

NATIONAL HISTORIC LANDMARK NOMINATION

NPS Form 10-900

USDI/NPS NRHP Registration Form (Rev. 8-86)

OMB No. 1024-0018

FOSTER AUDITORIUM, THE UNIVERSITY OF ALABAMA

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United States Department of the Interior, National Park Service

National Register of Historic Places Registration Form

1. NAME OF PROPERTY

Historic Name: Foster Auditorium, The University of Alabama

Other Name/Site Number:

2. LOCATION

Street & Number: Sixth Avenue

Not for publication:

City/Town: Tuscaloosa

Vicinity:

State: AL

County: Tuscaloosa

Code: 125

Zip Code: 35487

3. CLASSIFICATION

Ownership of Property

Private: \_\_\_

Public-Local: \_\_\_

Public-State: X

Public-Federal: \_\_\_

Category of Property

Building(s): X

District: \_\_\_

Site: \_\_\_

Structure: \_\_\_

Object: \_\_\_

Number of Resources within Property

Contributing

1

\_\_\_

\_\_\_

\_\_\_

1

Noncontributing

\_\_\_ buildings

\_\_\_ sites

\_\_\_ structures

\_\_\_ objects

\_\_\_ Total

Number of Contributing Resources Previously Listed in the National Register: N/A

Name of Related Multiple Property Listing:

Racial Desegregation in Public Education in the United States Theme Study

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**4. STATE/FEDERAL AGENCY CERTIFICATION**

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this \_\_\_\_ nomination \_\_\_\_ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property \_\_\_\_ meets \_\_\_\_ does not meet the National Register Criteria.

\_\_\_\_\_  
Signature of Certifying Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
State or Federal Agency and Bureau

In my opinion, the property \_\_\_\_ meets \_\_\_\_ does not meet the National Register criteria.

\_\_\_\_\_  
Signature of Commenting or Other Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
State or Federal Agency and Bureau

**5. NATIONAL PARK SERVICE CERTIFICATION**

I hereby certify that this property is:

- Entered in the National Register
- Determined eligible for the National Register
- Determined not eligible for the National Register
- Removed from the National Register
- Other (explain): \_\_\_\_\_

\_\_\_\_\_  
Signature of Keeper

\_\_\_\_\_  
Date of Action

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**6. FUNCTION OR USE**

Historic: Education

Sub: Education-related

Current: Education

Sub: Education-related

**7. DESCRIPTION**

Architectural Classification: Neo-Classical Revival

**MATERIALS:**

Foundation:	Concrete
Walls:	Brick
Roof:	Composition
Other:	Glass; Limestone

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**Describe Present and Historic Physical Appearance**

Foster Auditorium is part of a collection of early to mid-twentieth-century academic buildings and dormitories located in the southeast corner of the University of Alabama campus. Foster Auditorium is located between Hackberry Lane and Hayden-Harris Hall to the east; Martha Parham and Mary Burke dormitories and Paul Bryant Drive to the south; Sixth Avenue and Osband and A.B. Moore Halls to the west; and Farrah Hall and University Boulevard to the north. Financed in part by Public Works Administration (PWA) funds, Foster Auditorium has been a prominent feature on the Tuscaloosa campus since its construction in 1939. With its podium-like ground floor, columned portico, and formal symmetry, the auditorium features the trademark Neoclassical Revival design of the renowned Birmingham firm of Miller, Martin, and Lewis. Foster Auditorium is one of seventy University of Alabama campus buildings designed by Miller, Martin, and Lewis in the 1920s, 1930s, and 1940s. After six decades of use, Foster Auditorium retains a high degree of integrity in location, setting, design, materials, workmanship, feeling, and association.

Exterior

Named for Richard Clarke Foster who served as the University of Alabama President from 1937 to 1941, Foster Auditorium is built of brick, poured concrete, steel, and limestone. Rising to a height of three stories, the T-shaped edifice measures 161 ft. 6 in. wide at the north end, 135 ft. wide at the south end, 209 ft. 3 in. long, and 55 ft. 9 in. high. A roof of tar composition featuring a glass skylight measuring 41 ft. wide and 88 ft. long crowns the building. The skylight has been covered. A wrap-around, stone lined parapet conceals the roof from view.

The north (front) elevation of Foster Auditorium features a faux brick and stone-lined parapet. The central portion of the facade projects 9 ft. from the building. The central block is divided into five bays. Five, 6/6, double hung, sash windows punctuate the balcony floor exterior. The windows are appointed with a limestone sill, a brick voussoir, and a keystone. Beneath each of these windows is an inset, rectangular, limestone panel.

The ground floor of the central block consists of a triportal entry, the central opening of which is fitted with a single leaf door with two wood panels, nine lights and a four-pane transom. Flanking either side of the central door is a double leaf door with a wood panel, six lights, and a four-pane transom. A 6/6, double hung, sash window flanks either side of the triportal entry. Horizontally banded limestone clads the exterior of the ground floor.

It was in front of this entrance to Foster Auditorium that Alabama Governor George Wallace, stood on June 11, 1963 to make his infamous stand against desegregation. Several photographs depicting the "stand in the schoolhouse door" taken on June 11, 1963 show that the north elevation has changed very little over the last four decades.<sup>1</sup> Two exceptions include the removal of several fanlights above the mezzanine level windows and the more notable replacement of the original central half-light double doors with a half-light single door. The door opening remains the same. This change does not alter the high integrity of the property for three reasons. First, the original double doors were always propped open during the stand in the door; second, the original door size opening remains unaltered; and third,

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<sup>1</sup> E. Culpepper Clark, *The Schoolhouse Door: Segregation's Last Stand at the University of Alabama* (New York: Oxford University Press, 1993), 144.

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the replacement door retains the same design characteristics as the original door of half-glass with an inset panel beneath.

The mezzanine level of the central projection has three central French windows. According to Miller, Martin, and Lewis drawings, the French window appointments originally included a fanlight; however, the fanlights of two of the windows were removed, possibly in 1978, to install air conditioners. Additional window treatments include a stylized metal screen, brick voussoir, and a keystone. On either side of the three French windows is a 6/6, double hung, sash window. The windows are embellished with a stylized metal screen, brick voussoir, and a keystone. Wrought iron balustrades with circular iron grills front all five windows.

Atop the podium-like base of the central block stands a partial width, hexastyle, prostyle portico. A limestone pediment, replete with denticulated raking cornice, crowns the portico. Beneath the pediment is an entablature. It is inscribed "Auditorium." Six Ionic columns and two pilasters, all of which are constructed of limestone, support the pediment.

The flanking sections of the north elevation mirror each other. A limestone cornice, the lines of which extend from the entablature of the central block, is situated just beneath the faux attic. The balcony floor exterior features three, 6/6, double-hung, sash windows. Window treatments are composed of a limestone sill, brick voussoir, and a keystone. Beneath each of these windows is an inset, rectangular, limestone panel.

French windows like those of the central block occupy three voids in the exterior of the mezzanine level. Several of the fanlights topping the French windows have been removed to make way for air conditioners. Wrought iron balustrades with circular grills front the windows. Three, 6/6, double hung, sash windows pierce the facade of the ground floor, which is clad with flush limestone. Limestone quoins embellish the corners of the north elevation.

Stair towers are located in the northeast and northwest corners of Foster Auditorium. The towers project 23 ft. beyond the core of the building and are 42 ft. long and 44 ft. high. The ground floors of the towers feature limestone cladding while upper levels have brick cladding. Limestone lined parapets top the towers. A limestone cornice is situated 4 ft. 6 in. beneath the top of the parapet.

Three 6/6, double hung, sash windows with a limestone sill, brick voussoir, and a keystone occupy voids in the balcony floor exterior of the west side of the west tower and east side of the east tower. Beneath these windows on the mezzanine level are three, 6/6, double hung, sash windows with a continuous limestone sill, an inset, rectangular, limestone panel, a brick voussoir, and a keystone. Two limestone pilasters separate the three columns of windows. Each of the three openings on the ground floor is fitted with a double leaf door with a wood panel, six lights, and a four-pane transom.

The north and south sides of the towers feature two and three, 6/6, double hung, sash windows (one per floor), respectively. The window treatments are like those of the windows on the east and west sides; however, the lower level windows on the north sides of the stair towers have a limestone surround with a limestone pediment and a podia or pedestal.

Smaller stairwells occupy the southeast and southwest corners of Foster Auditorium. The stairwells project 5 ft. from the main body of the auditorium; they are 21 ft. long and 44 ft. high. The ground floors of the stairwell projections feature limestone cladding while upper levels have brick cladding.

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Limestone lined parapets top this part of the building. A limestone cornice is situated 4 ft. 6 in. beneath the top of the parapet.

A steel frame window with a central, six-pane awning and nineteen flanking panes occupies a single void in the balcony level on the east side of the east stairwell and the west side of the west stairwell. On the mezzanine level, a narrow piercing features five, fixed lights and a limestone sill. In the center of the ground floor, there is a double leaf door with a wood panel, six lights, and a four-pane transom. A fixed, ten-pane light flanks either side of the door.

Appointments to the top of the west and east elevations of Foster Auditorium include a copper gutter and a stone lined parapet. Due to the patina of the copper, the gutters appear to be part of the parapet.

The east and west elevations of the auditorium are divided into six bays by brick pilasters. The balcony floor of each bay consists of a circular opening fitted with a wrought iron grill over three windows. The central, steel frame window has twenty-five panes, six panes of which form an awning window. The flanking, steel frame windows are composed of twenty panes, four panes of which form an awning window. Common to the balcony level windows is a continuous limestone sill.

