War, rapid industrialization changed the political arena of American society and gave way to an uprising of urban reform. At the same time, the public school curriculum was a scholarly survey of the "classics" and aimed to teach students through volumes of approved

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<sup>2</sup> Illinois State College of Education, 20 April 2004, < <http://www.coe.ilstu.edu/council-teachered/democratic-ideal.shtml> > (October 25, 2006).



culture.<sup>3</sup> As society evolved and became more complex, both in structure and resources, the need arose for an educated populace to keep up with the pace of industrialization. To this end, reformers began to march to the tune of progressivism, favoring the belief that the social condition can inherently be improved. In pedagogical rhetoric, this belief meant that the strict rote discipline and methodology of the common schoolhouse were up for grabs and the very epistemological nature of education was in flux. The father and outspoken crusader of progressivism, John Dewey, paid special attention to the nexus of the new and the old pedagogies when he stated in his landmark book, *Democracy and Education*, "The development within the young of the attitudes and dispositions necessary to the continuous and progressive life of a society cannot take place by direct conveyance of beliefs, emotions, and knowledge."<sup>4</sup> The fleshing out of progressivism's true colors began to come into focus, as distinguished educators across the country rallied for its cause. Education could not serve an evolving industrial society if it were not an increasingly complex, changing organism itself. What was it that made this pedagogic transition so significant? A description from Kevin Ryan and James Cooper's book, *Those Who Can, Teach*, most clearly illustrates this paradigmatic shift in describing that "whereas other philosophies see the mind as a jug to be filled with truth, or as a muscle that needs to be exercised and conditioned, the progressive views the mind as a problem solver. People are naturally exploring, inquiring entities."<sup>5</sup> Given the time, it is hardly surprising that when John Dewey, having come to the University of Chicago in 1894, was awarded a \$1,000 grant two years later to establish a laboratory school on the campus to experiment with new pedagogical models, he would introduce a progressive menu. As a naturally strong proponent of progressive education, Dewey implemented this pedagogy into the school's curriculum, which remains today. Believing that there was a fragile balancing act to be performed in the dichotomy of formal instruction and life experience, Dewey envisioned schools fulfilling the role of vehicles for the development of a democratic society and engaged citizens.

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<sup>3</sup> James M. Cooper and Kevin Ryan, *Those Who Can, Teach* (New York: Houghton Mifflin Company, 1998), 313.

<sup>4</sup> John Dewey, *Education and Democracy*, 3rd ed. (New York: The Free Press, 1966), 22.

<sup>5</sup> Cooper and Ryan, *Those Who Can, Teach*, 312.

With echoes of Dewey, Jean Piaget added to the legitimacy of a hands-on, student-centered pedagogical framework based on his work concerning the stages of cognitive development through which children progress. For Piaget, cognitive development encapsulated a lifelong process in which learners are charged with constructing and modifying their own "computer programs," or *schemata*.<sup>6</sup> Through Piaget's *formal operational* developmental stage, believed to occur when a child is about twelve years old or older, students begin—and potentially reach—the capacity for deductive and inductive reasoning in forming hypotheses and being able to test their conjectures against trial and error. The premise behind Piaget's learning stages directly parallels that of progressivism—the philosophy that children can progress cognitively based on their active involvement in an experience-based learning environment. In this sense, the student becomes his or her own agent for development, building cognitive structures and constantly reprogramming schemata.<sup>7</sup> Again, the emphasis in this pedagogical approach puts students in the driver's seat in their learning environment, having both the opportunity and learned (based on prior knowledge) ability to adapt new information and procedures into their growing and maturing cognitive structures. This point is directly related to Dewey's thoughts regarding the duality of "learning," one of an external process in which the learner draws on a warehouse of ready-made truths versus a personal, actively conducted affair by which the individual is a participatory element in the classroom.<sup>8</sup> By the former, Dewey referred to knowledge as an objective entity that grapples with reality as it is presented, whereas in the latter, the learner is expected to have a developed mind with the ability to internalize the encounter with facts, information, and epistemological uncertainty.