Set between the pilasters on the mezzanine level are three narrow piercings. Each is filled with five, fixed pane lights and a limestone sill.

The central bay on the ground level features three, double leaf doors. Each leaf consists of a wood panel and six panes. A metal awning is suspended above the doors. A large opening above the awning is fitted with three transoms, each of which is composed of ten panes. The awning extends over a single leaf, wood door situated in the adjacent bay. The composition of the flanking doors is similar to that of the doors in the central bay. A six-pane transom punctuates the space above the suspended awning.

In addition to a door, the bays immediately flanking the central bay have two steel frame, 12-pane windows. Several of the bottom panes have been removed to accommodate air conditioners. The outer bays also have three such windows on the ground floor. Part of one window on the west side was removed to accommodate a wood door.

Unlike the other elevations, the south elevation lacks fenestration. It features a stepped parapet lined with limestone. Seven pilasters are spaced across the south side. Adorning the pilasters are plain, limestone capitals, and palmettes.

### Interior

The interior of the first floor of Foster Auditorium consists of four components: the lobby and associated space, stair towers, arena, and east and west side rooms flanking the arena. The first floor lobby, which coincides with the triportal entrance, measures 26 ft. by 30 ft. The terrazzo floor of the lobby specified in a Miller, Martin, and Lewis drawing is intact. The walls and ceilings of this anteroom are covered with painted plaster. Accordion style radiators are positioned in several locations along the lobby walls. A biportal opening in the south wall leads to a corridor.

Openings in the west and east walls lead to an office and stairwell on either side of the lobby. The walls and ceilings of the office and stairwells are appointed like those of the lobby. Carpet covers the original

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asphalt tile floor in these spaces. Original wood panel doors front the offices. Accordion style radiators still provide heat to the offices and stairwells.

Stair composition consists of two flights of steps and an intermediary landing. The treads of the stairs are constructed of steel, as are the associated pipe railings. Chair rails line the plaster-covered walls of the stairwells. The landings are of poured concrete construction.

Two rooms measuring 38 ft. by 22 ft. flank the lobby, offices, and stairwells. The west side room is divided into two spaces. A Miller, Martin, and Lewis drawing indicates that the smaller of the two rooms was intended for an office and the other for a coat room. The aforementioned drawing specifies that the floors of these rooms were to be covered with asphalt tile. The coatroom was converted into an office, possibly in the 1950s. The conversion consisted of covering the floor with carpet and adding office furniture to the room. Wood panel doors in the south wall lead to a long corridor.

The east side room was originally designated as a trophy room. Like the coatroom, it was converted to office space, possibly in the 1950s. It features a carpet-covered, asphalt tile floor and painted plaster walls and ceilings. A wood panel door in the south wall permits ingress/egress to and from a long corridor.

The stair towers are adjacent to the coat and trophy rooms. The first floor interior of the stair towers contains two sets of stairs and an intermediary landing. The treads and risers of the stairs are constructed of steel, as are the associated pipe railings. Chair rails line the plaster-covered walls of the stairwells. The landings feature a terrazzo floor.

Oriented in an east/west direction, the corridor measures 126 ft. by 8 ft. In an effort to facilitate traffic flow to and from the stair towers, the east and west ends of the corridor are open. The terrazzo floors, radiators, and plaster walls and ceilings of the corridor are original. Both sides of the hall have chair rails and a picture molding. A large opening in the south wall of the corridor, which is aligned with the lobby, features four double leaf doors. Each leaf consists of a wood panel and six lights. On the other side of the doors is the arena.

Constructed of maple according to Miller, Martin, and Lewis specifications, the arena floor measures 85 ft. by 164 ft. Folding wood bleachers line the glazed brick clad walls of the north, west and east sides of the arena. A small, utility closet is located in the southwest corner of the large space. Three basketball hoops with glass backboards are attached to the poured concrete, closed balustrades of the mezzanine level on the east and west sides of the auditorium. A photograph documenting James Hood enrolling for classes on June 11, 1963 shows the above-mentioned wood bleachers and one of the basketball backboards in the background.<sup>2</sup>

The areas between the edges of the arena and the east and west side walls of Foster Auditorium measure 18 ft. wide and 164 ft. long. These spaces are subdivided into various compartments. The room adjacent to the northeast corner of the arena is 18 ft. wide and 52 ft. long. It features a poured concrete floor, exposed brick and hollow tile walls, and the exposed underside of the concrete bleachers of the mezzanine level. Openings fitted with wood panel doors are located in the north and west walls. This room originally functioned as a concession stand. In recent decades the space has served as a storage

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<sup>2</sup> Ibid., 144.

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facility. The corresponding room on the opposite side of the arena is similar in design. This room was originally designated as storage, a capacity in which it presently serves.

Exit lobbies measuring 18 ft. wide and 32 ft. long are located south of the concession stand and storage room. Each lobby features a poured concrete floor, plaster walls and ceiling, chair rails, and two flights of stairs. The stairs are constructed of poured concrete. Wood handrails line either side of the stairwells. Lobby access from the arena is through double leaf wood doors. Each consists of a wood panel and six lights. Transoms top the doors.

South of the exit lobbies are storage rooms. These rooms measure 18 ft. wide and 40 ft. long. The design of these rooms is akin to that of the northwest storage room. The west storage space is subdivided to accommodate a custodian's quarters. Access to these rooms is through a double leaf wood door.

The storage rooms are followed by dressing rooms, which extend for a total length of 28 ft. The dressing areas of these rooms feature carpeted floors and plaster covered walls and ceilings while the shower floors and walls are sheathed with ceramic tile. Metal lockers line the south walls of the dressing areas. Access to the dressing rooms is through single leaf wood doors. The doors feature original brass fixtures.

The southeast and southwest corners of Foster Auditorium are dedicated to auxiliary stairs. The stairwells measure 24 ft. by 17 ft. The floors and stairs of this space are constructed of poured concrete while the walls and ceilings are covered with plaster. Access to the stairwells is through a double leaf wood door. Each leaf has a single wood panel and six panes. A transom with four lights tops the door. The doors feature original brass handles.

The floor plan of the mezzanine level mirrors that of the ground floor, for the most part. A lounge measuring 23 ft. by 18 ft. is the central feature on the north side of the mezzanine level. It has plaster covered walls and ceiling and carpet over the original asphalt tile sheathed floors. French windows in the north wall permit access to a balcony above the triportal entrance to Foster. Door openings in the east and west walls lead to stairwells. The lounge has served as office space for the Health Sciences Department for a number of years; however, the change in function did not alter the space.

Stairwells flank either side of the central lounge. A landing is located on the north side at the top of the stairwells. In addition to doorways that open to the central lounge, the stairwells also feature openings that facilitate traffic flow to and from flanking rooms.

Two rooms measuring 38 ft. by 18 ft. flank the lounge and stairwells. The west side room is divided into two spaces. A Miller, Martin, and Lewis drawing indicates that the smaller of the two spaces was intended for a men's restroom and the other for a men's lounge. The drawing specifies that the floors of the restroom were to be covered with ceramic tile and that of the lounge with asphalt tile. Additionally, the drawing indicates toilets and sinks in the bathroom. A wood panel door located in the south wall of the bathroom leads to the northwest stair tower. While the function and design of the bathroom remains as originally conceived, the men's lounge was converted into office space, possibly in the 1950s. The conversion consisted of covering the floor with carpet.

The east side room was originally designated as a women's coat room according to a Miller, Martin, and Lewis drawing. Like the men's lounge, carpet now covers the asphalt tiles on the floor. A wood panel



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door located in the south wall of the former coat room facilitates traffic flow to and from the northeast stair tower. The room was converted into office space through the addition of office furniture, possibly in the 1950s.

The mezzanine level of the stair towers consists of landings and bathrooms. Constructed of poured concrete, the landings are situated in the middle of the towers. The bathrooms are situated south of the landings. Each restroom, the men's in the northwest tower and the women's in the northeast tower, contains ceramic tile floors, plaster covered walls and ceilings, and porcelain sinks and toilets. Fully operational, the restrooms are today as they were built in 1939.

A U-shaped series of bleachers dominates the mezzanine level of Foster Auditorium. Constructed of poured concrete and wood seats, the bleachers wrap around the north, west, and east sides of the arena. In turn, storage space wraps around the north, west, and east sides of the bleachers. Access to mezzanine seating is via stairwells on the north, west, and east sides of the auditorium.

Bleachers from the mezzanine level extend to the balcony level. A landing lines the west and east sides of the balcony seats. Constructed of poured concrete, the landing features an open rail balustrade. Theater light stands are located in the northwest and northeast corners of the balcony level. Openings near the northwest and northeast corners lead to the stair towers.

An expansive ceiling caps the top of Foster Auditorium. A sheathing of acoustic tiles conceals the steel trusses of the ceiling and roof from view. A small number of tiles are missing. Two rows of flush lights are located on either side of a centrally located skylight. The glass skylight measures 41 ft. wide and 88 ft. long. The skylight features four main panels oriented in a west/east direction. In turn, each panel consists of six cross panels. The cross panels are further subdivided into fourteen sections featuring nine panes of glass. The skylight has been covered; consequently, it does not allow natural light to penetrate the interior of the auditorium.