Clearly, as both Piaget and Dewey detail, concrete operational learners are ripe to be members of self-guided and teacher-facilitated learning environments. The ownership of this approach for learners in connection to their studies is paramount in developing higher-order thinking and a vehicle

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<sup>6</sup> Gary D. Borich and Martin L. Tombari, *Educational Psychology: A Contemporary Approach* (New York: Longman, 1997), 43.

<sup>7</sup> Borich and Tombari, *Educational Psychology*, 52.

<sup>8</sup> Dewey, *Education and Democracy*, 335.

for cognitive development motored by student initiative. Dewey furthers this point by stating, "The development of the experiment method of getting knowledge and of making sure it is knowledge, and not mere opinion—the method of both discovery and proof—is the remaining great force in bringing about a transformation in the theory of knowledge."<sup>9</sup> Pedagogy must tend to these main tenets and adhere by two very influential overarching themes that are common among progressive ideals. First, the diversity of each learner must be respected, for each student walks into the classroom with his or her own abilities, interests, ideas, needs, and cultural identity. Second, students need to develop critical, socially engaged intelligence that will allow them to participate actively in their communities for the collaborative effort to reach a common good.

Education in this manner does not take place in the form of workbook activities and textbook reading. It cannot be measured by a scantron machine nor can it be the same for all individual learners—hence, the word individual. Robert Gagne, an experimental psychologist who specializes in learning and instruction, adds to the discussion: the experiences offered to young learners by this type of environment foster the potential, and, more important, the capacity, to formulate new behaviors that will help them progress through their educational lives.<sup>10</sup> Furthermore, this accomplishment is only realistically within the learners' grasp if they have had the opportunity to develop a toolbox of skills to guide them, enabling further learning at later ages and higher levels. In this sense, the aims of progressive education to provide an authentic learning environment that suits the needs, ability, and interests of the learners is absolutely crucial.

### ***Sputnik: The Beginning of the End***

On two occasions prior to 1957, the world observed International Polar Years, embodying an international collaborative effort from scientists around the world to study the polar regions of the globe. Inspired by the success of these studies and sparked by the scientific optimism of the 1950s, an updated version, the International Geophysical Year (IGY), was born, encompassing

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<sup>9</sup> Dewey, *Education and Democracy*, 338.

<sup>10</sup> Borich and Tombari, *Educational Psychology*, 52-53.



an emphasis not on the polar regions, but on geophysical phenomena, including aurora and airglow, cosmic rays, glaciology, seismology, and rocketry.

In addition to these subgroups, the United States National Committee, which would oversee America's role in the IGY, added a technical panel to investigate the launching of an artificial satellite into orbit around the earth.<sup>11</sup> In a statement from the White House in 1955, James C. Hagerty, press secretary to President Dwight Eisenhower from 1953 to 1961, outlined the National Security Council's recommendation of the creation of a "scientific satellite program as part of the IGY as well as the development of satellites for reconnaissance purposes."<sup>12</sup> On the basis of this report, the United States not only planned to launch an earth-orbiting satellite for the IGY, but it also specifically carried out plans for an expanding satellite program and began to solicit proposals from various government research agencies to initiate development. This is not to say that there had not been plans for a satellite program already or that having reconnaissance technology was anything new. However, the fact that the United States made this announcement in the year of the geophysical study put added pressure and attention on the expectation and speedy development of such an entity.

Then Russia launched *Sputnik* and caught the attention of the American public, not to mention the rest of the world. Many Americans began to wonder what this achievement meant for the security of the United States. Could Russia have the potential or even the ability to launch ballistic missiles carrying nuclear weapons from Europe to the United States? Was this feat evidence of the emergence of a new world order? Were we lagging behind our Cold War foe both militarily and intellectually? Though it is certain that the National Security Council was not surprised by the launching of *Sputnik* nor were they buying into the threat that Nikita Khrushchev's propaganda would pose, many civilians saw the situation differently.<sup>13</sup> Rhetoric behind

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<sup>11</sup> National Academy of Sciences, *The International Geophysical Year*. 2006, <http://www7.nationalacademies.org/archives/igyhistory.html> (October 25, 2006).