The 5,400 seat capacity of Foster Auditorium was sufficient for special events. The University of Alabama held men's basketball games in the auditorium until Coleman Coliseum, which was based on a Miller, Martin, and Lewis design, was built in 1968. The Cotillion Club, ROTC, and the *Corolla* yearbook staff held annual soirees in Foster through the 1960s. Foster Auditorium hosted many musical performances in its heyday. For three decades, the 1940s, 1950s, and 1960s, registration and, often, graduation were held in Foster Auditorium. *Corolla* yearbooks depict students standing in long lines on the maple floor of the arena waiting to consign their fates to calculus, physics, Latin, and literature. Other yearbook photographs show professors seated at registration tables. Behind the tables are arena bleachers, which were folded against walls to make more room for student cues. These Foster Auditorium bleachers serve as the backdrop of a photograph taken on June 11, 1963, when James Hood, an African American student, enrolled for classes at the University of Alabama.<sup>3</sup>

With the exception of the removal of the five fanlights on the mezzanine level and the replacement of the central door on the north side, Foster Auditorium looks like it did in 1963, and in 1939, according to *Corolla* yearbook photographs. The stone blocks, bricks, windows, and doors of the exterior are as they were when masons and contractors put them in place before World War II. The original Miller, Martin, and Lewis drawings specified the use of these materials in the construction of the building. The fenestration pattern remains unaltered.

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<sup>3</sup> Ibid., 144.

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Were James Hood and Vivian Malone to relive that fateful day on June 11, 1963, the interior of Foster Auditorium would be as it was when they enrolled for classes. Once they passed through the triportal entrance, they would see the same terrazzo floors and plaster-covered walls and ceilings of the lobby and corridor that they navigated en route to the arena. They would also recognize the layout of these spaces as well as that of the flanking rooms on the ground floor. The interior arrangement of Foster Auditorium remains as designed by Miller, Martin, and Lewis in the late 1930s. The maple wood floors of the arena, retractable bleachers and concrete and wood bleacher seats of the mezzanine and balcony levels have been permanent fixtures since 1939.

In a recent interview, James Hood indicated that the importance of the interior of Foster Auditorium is often overlooked. He asserted that the exterior of the central entrance to Foster Auditorium is where the Kennedy administration and George Wallace made their respective stands on the integration of education; but the interior of the auditorium is where he and Vivian Malone officially became students at the University of Alabama. Only after Malone and Hood checked in at eight stations where they signed up for classes, paid fees, and had their course load reviewed by advisors, did the University of Alabama officially pronounce them students.<sup>4</sup>

### Setting

The immediate setting of Foster Auditorium appears as if it has been frozen in time for the last four decades. Mary Burke and Martha Parham Halls, two dormitories located a short distance south of Foster, are in place but have undergone some modifications in recent decades. Vivian Malone stayed at Mary Burke during the events leading up to the “stand in the schoolhouse door.” These dormitories have been part of Foster’s setting since they were constructed in the early 1960s. Hayden-Harris has been a fixture on the east side of the Auditorium since 1943. Osband and A.B. Moore halls, standing on the west side of Sixth Avenue, were built in 1949 and 1934, respectively. Farrah Hall, a 1927 addition to the University of Alabama campus, has dominated the northern view from Foster for sixty years. The south side of Farrah Hall forms the backdrop of a photograph taken of Vivian Malone as she is about to enter Foster Auditorium for enrollment.<sup>5</sup> Like Foster, the adjacent buildings, and the setting as a whole, retain a high degree of integrity.

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<sup>4</sup> James Hood, interview by Gene A. Ford, 20 November 2002.

<sup>5</sup> Clark, *The Schoolhouse Door*, 144.

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**8. STATEMENT OF SIGNIFICANCE**

Certifying official has considered the significance of this property in relation to other properties:

Nationally: X Statewide:    Locally:   

Applicable National  
Register Criteria:

A X B    C    D   

Criteria Considerations  
(Exceptions):

A    B    C    D    E    F    G X

NHL Criteria:

1, Exception 8

NHL Theme(s):

II. Creating Social Institutions and Movements  
2. Reform movements

IV. Shaping the Political Landscape

1. Parties, protests and movements

Areas of Significance:

Law  
Politics/Government  
Social History  
Ethnic Heritage: Black

Period(s) of Significance:

1963

Significant Dates:

June 11, 1963

Significant Person(s):

N/A

Cultural Affiliation:

N/A

Architect/Builder:

Miller, Martin, and Lewis

Historic Contexts:

Racial Desegregation in Public Education in the United States (2000)

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**State Significance of Property, and Justify Criteria, Criteria Considerations, and Areas and Periods of Significance Noted Above.**Summary Statement of Significance

Foster Auditorium is the site of the June 11, 1963, “stand in the schoolhouse door” by Governor George Wallace in defiance of a proclamation by President John F. Kennedy to obey a court order to admit two African American students to the University of Alabama. The favorable climate of the success of registering the students compelled Kennedy, on the same evening, to appeal to a sense of fairness in a nationwide address and one week later submit a comprehensive civil rights bill that became the foundation of the Civil Rights Act of 1964. Foster Auditorium is being nominated under NHL Criterion 1 and NHL Exception 8, for its significance as a symbol of southern “massive resistance” to school desegregation following the 1954 *Brown v. Board of Education* decision and the call for a stronger federal commitment to civil rights. Foster Auditorium is being nominated as part of the Racial Desegregation in Public Education in the United States theme study.

Historical Background

In June 1963, the University of Alabama found itself at the center of national attention when Governor George Wallace first defied, then later capitulated, to a federal order to comply with desegregation in what has become known as the “stand in the schoolhouse door.” After Wallace stepped aside, two African American students, James Hood and Vivian Malone, entered Foster Auditorium and registered for classes. Malone and Hood were not the first African Americans to break the color line at the University of Alabama. Backed by the National Association for the Advancement of Colored People (NAACP) and a federal court order, Autherine Lucy enrolled at the University of Alabama campus in Tuscaloosa in 1956; however, university officials expelled her within a few days after enrollment due to mob violence.

Autherine Lucy, James Hood, Vivian Malone, and others represent a small cadre of courageous, young African American students who, against the onslaught of Southern resistance, sought the same education provided to white students. These civil rights champions faced the full gamut of threatened and real resistance, including stalling tactics, personal background investigations, batteries of academic tests, and mob violence. Massive resistance claimed a number of casualties and fatalities, including James Hood whom the University of Alabama eventually dismissed for making what officials considered unwise political statements; however, Vivian Malone was among those who overcame many obstacles and graduated with a degree from the university in 1965. Malone, Hood, Lucy, and the others served as the vanguard that broke down many barriers, making way for many African American students to pursue educational opportunities of their choosing.

In light of this event and demonstrations all over the South, the “stand in the schoolhouse door” provided President Kennedy with a key moment to make a moral case for racial equality to the nation and to exert executive level leadership on the part of the black civil rights movement.<sup>6</sup> Subsequently, Kennedy’s civil rights bill came to fruition under the aegis of the Civil Rights Acts of 1964 that included language to facilitate school desegregation. Under this act, the attorney general was authorized to bring

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<sup>6</sup> Steven F. Lawson and Charles Payne, *Debating the Civil Rights Movement, 1945-1968* (Lanham, MD: Rowman & Littlefield Publishers, Inc., 1998), 27-28. Kennedy’s televised address is contained in this source, 77-82.

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suit against political officials and school administrators who impeded integration, and allowed the federal government to withhold funding from schools that practiced *de jure* segregation. Thus, the federal government gained significant powers in the fight against racially discriminatory education.

The “stand in the schoolhouse door” is associated with the history of racial discrimination in public education in this country. This history began with judicially sanctioned school segregation from 1896-1930, progressed to the struggle for equal facilities between 1930-1945, gained momentum with the *Brown v. Board of Education* decision in 1954, and culminated with the passage of the Civil Rights Act of 1964.<sup>7</sup>

### Constitutional Segregation, 1896-1930

Former slaves in the post-bellum South quickly learned that the Bill of Rights, Emancipation Proclamation of 1863, and the Thirteenth and Fourteenth Amendments to the Constitution of the United States of America, amounted to abstract rhetoric that did little to improve their condition. White Southern lawmakers chose to ignore federal mandates, passing Jim Crow laws that deprived African Americans of their voting rights, restricted economic advancement, and controlled the quality and quantity of available employment, services, housing, and land resources. In an ironic turn of events, the federal government facilitated the segregation of Southern blacks by the infamous *Plessy v. Ferguson* decision in 1896.

In *Plessy v. Ferguson* the U.S. Supreme Court established that separate facilities for blacks and whites were constitutional as long as they were equal.<sup>8</sup> Out of *Plessy* came the separate but equal doctrine that became widespread throughout the South and it soon influenced or controlled most aspects of race relations, including education.<sup>9</sup> It reinforced segregation laws permitted by state and local authorities following the close of the Reconstruction era of 1865-1877.

Between 1899 and 1927 the U.S. Supreme Court heard three legal challenges to separate Southern schools that challenged the separate half of the separate but equal doctrine as states applied it to schools. “In all three instances the court bowed to the right of the state to run its own schools, refusing to consider the constitutional question of whether state-required segregation denied black children equal protection of the laws.”<sup>10</sup> The Court condoned both public and private school segregation at all levels, saying that “...the education of the people in schools maintained by state taxation is a matter belonging to the respective states.” Federal interference was not justified without “...a clear and unmistakable

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<sup>7</sup> Susan Cianci Salvatore, “Bizzell Library, University of Oklahoma National Historic Landmark Nomination” (Washington, D.C.: U.S. Department of the Interior, National Park Service, 2001), 7-19; Susan Cianci Salvatore, Waldo E. Martin, Jr., Vicki L. Ruiz, Patricia Sullivan, and Harvard Sitkoff, “Racial Desegregation in Public Education in the United States Theme Study,” (Washington, D.C.: U.S. Department of the Interior, National Park Service, 2000), 70-87. Sections of the referenced documents are quoted verbatim or are condensed with permission of the National Park Service.

<sup>8</sup> *Plessy v. Ferguson*, 163 U.S. 537 (1896).

<sup>9</sup> The South consists of the following 17 states: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia. This is “The southeastern region of the United States, distinctive for its climate and long agricultural growing season and plantation system, black agricultural labor, and white-imposed system of segregation” as defined in Jeffrey A. Raffel, *Historical Dictionary of School Segregation and Desegregation: The American Experience* (Westport, CT: Greenwood Press, 1998), 242.

<sup>10</sup> Joan Biskupic and Elder Witt, *Guide to the U.S. Supreme Court* (Washington: Congressional Quarterly Inc., 1997), 630.

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disregard of rights secured by the supreme law of the land.<sup>11</sup> It cited, with apparent approval, lower court cases that applied the separate but equal doctrine to public education. Noting that the question raised had been decided many times "...to be within the constitutional power of the state legislature to settle without intervention of the federal courts under the Federal Constitution."<sup>12</sup> Thus, between 1896 and 1930 the separate but equal doctrine became ingrained in case law and appeared to be beyond legal attack.

### NAACP Equality Campaign, 1930-1945

In 1930 a new era in the movement to desegregate schools began as the NAACP started its legal attack with a fresh approach. Rather than challenging separate schools, the organization based its campaign on the inequalities in public education whereby the costs of maintaining two equal systems would destroy segregation. For the first time, attacks on school segregation were aimed at the professional school level. Former NAACP Special Counsel Jack Greenberg reflected that "desegregation of existing schools was the most practicable relief because graduate and professional facilities are more likely to be unique, specialized and therefore, more difficult to create in duplicate than elementary and high school facilities."<sup>13</sup> Equalizing these facilities would indeed be costly as in essence, before the 1930s, there were no public Negro graduate and professional schools in the South.<sup>14</sup> According to the U.S. Office of Education, in 1940 Negro institutions granted 5,201 degrees of which 3% (156) were masters and none were doctorates. In 1947, Negro institutions granted 481 masters and no doctorates while unsegregated institutions issued eight Ph.D.s to Negroes and more than 3,755 to non-Negro students.<sup>15</sup> A second reason the campaign took this course was to lessen the social impact on Southern heritage. Southern fears of violence and social mixing could be assuaged since only a "small numbers of mature students were involved."<sup>16</sup>

The NAACP began its litigation with law schools on the grounds that judges would readily understand the shortcomings of separate legal education. In 1936, NAACP attorneys Thurgood Marshall and Charles Houston won their first major victory in *Murray v. Pearson*. Houston and Marshall contended that given the fact that there was not a separate law school for blacks in Maryland, the University of Maryland, by denying Donald Murray admission solely because of his race, was in violation of the equal

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<sup>11</sup> *Cumming v. Richmond County Board of Education*, 175 U.S. 528 at 545 (1899). The U.S. Supreme Court supported the local school board's decision to close the black high school to fund a black primary school, while still operating a white girls high school and a white boys high school. In *Berea College v. Commonwealth of Kentucky*, 211 U.S. 45 (1908) the Court confirmed the state's right to pass laws to regulate state-chartered private institutions on the basis of race.

<sup>12</sup> *Gong Lum v. Rice*, 275 U.S. 78 at 86 (1927). The U.S. Supreme Court refused to require Mississippi to allow a Chinese-American to attend school with whites.

<sup>13</sup> Jack Greenberg, *Cases and Materials on Judicial Process and Social Change* (St. Paul, MN: West Publishing Co., 1977), 57.

<sup>14</sup> Robert A. Dentler, D. Catherine Baltzell, and Daniel J. Sullivan, *University on Trial: The Case of the University of North Carolina*. (Cambridge: Abt Books, 1981), 8-9. The authors note four eras in higher education for black Americans leading up to the 1950s. "First Era, 1636-1865: No opportunity for access or study, except at four schools formed between 1850 and 1865. Second Era, 1866-1915: Growth of a network of forty black institutions, *de jure* segregated, poor, but influential in building a base for mass literacy. Third Era, 1916-1930: Blacks enter white graduate and professional schools, and some whites enroll in black colleges, but segregation also hardens. Fourth Era, 1931-1954: Rising tide of civil rights litigation opens access for blacks to white universities."

<sup>15</sup> President's Commission on Higher Education, *Higher Education for American Democracy*, vol. 2 (New York: Harper & Brothers Publishers, 1947), 32-33.

<sup>16</sup> Mark Yudof, David L. Kirp, Tyall van Geel, and Betsy Levin, *Kirp and Yudof's Educational Policy and the Law*, 2d ed. (Berkeley: McCutchan Publishing Corporation, 1982), 421.

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protection clause of the Fourteenth Amendment.<sup>17</sup> The courts agreed and ordered Murray admitted to the Law School. The case convinced the NAACP that it could bring about change via legal recourse.

Encouraged by its victory in *Murray*, the NAACP filed suit on behalf of Lloyd Gaines, a qualified black undergraduate who sought admission to the University of Missouri Law School. The university had rejected Gaines' application, but offered him a scholarship to attend a law school in an adjacent state that would accept him. If he preferred to attend law school within the state, Missouri would create a program at Lincoln University, a state-supported black institution of higher learning.

In December 1938, the U.S. Supreme Court held in *Missouri ex rel Gaines v. Canada*, that Missouri had denied Gaines equal protection. The court also struck down out-of-state scholarships, finding it, "impossible to conclude that what otherwise would be an unconstitutional discrimination, with respect to the legal right to the enjoyment of opportunities within the State, can be justified by requiring resort to opportunities elsewhere."<sup>18</sup> While the Court did not repudiate segregation, "the case signaled a new urgency in evaluating the standard" and was the, "first time the Court provided content to the 'equal' branch of the 'separate but equal doctrine.'"<sup>19</sup> Further efforts to desegregate schools would wait until after World War II when the federal government would join in the fight against segregation.

### Federal Involvement, 1945-1948

Following World War II the country's social climate concerning segregation began to alter. Changes in black political consciousness and expectations that began in response to the New Deal, accelerated during World War II under the umbrella of the "Double V" campaign (victory at home and victory abroad). "The economic and social status of black Americans, their aspirations, and white Americans' views on racial questions changed markedly during the war."<sup>20</sup>

National and international trends supported a growing liberal consensus sympathetic to civil rights issues and concerns. Published to wide acclaim in 1944, *An American Dilemma: The Negro Problem and American Democracy*, Gunnar Myrdal's classic study on racial discrimination in America, highlighted the harsh contradiction between the reality of segregation and racial discrimination, and the fundamental values and principles of American democracy.<sup>21</sup> While Myrdal appealed to the conscience of white America, the pivotal importance of the black vote in major northern states encouraged liberal Democrats to take a bolder stand on civil rights. After Democrats suffered major defeats in key northern districts in 1946 midterm elections, President Harry Truman appointed a Committee on Civil Rights to gain support in the black vote. The Committee's 1947 report, *To Secure These Rights*, called for the "elimination of segregation ... from American life."<sup>22</sup> This was the first U.S. government body to reject racial segregation and received President Harry Truman's support.<sup>23</sup>

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<sup>17</sup> Salvatore, *Racial Desegregation in Public Education*, 62.

<sup>18</sup> *Missouri ex rel Gaines v. Canada*, 395 U.S. 337 at 350 (1938).

<sup>19</sup> Kermit Hall, editor-in-chief, James W. Ely, Jr., Joel B. Grossman, and William M. Wiecek, eds., *The Oxford Companion to the Supreme Court of the United States* (New York: Oxford University Press, 1992), 537.

<sup>20</sup> Greenberg, *Cases and Materials on Judicial Process and Social Change*, 68.

<sup>21</sup> Myrdal was a Swedish economist who by 1938 was a recognized authority on national social problems and was sought by the Carnegie Foundation to prepare an unbiased report. Raffel, *Historical Dictionary of School Segregation and Desegregation*, 174.

<sup>22</sup> Salvatore, *Racial Desegregation in Public Education*, 65.

<sup>23</sup> Raffel, *Historical Dictionary of School Segregation and Desegregation*, 253.

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A second government body rejecting racial segregation in schools was the President's Commission on Higher Education. The Commission's task was to define "the responsibilities of colleges and universities in American democracy and in international affairs," and to reexamine "the objectives, methods, and facilities of higher education in the United States in the light of the social role it has to play."<sup>24</sup> In its finding the Commission proclaimed that nowhere in the South or the District of Columbia, where legalized segregation occurred, was the separate but equal principle fully honored. In the field of education, "the consequences of segregation are always the same, and always adverse to the Negro citizen."<sup>25</sup> Until segregation could be eliminated, the Commission called for a program that would strengthen all of the Southern Negro institutions and equalize educational opportunities.<sup>26</sup>

Shortly after the Committee on Civil Rights and the Commission on Higher Education denounced segregation in higher education, the NAACP took the case of *Sipuel v. Oklahoma State Board of Regents* before the Supreme Court. Similar to the *Gaines* case ten years earlier, African American Ada Lois Sipuel was denied admission to the University of Oklahoma's law school solely on the basis of race under the Oklahoma Constitution. For the first time, the NAACP introduced social science evidence to the court. It used the findings of the President's Commission on Higher Education, the President's Committee on Civil Rights, and Gunnar Myrdal's work to support the contention that no justification existed for segregation in higher education.