<sup>12</sup> National Aeronautics and Space Administration, Discussion at the 339th Meeting of the National Security Council, July 29, 1955, <<http://history.nasa.gov/sputnik/17.html>> (November 1, 2006).

<sup>13</sup> National Aeronautics and Space Administration, Discussion at the 339th Meeting of the National Security Council, October 10, 1957, <<http://history.nasa.gov/sputnik/oct57.html>> (November 1, 2006).

the *Sputnik* demonstrations left Americans uneasy, but *Sputnik's* impact on America was far more influential than just pressuring the U.S. government to fast-line its military technology in reaction to Russian military developments.

Responding to sentiments that questioned the comparative progress that Russia was making in the fields of scientific and mathematical research, the U.S. Congress passed the National Defense Education Act (NDEA) in 1958. Up to that time, most educational legislation had been aimed at defining, funding, and structuring vocational education; the most influential legislation in this regard consisted of the Smith-Hughes Act in 1917 and George-Barden Act in 1946. The crisis surrounding the successful orbiting of *Sputnik* called for the enhancement of national legislation to support training, equipment, and programs in fields vital to defense. To this end, the NDEA was of a different breed than those of former congressional ambitions. Being unparalleled in both funding and focus, the act proposed that the U.S. government authorize funds for states and local school districts specifically targeting the improvement of science, mathematics, and foreign language instruction in elementary and secondary schools.<sup>14</sup> The NDEA went even further to include special programs and support for secondary education opportunities for students to ensure Americans' competitive edge in the international economy and in world affairs. In particular, the NDEA would influence the position and manner in which the U.S. government would carry out its educational initiatives. Education was to ensure future stability in an increasingly competitive global economy. Legislation would work to achieve this end, not to the progressive pedagogy upon which American education had been built.

### **A Nation at Risk**

In fall 1981, the Honorable T. H. Bell, U.S. Secretary of Education, set in motion an *ad hoc* commission to research and report the quality of American education by April 1983. Having fulfilled its obligation, the National Commission on Excellence in Education (NCEE) announced that despite efforts by means of the NDEA, twenty-six years after the launching of

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<sup>14</sup>Justice Learning, *Education Policy: Congress*, January 1, 1958, <http://www.justicelearning.org/ownwords/congress.asp?issueID=20&Command=AllLaws> (November 1, 2006).

*Sputnik*, the average scores of high school students on most standardized tests had declined. Declaring that America's "once unchallenged preeminence in commerce, industry, science, and technological innovation is being overtaken by competitors throughout the world," the NCEE issued a report, *A Nation at Risk: The Imperative for Educational Reform*, to outline its findings and recommendations.<sup>15</sup> In the report, the NCEE presented information that was not inherently new but would empower federal legislation to establish a new road to be traveled in the name of education reform:

Knowledge, learning, information, and skilled intelligence are the new raw materials of international commerce and are today spreading throughout the world as vigorously as miracle drugs, synthetic fertilizers, and blue jeans did earlier. If only to keep and improve on the slim competitive edge we still retain in world markets, we must dedicate ourselves to the reform of our educational system for the benefit of all--old and young alike, affluent and poor, majority and minority. Learning is the indispensable investment required for success in the 'information age' we are entering.

To meet these ends, the Commission issued a set of recommendations that would have a lasting impact on education. To consider the effect of this legislation on public education, it is imperative to look at the role of progressivism in the past and in the present. *A Nation* discounted the merits of our progressive past as did its protégé, *No Child Left Behind*. Therefore, an analysis of the former sheds light on the ambitions and implications of the latter. In this discussion, it is important to note key statistics and findings that are neither attended to nor considered under the provisions of these pieces of legislation, and hence have inadvertently caused their failure.

The content guidelines for *A Nation at Risk* offer nothing new, except for a predictable divorce from any vocational initiatives for public schooling left over from the initiatives of the past. Although this departure certainly contrasts the early progressive agenda in its emphasized dichotomy of experience and content to balance curriculum, it did not call for a substantial change in light of the 1958 NDEA. Most notable in its content restructuring,

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<sup>15</sup> David Gardner, "A Nation At Risk Letter." Letter of Transmittal, April 26, 1983. <http://www.ed.gov/pubs/NatAtRisk/letter.html> (accessed November 20, 2006).



the NCEE outlined a core curriculum—the “New Basics”—to provide the foundation that students would need for success both during and after secondary school. The subjects that would provide this foundation were science, mathematics, language arts, social studies, and computer science. These subjects, in combination with the fine and performing arts as well as foreign language, would provide the proper enculturation for future students.<sup>16</sup>

To achieve the marked guidelines for these subject areas, new standards and expectations were established. First, grades would be indicators of academic achievement and be used to assess whether a student should move on or be retained. Second, four-year colleges and universities would raise their admission requirements to ensure a quality student body as well as motivate higher standards and achievement in high schools. Third, standardized tests of achievement would be administered to evaluate student progress. Last, and perhaps most indicative of the commission's *modus operandi*, textbooks would be upgraded and updated to ensure more rigorous content. These recommendations show that it is hard not to see the elephant in the room—the fact that we can increase student achievement by simply raising the bar. Not only is this an unrealistic approach for improving the success of all students, but strengthening curriculum and raising standards mean little without being coupled with significant amounts of money, time, and resources.

The gulf between low- and high-functioning students created by such curriculum reforms betrays an inexcusable injustice to students' diverse learning environments, styles, and abilities. Not only are all students unique, but their learning and processing abilities range greatly, and such legislation does not account for it. To illustrate this point, in 1995 psychologists from the University of Kansas carried out a study to demonstrate what effect a child's early socialization has on his or her potential for speech acquisition and I.Q. They found that by age three, children whose parents were professionals had vocabularies of about 1,100 words and an average I.Q. of 117. Children of the same age who grew up in a household where their

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<sup>16</sup> David Gardner, “A Nation At Risk Letter.” Recommendations, April 26, 1983  
<http://www.ed.gov/pubs/NatAtRisk/recomm.html> (accessed November 20, 2006).

parents were on welfare had the vocabularies of about 525 words and an average I.Q. of 79.<sup>17</sup> When one considers the difference between these two learners in both intellectual capacity and school readiness, it is bothersome to realize that they will inherently be treated as equals by means of achievement tests.

Likewise, NCLB expects subgroups of students, including those enrolled in special education, to meet adequate yearly progress as measured by standardized achievement tests. It does not matter how high the application standards are for colleges or the level of reading for textbooks; a large number of children will most likely be left behind. It is questionable if many, besides a select group of students, are meant to achieve based on these initiatives. The commission does make clear that special placement will be possible after initial testing to help students who fall behind, but this only perpetuates the problem further. Labeling of failing students as incompetent further delays their education and labels them as "specialized" to achieve success on future tests to meet schools requirements regarding Annual Yearly Progress (AYP). Students in this situation will undoubtedly continue to lag academically behind their peers.