Relying on *Gaines*, the Court ruled in January 1948 that Oklahoma must provide Sipuel with a legal education "...in conformity with the equal protection clause of the Fourteenth Amendment and provide it as soon as it does for applicants of any other group."<sup>27</sup> Oklahoma then could either admit Sipuel to the white school or create a separate law school for blacks. Within one week Oklahoma established a three-professor ad hoc black law school in a roped-off portion of the state capitol.<sup>28</sup> The State Regents for Higher Education proclaimed that the new School of Law of Langston University, the state's Negro land grant college, was "substantially equal in every way to the University Law School."<sup>29</sup>

Sipuel refused to attend and returned to court challenging the equality of the two schools. In August 1948 the state court concluded that Sipuel was being treated equally. Before Sipuel could appeal to the Supreme Court, the Oklahoma legislature amended its statute to allow African Americans to attend white schools when that program was not offered at a black school, but on a segregated basis. As a result, blacks could either gain new programs in a black school or gain entry into a white institution. However, as seen in *Sipuel*, equality was in the eye of the beholder.

### Attacking the Separate But Equal Doctrine, 1948-1950

Next in the NAACP's litigation strategy, according to Thurgood Marshall, was a "direct attack on the validity of segregation statutes insofar as they applied to public education at the graduate and

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<sup>24</sup> President's Commission on Higher Education, *Higher Education for American Democracy*, vol. 1, 1.

<sup>25</sup> *Ibid.*, vol. 2, 31.

<sup>26</sup> *Ibid.*, 35.

<sup>27</sup> *Sipuel v. Oklahoma State Board of Regents*, 332 U.S. 631 at 633 (1948).

<sup>28</sup> George Lynn Cross, *Blacks in White Colleges: Oklahoma's Landmark Cases* (Norman: University of Oklahoma Press, 1975), 53 notes that Rooms 426, 427, and 428 at the state capitol and the Oklahoma State Library comprised the facilities of the new school.

<sup>29</sup> Cross, *Blacks in White Colleges*, 54.



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professional school level.”<sup>30</sup> This the organization would do in *McLaurin v. Oklahoma State Regents for Higher Education* and a companion law school case *Sweatt v. Painter*, at the University of Texas. In the same year that Sipuel applied for law school, Herman Sweatt, a black postman from Texas had applied and been denied admission by the University of Texas to its law school based on race. On January 28, 1948, a black retired professor George McLaurin, applied to the University of Oklahoma to pursue a Doctorate in Education.<sup>31</sup> School authorities were required to deny him admission solely because of his race under Oklahoma statutes which made it a misdemeanor to maintain or operate, teach, or attend a school at which both whites and Negroes are enrolled or taught. Sweatt and McLaurin appealed to the U.S. Supreme Court.

In *Sweatt*, for the first time the Supreme Court ordered a state to admit a black to an all-white school because the education provided by a black school was inferior. In addition to comparing the tangible factors of Texas’ separate law schools, the Court recognized that intangible factors such as prestige, faculty reputation and experience of the administration, must be part of the equality determination.<sup>32</sup> Chief Justice Fred M. Vinson wrote that the Court could not “find substantial equality in the educational opportunities offered white and Negro law students by the state.”<sup>33</sup>

Under *Sweatt* the requirement of equality under the separate but equal formula became reality. However, the decision expressly refrained from reexamining the validity of the separate but equal doctrine, and hence the *Sweatt* decision did not invalidate race separation per se.<sup>34</sup> The *McLaurin* decision handed down on the same day would throw additional light upon the Court’s conception of equality of treatment in public education.

In *McLaurin*, Chief Justice Vinson stated that the question for the Court to decide was “whether a state may, after admitting a student to graduate instruction in its state university, afford him different treatment from other students solely because of his race.”<sup>35</sup> It could not be claimed that McLaurin had been denied equal educational facilities; all that was left was segregation itself. The Supreme Court unanimously ruled that as a result of McLaurin’s segregation he was “handicapped in his pursuit of effective graduate instruction... Such restrictions impair and inhibit his ability to study, to engage in discussion and exchange views with other students, and in general to learn his profession.”<sup>36</sup> Thus, like the *Sweatt* decision, the court took into account intangible factors, such as the inability for “intellectual commingling” with other students.<sup>37</sup> The unanimous decisions thwarted any divisiveness that otherwise could be exploited in these civil rights cases.

### *Brown v. Board of Education*

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<sup>30</sup> Thurgood Marshall, “An Evaluation of Recent Efforts to Achieve Racial Integration through Resort to the Courts,” *The Journal of Negro Education* 21, no. 3 (summer 1952): 318-319.

<sup>31</sup> McLaurin applied with six other African Americans, but was the only one admitted. Cross, *Blacks in White Colleges*, 85. Cross was President of the University of Oklahoma at the time of McLaurin’s case.

<sup>32</sup> Yudof, *Kirp and Yudof’s Educational Policy and the Law*, 421.

<sup>33</sup> *Sweatt v. Painter*, 399 U.S. 629 at 633 (1950).

<sup>34</sup> Joseph S. Ransmeier, “The Fourteenth Amendment and the Separate but Equal Doctrine,” 50 Mich. L. Rev. 203 at 236, 237 (1951).

<sup>35</sup> *McLaurin v. Oklahoma State Regents for Higher Education*, 339 U.S. 637 (1950) at 638.

<sup>36</sup> *Ibid.* at 641.

<sup>37</sup> *Ibid.*

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Although *McLaurin* and *Sweatt* struck a blow for school desegregation, the cases did not substantially overturn *Plessy v. Ferguson*, which protected Jim Crow laws. Segregationist practices continued despite legal ground gained and advocacy by Truman's Committee on Civil Rights and Commission on Higher Education to end segregation. "In May of 1951 seventeen states required the segregation of public schools, four other states permitted the practice if local communities wished it, and in the District of Columbia the custom had prevailed for ninety years."<sup>38</sup> In 1950, the NAACP vowed to end desegregation in education at all levels.

A series of cases provided the NAACP with the basis for dismantling the legal apparatus of *Plessy v. Ferguson* before the United States Supreme Court that were grouped together as *Brown v. Board of Education*. The defendants argued that separate school systems were in keeping with custom and law. Thurgood Marshall, representative for the plaintiffs, contended that Jim Crow laws violated black school children's rights to equal education. Marshall also demanded that the Supreme Court overturn *Plessy*. The plaintiffs cited *McLaurin* and *Sweatt* as the basis of the impossibility of the separate but equal doctrine because of the role of intangibles in education.<sup>39</sup> On May 17, 1954, the Supreme Court declared the institution of dual school systems to be unconstitutional. Referred to as *Brown I*, the decision overturned *Plessy*.

However, *Brown I* did not address the means to integration. Integration proponents sought the immediate admission of African American students to all-white schools while segregationists argued for a gradual end to the dual school system. Issued in 1955, *Brown II* did little to expedite integration, decreeing that racially segregated schools should integrate with "all deliberate speed."<sup>40</sup> The ambiguous ruling enabled segregationists to resist integration with all due force.

### Massive Resistance

The counterinsurgency known as massive resistance took myriad forms in the South. One hundred Southern congressmen signed the 1956 Southern Manifesto that vowed to resist *Brown* and to fight to maintain segregation.<sup>41</sup> In Virginia, Prince Edward County elected to close its public schools in 1959. White families then sent their school-aged children to private schools. Private schools had long been havens for those who wished to separate themselves from others based on creed, color, gender, and economics. From 1956 to 1963, the Richmond, Virginia school system operated under the state-run Pupil Placement Board; one that assigned very few black children to all-white schools, thus assuring segregated schools.<sup>42</sup> Defying a federal court order to desegregate the public schools of Mansfield, Texas, Governor Allan Shivers ordered the Texas Rangers to enforce segregation in 1956.

In 1957-1958, proponents of integration encountered massive resistance when nine African American students enrolled at Central High School in Little Rock, Arkansas. Arkansas Governor Orval Faubus ordered the National Guard to prevent desegregation of Central High School. In an event that captured national attention, President Eisenhower commanded federal troops to protect the Little Rock Nine as they crossed the color line. Governor Faubus later countered Eisenhower by closing Little Rock's

<sup>38</sup> Richard Kluger, *Simple Justice*, vol. 1 (New York: Alfred A. Knopf, Inc., 1975), 412.

<sup>39</sup> Salvatore, "Bizzell Library," 19.

<sup>40</sup> Salvatore, *Racial Desegregation in Public Education*, 79.

<sup>41</sup> *Ibid.*, 80.

<sup>42</sup> *Ibid.*, 83.

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schools.<sup>43</sup>

Integration proponents encountered many obstacles to desegregation at Southern colleges and universities during the 1950s and early 1960s. School officials either outright denied black applicants admission based on their color or contrived technicalities, such as moral issues or the lack of academic qualifications, as a means of blocking admission. When these tactics failed, governmental officials often entered the arena and pledged to prevent desegregation efforts. Threats and actual incidences of mob violence generated by students and outside agitators provided school officials with specious reasons for expelling those black students that managed to cross the color line at all-white, post-secondary, Southern institutions. These elements of massive resistance formed the basis of desegregation efforts at universities in Georgia, Mississippi, and Alabama.

University of Georgia administrators deferred addressing the applications of Hamilton E. Holmes and Charlayne Hunter for a year in 1959. The university denied their admission based on technical rather than racial reasons. Academic qualifications should not have figured into the equation as both African American applicants were honor students at their respective all-black high schools in Georgia.<sup>44</sup> Georgia Governor Ernest Vandiver publicly opposed Holmes' and Hunter's admissions. On January 11, 1961, a riot broke out on campus after Judge William A. Bootle decreed that the two black students be admitted to the university. University of Georgia administrators cited the violence as cause for suspending both Holmes and Hunter. Judge Bootle later ordered the two students re-admitted.