Moreover, students who cannot perform well on a standardized test could potentially jeopardize far more for their school than bad test scores, because funding can be tied to AYP. The accounts of grade school classrooms that have a very low percentage of students reading at grade level proficiency one year and by year three meeting their AYP goals does not happen without compromising a balanced curriculum. To meet these goals, grade school teachers commonly spend hours each day focusing on test preparation to ensure adequate student achievement. Sacrifices to learning, enculturation, and basic curriculum guidelines are almost unavoidable in this situation because the school and classroom teacher are affected by failing AYP goals as outlined by NCLB. Finally, with funding based on AYP performance, children in "failing schools" are more likely to fall behind their peers. Understandably, this topic is far more complex. To make this point clear, the NCEE and now the NCLB could not have or cannot be charged to solve all educational problems of any scope. Nor can they close the socioeconomic

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<sup>17</sup> Paul Tough, "What It Takes to Make a Student." *New York Times Magazine*, November 2006, 47-48.

gap that exists in school children across the country. However, a more responsible, diverse, and student-conscious curriculum is absolutely warranted.

The importance of a student-driven approach to teaching and learning is outlined in Annette Lareau's *Unequal Childhoods*. In this publication, she discusses the different learning styles of students. Middle-class students come to the classroom with what Lareau terms "concerted cultivation." This term implies that the student is the product of an environment that has always expected intense labor practices, discussion among parents and child, and an active role in the household decision-making process.<sup>18</sup> Unlike concerted cultivated students, students of working class or poor families are "accomplishment kids," meaning they have been brought up to be members of informal peer groups, effective time managers, and able to strategize.

Although such categories may appear to be insignificant or plain ludicrous, they may have far greater implications for success in the classroom. Consider the American classroom that operates on middle-class norms. Place the middle-class and the working-class students side by side. Both are expected to follow the same rules, play the same games, eat the same lunch, and most important, take the same tests. While one group has grown up in an environment that is conducive to building listening skills and individual task-oriented responsibility, the other is more comfortable working in small groups and seeks a self-guided plan for completion of assignments and tasks. This is not to say that poor or working-class students cannot achieve at the level of their peers or that somehow they are inherently different people who need specialized segregation when it comes to learning. The fact is that these students learn differently and should be taught accordingly.

This point can be specifically illustrated in discussing the mathematical achievement of African Americans during past periods of segregation. Although these learners lacked many of the resources that were and are still thought to be vital for success, academic achievement found its way into the all-black classrooms of schools across the United States. One of the most important contributing factors to this academic success was an unprecedented emphasis on the ethos of the black community through supportive social networks provided by relatives, community members, social

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<sup>18</sup> Tough, "What it Takes to Make a Student," 49.



clubs, churches, and other informal group members.<sup>19</sup> Schools must be willing and able to approach student learning not as a handed-down mandate, but as a community-based, parent-involved process to ensure the enculturation of our youth. Again, this speaks to the importance of facilitating student learning in a student-centered pedagogic manner where the learning process is diverse, individualized, and personally tailored for both students and teachers. Why should assessment—the very method used to determine how much students have learned or how far they have progressed—take on such a different and contradictory nature?

Still, despite the bodies of research findings detailing the interest and commitment of parents of students of color, there are roadblocks for their participation in the education process. Schools operating on middle-class norms to achieve middle-class legislative mandates, often are unwelcoming or hostile to these parents and do not wish to include them in the planning of school events or academic decisions about their children. Well-connected affluent parents are called upon more, for their norms align better with the schools.<sup>20</sup> It is no secret that that the social and cognitive make-up of the classroom is absolutely paramount when making decisions regarding measuring achievement and success for students. It is puzzling to think that ethnic, social, or cognitive diversity should be turned away when it comes to education legislation or assessment styles and practices. Narrowly tailored and middle-class, norm-based curricula demonstrated through high-stakes testing cannot stand in place of meaningful, authentic, and individualized learning and assessment. To be sure, the curriculum guidelines of the NCEE and now NCLB do not cater to a diverse audience, while that populace makes up a considerable percentage of our school population.

There seems to be a further disconnect than content-related curriculum for the implementation of the NCEE recommendations in America's public schools. The problem surfaces about the third reading through the report, when the commission discusses necessary time and teaching changes. The report calls for substantial resource allocation efforts to be made in the fields

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<sup>19</sup> Ericka Walker, "Urban High School Students' Academic Communities and Their Effects on Mathematics Success," *American Educational Research Journal* 43, (2006), 45.

<sup>20</sup> Walker, "Urban High School Students' Academic Communities and Their Effects on Mathematics Success," 47.

of mathematics and science, especially if there is a shortage in teachers within these areas. To fulfill this need, schools should tap into qualified individuals—recent graduates with degrees in mathematics or science, graduate students, and industrial and retired scientists—to fill the holes. To endorse such a policy is ludicrous, much less absolutely negligent on any pedagogic level. The message that the end result—learning crucial information—greatly exceeds that of the teaching, learning, and internalization of the material itself is disheartening. It is irresponsible and dishonest to our nation's past to sell learning or teaching in this fashion. With the diverse socioeconomic makeup of our nation's classrooms, it leaves many to ask if the NCEE and now NCLB provisions are truly meant for all learners in our public education system.

Furthermore, it seems that students' diverse learning styles and needs are not considered as long as an "expert" is in front of the classroom passing along information. Obviously, hiring scientists in the classroom will not facilitate the skills that diverse learners will need before they can approach new information. For anyone even to consider this begs the question of "real intentions" or care for authentic learning and assessment in the classroom. Moreover, the NCEE recommends that students studying the basics need to have more homework assignments and attend school more days and for longer hours.<sup>21</sup> Through such provisions, the true aim of the NCEE is unclear with regard to achieving sustainable and effective teaching, learning, or assessment practices.

By far the most lasting and influential act of reform implemented by the NCEE involved funding, and this area is where the more recent NCLB picks up the baton. *A Nation at Risk* left no misunderstanding when it stated that the "primary responsibility" for financing and governing public schools is reserved for state and local officials. The report follows this up by declaring that the federal government has the "primary responsibility to identify the national interest in education" and presumably to make legislation to support it.<sup>22</sup>

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<sup>21</sup> David Gardner, "A Nation at Risk Letter." Recommendations, April 26, 1983  
<http://www.ed.gov/pubs/NatAtRisk/recomm.html> (accessed November 25, 2006).

<sup>22</sup> Gardner, "A Nation at Risk Letter."

To put the agenda of educational spending in such blatant terms hardly leaves one to question the direction that NCLB is going in light of the practices of prior legislative initiatives under the NCEE and NDEA. Acknowledging that funding is one of the most important aspects of governmental legislation, poorly financed education bills have grave consequences for the environment in which students will be expected to learn in and the tools for which teachers will have at their disposal. The fact is that when discussing educational outcomes, wealth has recently been added to the list of parental background attributes that are coupled with achievement. Other aspects include socioeconomics, educational attainment, and job prestige. When considering the wealth of a student's family in an educational context, it is referring to the economic capital, namely, books, computers, and school supplies; however, it also includes funding for private schooling, the ability to buy various status symbols, or the ability to spend time with family, which facilitates the learning process.<sup>23</sup> It can be inferred that having such wealth can lead to cultural capital, such as field trips, family vacations, or the possibility of attending college. Not only does wealth have the potential to aid in facilitating learning, but research also shows an increasing correlation between wealth and test scores.<sup>24</sup> This is the point at which wealth begins to matter, for students in low-funded districts cannot achieve by superior teaching alone; they must have financial support. Sadly, this does not seem to have been a major factor in the equation of school reform, for legislation under NCLB has not secured a long-term, reliable avenue to ensure sufficient funding.

To reiterate, funding under this legislation is tied to achievement scores. To identify the failures of current educational reform requires a closer look to determine if state-mandated achievement is being met. Under NCLB, the achievement gap between black and white/poor and middle class must be closed by 2014. However ludicrous this may seem, the provisions under NCLB specifically state that all learners must reach 100 percent proficiency by the same year in the area of math and reading.