African American applicants at Mississippi colleges and universities typically faced the ordeals of massive resistance alone. Local and state organizations dedicated to the cause of African American higher education simply did not exist. Lacking such support, blacks seeking to cross the color line at the post-secondary level failed to set foot on campus. Clennon King applied for admission at the University of Mississippi in 1958. The state instead placed King in Whitfield, the colored asylum for the insane. King was followed a year later by Clyde Kennard, who sought entrance to Mississippi Southern College. Kennard was subsequently sentenced to seven years on a chain gang.<sup>45</sup>

James Meredith encountered violent opposition to his admission at the University of Mississippi in 1962. However, unlike King and Kennard, Meredith actually overcame the legal stratagems deployed by the university to prevent his admission through the assistance of the NAACP's Legal Defense Fund.<sup>46</sup> The Fifth Circuit Court of Appeals ruled against the university and Governor Ross Barnett's efforts to delay Meredith's request to attend classes at the Oxford campus. Regarding this case, Judge John Minor Wisdom wrote:

... that from the moment the defendants discovered that Meredith was a Negro they engaged in a carefully calculated campaign of delay, harassment, and masterful inactivity. It was a defense designed to discourage and defeat by evasive tactics which would have been a credit to Quintus Fabius Maximus... the court order stated that anyone acting to thwart, obstruct, or otherwise prevent the admission of Meredith would be in contempt of the fifth circuit.<sup>47</sup>

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<sup>43</sup> Ibid., 82.

<sup>44</sup> Ibid., 85.

<sup>45</sup> David G. Sansing, *The University of Mississippi: A Sesquicentennial History* (Jackson: University Press of Mississippi, 1999), 277, 280.

<sup>46</sup> Ibid., 280-304.

<sup>47</sup> Ibid., 289.

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The Fifth Circuit ordered Meredith to be admitted for the fall term of 1962.

Despite the efforts of President John F. Kennedy and United States Attorney General Robert F. Kennedy to maintain peace and order at the University of Mississippi, Meredith's enrollment turned violent. On September 30, 1962, an unruly mob of Klansmen, White Citizen's Councilors, students, and sundry agitators, marched on Baxter Hall where James Meredith was staying before completing registration the next day. There, the mob clashed with a unit of the Mississippi National Guard that the Kennedy administration had ordered to protect Meredith and prevent disorderly conduct. In the chaos that erupted, federal marshals fired tear gas canisters into the melee; gunfire from shotguns and hunting rifles ripped through the crowd; rioters hurled epithets, brickbats, lead pipes, and Molotov cocktail bombs; and others slashed army truck tires and set their canvas tops on fire.<sup>48</sup> Additional federal troops restored order on the Oxford campus but not before two were killed, 160 marshals were wounded, and the university was turned into a war zone.

In the company of federal marshals, Meredith completed registration at the Lyceum the next morning. Thus, the university's first African American student broke the color barrier. Federal troops remained on campus until July 1963 as Meredith faced further acts of harassment.<sup>49</sup> Federal intervention also played an integral role in the integration of the University of Alabama.

### Separate But Not Equal in Alabama

From 1865 until 1963, African Americans coped with the realities of separate but equal in Alabama. Through the extraordinary efforts of pioneering black educators, Booker T. Washington and William Councill, the Freedmen's Bureau, and the American Missionary Association, black students pursued limited educational opportunities at the post-secondary level. The late nineteenth-century roster of Alabama's black colleges and universities included Tuskegee Normal School (founded in 1881), Talladega College (chartered in 1869), Huntsville Normal School for Negroes (initiated in 1875), Lincoln School in Marion (founded 1867), and Alabama Colored Baptists Normal School in Selma (begun in 1878). For the most part, the curriculum at these all-black institutions concentrated on teacher preparation and agricultural and vocational training. William Councill, founder of the Huntsville Normal School for Negroes (Alabama Agricultural and Mechanical University-A&M), and others advocated the need for four-year liberal arts and science programs for African Americans; however, state legislators and philanthropists balked at such prospects, believing higher education was wasted on blacks.

Despite the patronizing attitudes of Alabama state legislators, all-black colleges and universities made some progress. Councill secured land-grant status for the State Normal and Industrial School of Huntsville (A&M), making the school eligible for federal funding set aside for such institutions by the Morrill Acts of 1862 and 1890. The Morrill Act of 1890 championed a comprehensive system of scientific, technical, and practical education for African American students.<sup>50</sup> By the 1933-34 school year, A&M featured a junior college, senior and junior high schools, a vocational school and an enrollment of 478 students. After moving to Montgomery and assuming a new name (State Normal

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<sup>48</sup> Ibid., 300-304.

<sup>49</sup> Ibid., 308.

<sup>50</sup> Richard D. Morrison, *History of Alabama Agriculture and Mechanical University: 1875-1992* (Huntsville: The Golden Rule Printers, 1994): 50.

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School for Colored Students), the Lincoln School concentrated its efforts on teacher preparation. By 1928, the school offered a baccalaureate degree in teaching.<sup>51</sup> Recognizing similar advancements in its curriculum, Tuskegee earned Institute status in 1937.

Strides aside, Alabama's all-black colleges and universities struggled to provide their students with a quality education due to limited funding. Although the Morrill Act of 1890 stipulated that federal funding was to be divided equally between the black and white land-grant colleges, A&M seldom received its appropriations. Auburn Polytechnic Institute (Auburn University) managed to appropriate federal funds designated for A&M through maneuvers of the state legislature.<sup>52</sup> Auburn also helped itself to federal funding earmarked for outreach programs at Tuskegee. The State Teachers College (State Normal School for Colored Students, renamed Alabama State University in 1969) competed for funding with the University of Alabama, which often garnered the lion's share of education dollars. Black college and university administrators often had to appeal to the generosity of private donors for financial support.

Although not the intent of the authors, an Alabama Department of Education survey revealed the specious nature of separate but equal in higher education in the early 1940s. For every \$100.00 spent by the state in educating white youth, African Americans received \$6.24; higher education appropriations in 1939 for white colleges and universities amounted to \$1,975,962, while black institutions garnered a paltry \$131,500; library holdings for A&M, ASU, and other African American institutes of higher education had substandard library holdings; neither ASU nor A&M had Ph.D.s on their faculty in 1940; course offerings were quite slim compared to those of Alabama's white institutions; and few black schools offered four-year programs. Consequently, many African American graduates did not qualify for teaching and professional positions, which required four-year degrees; in 1940, A&M was the only land-grant college in the nation not offering a four-year education.<sup>53</sup> Faced with disparate educational opportunities, the confrontation between desegregationists and segregationists in Alabama was inevitable.

Segregation at Alabama's schools did not stop African Americans from applying to white institutions of higher learning. Enrollment applications from a small number of black students began arriving at the University of Alabama in the 1940s. The admissions office simply ignored many of these applicants. In another case, Dean of Administration Ralph Adams, informed one applicant: "The University of Alabama does not admit Negroes." Adams and another university official told Private H. W. McElreath of the Tuskegee Army Air Field that the University of Alabama did not offer courses in his area of study.<sup>54</sup>

The Office of Admissions whisked many of the early applications aside with relative ease; however, mounting legal victories by the NAACP served notice that efforts to resist desegregation were wearing thin. In 1946, Captain Nathaniel S. Colley challenged the authority of the University of Alabama, stating that denying him admission to the University Law School based on his race was a violation of his constitutional rights "since none of the fictional *Separate But Equal* facilities in Alabama provided legal

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<sup>51</sup> Alabama State University, [www.alasu.edu](http://www.alasu.edu), 2001.

<sup>52</sup> Morrison, *History of Alabama Agriculture and Mechanical University*, 50.

<sup>53</sup> Edgar W. Knight, "A Study of Higher Education for Negroes in Alabama." (Montgomery, June 1940); Clark, *The Schoolhouse Door*, xv-xvi.

<sup>54</sup> Clark, *The Schoolhouse Door*, 12.

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training.”<sup>55</sup> Colley pushed the dialogue further when he invoked the legal rhetoric of *Sweatt*: he refused to attend an out-of-state college or a makeshift segregated school.<sup>56</sup> He informed university officials that the federal courts could intercede in his behalf and grant his admission to Alabama’s capstone of higher learning. Colley dropped the gauntlet and elected to enter the law school at Yale.