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<sup>23</sup> Amy Orr, "Black-White Differences in Achievement: The Importance of Wealth." *Sociology of Education* 76, (2003), 281.

<sup>24</sup> Orr, "Black-White Differences in Achievement," 281-282.



The details get confused when considering that each state sets its own bar for what "proficient" means due to the fact that "proficiency" in this context actually means that a particular subgroup is reaching its targeted achievement percentage. The fact that each state sets its own percentages makes it arbitrary. Above all, the current system contradicts the way in which progressive institutions teach future educators to assess success.

And that is not the least of it. According to the National Report Card, the 2005 school year witnessed a drop from 13 to 12 percent in reading proficiency for black eighth graders from 2002 scores. During that same time, there was a drop among white students from 41 to 39 percent.<sup>25</sup> I am not sure which is more alarming: the fact that the achievement gap in this case is fluctuating at about 18 percent or that neither score is high enough to meet the AYP percentage. The same trend can be found for poor eighth graders (measured by eligibility for free or reduced-price school lunches) who watched their scores over the same three-year period fall from 17 to 15 percent.

These numbers are just a small fraction of the data that show the obvious implications of what is to come with regard to measuring and punishing low achievement. Couple this situation with a regressive funding model used by the government to provide educational monies for state aid. (Regressive funding means that the less a state spends on education — or has to spend based on property tax income — the less aid that the government must furnish.) It is not difficult to put the pieces together and see the picture of a poorly funded, planned, and executed education reform agenda.

Even more frightening is whether such education legislation aims to privatize education, especially when you consider that if a school fails AYP for a number of years, students could opt to attend another school. Clearly, there is a need for better, more effective, and meaningful methods of measuring achievement. Until then, public education will be held to the standards of the impossible.

It is no small fact that learning must be put on the forefront of any governmental education initiative. Student achievement must involve the learner by using scientific methods and investigating relevant issues and

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<sup>25</sup> U.S. Department of Education. "National Forum on Education Statistics." Nation's Report Card, 2002-2005. [http://nces.ed.gov/forum/nclb\\_links.asp](http://nces.ed.gov/forum/nclb_links.asp) (accessed November 15, 2006).

topics that will help students develop finer problem-solving skills. The progressive model for learning in this context views the student as a growing, developing scientist, and the instructor a facilitator of the process.<sup>26</sup> The student as an immature, organic object engulfed in the process of development—both as a pupil and as a member of society—rightfully implies a certain potential for intellectual progression that is fostered and refined by a facilitating pedagogical practice. This immaturity is a vital part of the equation, for it implies the capacity for which the student can one day fulfill under the proper guidance. In all, the progressive student is equipped to hit the ground running; with the burgeoning ability for cognitive development.<sup>27</sup> The power that lies in this pedagogy is the meaningful and purposeful effort to tap into the plasticity of the learners, reigning in and fostering their ability as they progress into maturity. Independent of social status, wealth, or socialization, the learner is in a position to develop the skills necessary to be a functioning citizen in our society. Progressive educators of the practice would be quick to add that such practices are future-oriented and practical, always with the popular phrase—hands-on learning

### Conclusion

In the trying moments of her teaching days, grappling with how best to facilitate student learning with a proportionately large number of immigrants new to our country, Julia Richman focused on a progressive pedagogy, not an objective assessment. With an economic boom at the turn of the century and the push for a competitive edge in the new industrial workplace, Dewey and his campaigners met the needs of many with the promotion of a progressive pedagogy. Although much has changed since then, normal schools across the country are still endorsing this learning approach to achieve economic, social, and political needs because of the dividends it pays for its learners. All is lost when this dividend is cashed in prematurely for a false sense of security in test scores that will not finance authentic development or assessment, but will privatize and break the very foundation it is made to uphold.

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<sup>26</sup> Cooper and Ryan, *Those Who Can, Teach*, 314.

<sup>27</sup> Dewey, *Education and Democracy*, 41-42.