In 1952, federal review of the University of Alabama’s discriminatory admissions policies became reality when Pollie Anne Myers and Autherine Juanita Lucy applied for enrollment. Myers, an aspiring journalism student who served as president of the state NAACP Youth Council and worked for the regional office of the NAACP, was better equipped to deal with the University of Alabama than Captain Nathaniel S. Colley. She consented to a plan in which Birmingham Attorney Arthur Shores would assist her and Lucy, Myers’ friend, in the event that the university denied their applications. Initially, the Office of Admissions accepted their applications; however, upon learning that Myers and Lucy were African Americans, the office retracted its decision, stating that the laws of Alabama prohibited their enrollment. With assistance from the state branch of the NAACP, Shores filed a lawsuit against the University of Alabama, charging that the two coeds were denied admission based on their race.<sup>57</sup>

University officials and the law firm of Burr, McKamy, Moore and Tate, which the trustees had appointed to represent the University of Alabama, did everything in their power to stymie the Lucy case. The suit may very well have been paralyzed indefinitely were it not for the U.S. Supreme Court’s 1954 *Brown* ruling banning desegregation in public schools at all levels. With legal recourse in place, a federal judge ordered Lucy and Myers admitted to the University of Alabama in 1955, which thereby became the first educational institution ordered to desegregate under the *Brown* ruling.<sup>58</sup>

Only Autherine Lucy enrolled on February 1, 1956, because university administrators denied Pollie Myers’ admission based on alleged problems with her background. The university alleged that Myers was pregnant out of wedlock, a charge it had used to dismiss undesirable, white female applicants. The university hoped that the less tenacious Lucy would fold without the bolstering of the more undaunted Myers. However, Lucy paid her entrance fees at 12:53 p.m., February 1, 1956, a reporter noted, becoming the first African American to breach the Jim Crow laws governing education in Alabama.<sup>59</sup>

Lucy’s stay at the Tuscaloosa campus was not long, lasting only until Monday, February 6, 1956. Like the Little Rock Nine, Lucy experienced firsthand the ugliness of massive resistance. Although the university allowed Lucy to enroll, it denied her a dormitory room. Students and outside agitators burned crosses on lawns for a week. Mob violence consisting of angry students and outside agitators shouting slurs, shooting off fireworks, and breaking car windows erupted on February 3 and 4. Fired up by the chaos of the two previous nights, a mob turned its anger on Lucy and her escorts on several occasions on Monday, February 6, 1956, which was to be her last day at the university. At that time, university officials expelled Lucy, citing her health and wellbeing as well as that of the other students and general law and order, as the reason for dismissing her.<sup>60</sup> Thus, the machinations of massive resistance undermined a federal court order to integrate Alabama’s schools.

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<sup>55</sup> Ibid.

<sup>56</sup> Ibid., 13.

<sup>57</sup> Ibid., 17, 34-44.

<sup>58</sup> Ibid., xvii.

<sup>59</sup> Ibid., 54, 59.

<sup>60</sup> Ibid., 81.

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Autherine Lucy's experiences served as both bane and boon to integration. Massive resistance demonstrated that it could force integrationists to submit to mob will. To prevent further breaches of the color line, university representatives instituted tests designed to discredit black students' academic proficiency. In one year, the university managed to dispose of 236 unwanted letters of inquiry and applications.<sup>61</sup> State officials coerced the Birmingham chapter of the NAACP into breaking up. Through this move, black students were denied a major means of financial and legal support. On the other hand, integrationists and the federal government learned that these students would require federal protection well beyond registration day to ensure successful desegregation. Such would prove to be the case in Little Rock, Arkansas; Oxford, Mississippi; and Athens, Georgia, and the second chapter in Tuscaloosa's destiny with desegregation.

### The Stand in the Schoolhouse Door

With Lucy's legal representatives pressing for reinstatement, and the volatile events of the University of Mississippi, the University of Alabama wanted to defer future dealings with integration as long as possible, indefinitely if allowed. However, avoidance was not an option as the university continued to receive applications from black students, with several endorsed by Martin Luther King, Jr. In view of what transpired at the University of Mississippi, University of Alabama President Frank Rose arranged with President Kennedy's staff to delay consideration of African American applications until late 1963 in order to allow calmer heads to prevail.<sup>62</sup> The Kennedy administration approved the decision, seeking time to learn the intent of all who would have a role in future desegregation activities, including Alabama Governor George Wallace.

Wallace had taken the reigns of Alabama government at the end of 1962, declaring his stance on segregation during his gubernatorial campaign. He swore he would defy court orders mandating integration "even to the point of standing in the schoolhouse door in person" to block it.<sup>63</sup> Wallace's stance on integration was emphatic when he decreed "segregation now, segregation tomorrow, segregation forever" during his inaugural speech in January 1963.<sup>64</sup> He later stated "they will have to arrest me before they integrate the University of Alabama. We will not close the University, but we will not be pushed around by a court ruling that is not the law of the land..."<sup>65</sup> During the intervening months between Wallace's inauguration and the "stand in the schoolhouse door," the Kennedy administration maintained a tenuous hope that the Alabama Governor would reconsider his convictions.

However, President John F. Kennedy and his staff could ill afford to naively believe that divine intervention would magically resolve desegregation at "Bama," one of the University of Alabama's many monikers. Massive resistance at Bama in 1956, Central High School, the University of Georgia, and the University of Mississippi proved otherwise. Growing pressures from national proponents of civil rights dictated different tactics and a different outcome than that at the University of Mississippi, Central High School, and the Autherine Lucy episode. Despite posting an impressive record on civil rights prior to the "stand in the schoolhouse door," President Kennedy was criticized for "unwillingness to over extend executive authority" and a "defensive and reactive" stance in the desegregation of the University of Mississippi and interstate transportation associated with the Freedom Riders of 1961,

<sup>61</sup> Ibid., 169.

<sup>62</sup> Ibid., 164.

<sup>63</sup> Carl M. Brauer, *John F. Kennedy and the Second Reconstruction* (New York: Columbia University Press, 1977), 141-142.

<sup>64</sup> Clark, *The Schoolhouse Door*, 168.

<sup>65</sup> *South: The News Magazine of Dixie*, "Washington View," 18 February 1963, 5.

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which resulted in violence.<sup>66</sup> During a May 1963 meeting featuring Attorney General Robert F. Kennedy and a group of African American dignitaries, including entertainer and activist Harry Belafonte, writer James Baldwin, social scientist Kenneth Clark, playwright Lorraine Hansberry, and others, the Attorney General endured “emotional verbal assaults and attacks for nearly three hours.”<sup>67</sup> The group excoriated him and the President for not using extraordinary means to solve the civil rights crisis.

The status of race relations in America constantly undermined President Kennedy’s foreign policy. Negotiations with the Soviet Union and China inevitably bogged down, as both countries were quick to remind the American leader of his nation’s transgressions in the area of human rights. Radio Moscow trashed America’s image as the protector of democracy with its coverage of civil rights demonstrations in Birmingham, Alabama, in April and May of 1963.<sup>68</sup> Denouncing George Wallace as a “notorious racist” and announcing that the “savagely suppression of Negroes was increasing in the United States,” Peking Radio joined the anti-American propaganda frenzy that characterized the times.<sup>69</sup> The State Department, the federal agency charged with the responsibility of damage control, continually apologized to non-white foreign diplomats who were discriminated against in Washington, D.C.’s segregated hotels, restaurants, stores, and transportation facilities. With racial discord at a boiling point in America, African nations were weary of Kennedy’s pledge to assist them in the development of a democratic based form of government. In order to quell these criticisms and suspicions, the Kennedy administration vowed a peaceful resolution to integration at the University of Alabama.

Robert F. Kennedy assumed the lead role in preparing for the inevitable confrontation with Governor Wallace. As the head of the Justice Department, Attorney General Kennedy had the responsibility of enforcing the federal court order prohibiting Wallace from obstructing the admission of Dave McGlathery, James Hood, and Vivian Malone to the University of Alabama.<sup>70</sup> Burke Marshall, Nicholas Katzenbach, Byron White, John Doar, Ramsey Clark, Louis Obendorfer, and John Siegenthaler, all of whom were officials of the Justice Department, influenced Kennedy’s strategy. Periodically, the Attorney General presented his ideas to the President for approval or revision.

Robert Kennedy’s civil rights task force found itself maneuvering through a particularly tricky dilemma. On the one hand, Kennedy and his advisors did not want to resort to a heavy federal hand which would alienate Southern voters and Democratic support for civil rights legislation. On the other hand, they did not want to appear reticent to implement the court order which would alienate African Americans, liberal whites, and civil rights advocates in the legislature. Wallace voiced the Kennedys’ concerns when he openly acknowledged that “the South played an integral role in the election of a president and that several people would not be getting future votes” for their role in the “stand at the schoolhouse door.”<sup>71</sup>

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<sup>66</sup> Hugh Davis Graham, *The Civil Rights Era: Origins and Development of National Policy 1960-1972* (New York: Oxford University Press, 1990), 66.

<sup>67</sup> Jean Stein and George Plimpton, *American Journey: The Times of Robert Kennedy* (New York: Harcourt Brace Jovanovich, 1970), 120-121.

<sup>68</sup> Brauer, *John F. Kennedy and the Second Reconstruction*, 240-241.

<sup>69</sup> *New York Times*, “Peking Denounces Wallace,” 1 June 1963, 20.

<sup>70</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963), filmstrip.

<sup>71</sup> *Ibid.*



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The Kennedy administration attempted to dissuade Wallace from his promised defiance through means other than direct confrontation. Taking a cue from merchants who negotiated an end to conflicts in Birmingham and other cities engulfed in racial crisis, the Kennedys asked Alabama's merchants to intervene in their behalf. "RFK and his staff compiled a list of all the businesses in the state that featured 100 or more employees. Cabinet members contacted the executives of these businesses, and asked them to impress upon Wallace the adverse effects violence could have on the state's economy and the reputation of the University of Alabama."<sup>72</sup> Nearly 80 percent of the contacted executives agreed to contact Wallace.<sup>73</sup> An additional 212 businesses and civic leaders signed a petition asking Wallace to abandon his stand.<sup>74</sup> Wallace ignored business leaders on the issue of the stand, but adopted their call for no violence.

Church and student groups were of some benefit to the Kennedy agenda. Tuscaloosa's Protestant, Jewish, and Catholic leaders urged their congregations to keep the peace and respect the decisions of authority regarding integration at the University of Alabama.<sup>75</sup> The *Crimson White*, the University of Alabama's student newspaper, appealed to students' sense of decency and compassion. Toward this end, the newspaper published a letter from Nobel Peace prize-winning author William Faulkner to a university student, David Kirk. During the Autherine Lucy attempt at desegregation in 1956, Kirk wrote to Faulkner asking him what Southern students could do in order to best meet the desegregation problem. Faulkner's letter of March 8, 1956, informed Kirk that students should approach the problem with decency, self-respect, and courage. The acclaimed author hoped people would abolish segregation. He thought an inter-state university organization for simple decency and rationality among Southern college men and women would carry a great deal of weight in showing the world that America was truly committed to the principles of democracy.<sup>76</sup> No doubt, the *Crimson White* staff counted on Faulkner's reputation as a Nobel Peace prize-winning novelist in its efforts to sway the student body toward noble conduct.

Hoping that Wallace would reconsider his position in the light of growing support for integration, the Kennedys contacted the Alabama Governor on several occasions. On April 25, 1963, Robert Kennedy and several assistants met with Wallace in Montgomery. After Wallace assured the Attorney General that he would "never submit voluntarily to any integration in a school system in Alabama," the two combatants rhetorically sparred over the use of federal troops.<sup>77</sup> Wallace tried to maneuver Kennedy into committing to the use of federal troops in Tuscaloosa while Kennedy used the threat of federal troops in an attempt to persuade the Governor to comply with federal law. The dialogue ended with a bemused Kennedy. In May, President John F. Kennedy briefly met with Wallace in Alabama. The President failed to ascertain Wallace's game plan for Tuscaloosa. During a cabinet meeting on May 21, with the beginning of the summer session at the University of Alabama a few weeks in the very near future, Burke Marshall and Robert Kennedy vented their frustration with Wallace. They could not be sure that Wallace actually wanted to be arrested by federal troops for blocking the school house door. Kennedy's staff did not want to resort to the use of federal troops nor did they want to arrest and jail the

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<sup>72</sup> Arthur M. Schlesinger, Jr., *Robert Kennedy and His Times* (Boston: Houghton Mifflin Company, 1978), 337.

<sup>73</sup> Brauer, *John F. Kennedy and the Second Reconstruction*, 257.

<sup>74</sup> *Birmingham News*, "UA Mood in Sharp Contrast to Autherine Lucy Days," 9 June 1963, A-41.

<sup>75</sup> *Tuscaloosa News*, "Church Leaders Issue Call for Peace, Prayer," 10 June 1963, 1.

<sup>76</sup> *Crimson White*, "To A Student: A Faulkner Letter," 9 June 1963, 1.

<sup>77</sup> Schlesinger, Jr., *Robert Kennedy and His Times*, 338. Primary source is Robert F. Kennedy, *RFK Papers*, "Transcript of Conversation between Attorney General Robert F. Kennedy and Governor George Wallace, Montgomery, Alabama, April 25, 1963."

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Alabama Governor. Kennedy's staff vacillated on their strategy throughout the meeting.<sup>78</sup> In a June 10 telegram, President Kennedy asked Governor Wallace to stay away from the University of Alabama. Wallace responded stating that his presence on campus guaranteed peace.<sup>79</sup> The Kennedy administration did not finalize plans for dealing with Wallace until the morning of June 11, 1963.

George Wallace was more revealing with the University of Alabama officials than with the Kennedys. In March of 1963, Wallace called a meeting with University of Alabama Trustees and administrators.<sup>80</sup> In that meeting, he proclaimed a staunch position against integration. He also reiterated his promise to block the schoolhouse door and prevent black students from crossing the color line at the Tuscaloosa campus, or the Huntsville campus of the University of Alabama where two African American applicants, Marvin Phillips Carroll and Dave Mack McGlathery, had applied for admission.<sup>81</sup> Wallace then outlined a tentative plan for dealing with the admission of African American students. He said he would ask people to stay away from campus. All bricks, chains, posts, bottles, etc. would be removed from campus. He would let the federal government come in with force to protect the participants. Lastly, Wallace said he would not allow civil authority to breach the line after he refused admission of students.<sup>82</sup> University officials conveyed this information to Burke Marshall. The Kennedy administration hoped to avoid such a confrontation. Wallace's response to President Kennedy's eleventh hour telegram on June 10, 1963, killed the last glimmer of federal optimism.

While federal, state, and university officials negotiated plans for integration, the admission process took its course. Five applicants, including Carroll and McGlathery, showed great potential to overcome the hurdles placed before them. McGlathery was a graduate of mathematics at Alabama A&M and a NASA employee in Huntsville. An electrical engineering graduate of Howard University, Carroll also worked at NASA. Both passed the University of Alabama entrance exams.<sup>83</sup> Both had support from the Community Service Committee, the Alabama Council on Human Relations, and the Anti-Defamation League.

The Tuscaloosa campus applicants included Vivian Malone, James Hood, and Sandy English. Malone was an exemplary student at her high school in Mobile. An all-star athlete at his high school in Gadsden, Hood enjoyed a reputation as a respectable student. English was enrolled at Stillman College, an all-black academy in Tuscaloosa. Martin Luther King, Jr. endorsed the applicants and the state's Legal Defense Fund lawyers, Arthur Shore and Fred Gray, committed the organization's resources to their cause.<sup>84</sup>

In the end, only three would make the final cut. English bowed to political pressures: Stillman College did not want to incur the wrath of the University of Alabama; consequently, English withdrew his application. Carroll succumbed to a morality charge. Because he had fathered a child out of wedlock, the university denied him admission.<sup>85</sup> Wallace ordered investigations into the backgrounds of Dave

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<sup>78</sup> Ibid., 340. Primary source is RFK in Lewis interview, December 1964, I, 30-31.

<sup>79</sup> *New York Times*, "President Urges Wallace to Shun Alabama Campus," 11 June 1963, 1.

<sup>80</sup> Clark, *The Schoolhouse Door*, 179. Primary source is from handwritten notes on board meeting, 18 March 1963, UAS.

<sup>81</sup> Ibid., 179.

<sup>82</sup> Ibid., 180.

<sup>83</sup> Ibid., 187.

<sup>84</sup> Ibid., 177.

<sup>85</sup> Ibid., 210.

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McGlathery, Vivian Malone, and James Hood, but evidently nothing irregular was found because the University of Alabama approved them for admission. That Wallace and university representatives did not brand Hood a political radical and subsequently dismiss his application is surprising. In his hometown of Gadsden, Hood led a group of students to a white high school to make a request for admission. He was denied and instead attended the all-African American Carver High School.<sup>86</sup>

In addition to their academic qualifications, the three African American students possessed personality traits and physical attributes that aided their cause. All three were very determined to succeed. The oldest of the three applicants, McGlathery had already established a record of success in the Navy and NASA. All three were attractive which made them both photogenic and telegenic. The press capitalized on their physical appeal, using it to sway audiences toward the cause of integration. Malone became the veritable poster child. Her comely features, warm smile, and endearing shyness led to features in *Newsweek* and *Time*.<sup>87</sup> As domestic and foreign press photographs reveal, Malone, Hood, and McGlathery had a flare for understated elegance and sophistication in their choice of clothes, which made them even more likable. They all spoke well. McGlathery, Hood, and Malone were all-around candidates with many appealing qualities.

For McGlathery, Hood, and Malone, an education at the University of Alabama represented an all-important means to a better life. Fearing that her coursework at Alabama A&M College might not be recognized as legitimate by potential employers since A&M had recently had its accreditation revoked, Malone expressed interest in pursuing an accredited degree at the University of Alabama that would lead to a career as a CPA or administrator.<sup>88</sup> Hood was leaning toward a career in clinical psychology, but Atlanta's Clark College where he had studied for two years did not offer such a program. Consequently, he wanted to transfer to the University of Alabama where he could complete a degree in psychology.<sup>89</sup> Although McGlathery graduated from Alabama A&M College with a background in mathematics, the African American government employee wanted to improve his math and science skills in order to qualify for better positions at NASA.<sup>90</sup> Hood, Malone, and McGlathery were not unlike white students: they all wanted a quality education and a better life that education promised.

Even though Malone, Hood, and McGlathery leapt all of the hurdles designed to deter them, they still had to rely on a federal court order for their admission. The University of Alabama petitioned Federal Judge Harlan Grooms, who ordered the university to admit Autherine Lucy and Pollie Myers in 1956, to delay making a decision on Hood, McGlathery, and Malone until racial tensions eased.<sup>91</sup> On May 21, Judge Groom ordered the University of Alabama to admit the three African American students, citing that Alabama Governor George Wallace himself had promised to keep the peace.<sup>92</sup> On June 5, 1963, U.S. District Judge Seybourn H. Lynne enjoined Governor Wallace and anyone working with him from physically interfering with desegregation.<sup>93</sup> Although McGlathery enrolled at the University of Alabama

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<sup>86</sup> *Newsweek*, "JFK in the Bully Pulpit," 24 June 1963.

<sup>87</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963) filmstrip.

<sup>88</sup> *Newsweek*, 24 June 1963.

<sup>89</sup> Clark, *The Schoolhouse Door*, 177.

<sup>90</sup> *Ibid.*, 172.

<sup>91</sup> *Ibid.*, 194.

<sup>92</sup> *Birmingham News*, "U.S. Court Denies Stay, University to Accept Two Negroes in June," 21 May 1963, 1; "Showdown with U.S. Near for Governor Wallace," 22 May 1963, 1.

<sup>93</sup> *Tuscaloosa News*, "Negroes Join in on Talks," 6 June 1963, 1.

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in Huntsville in June of 1963, he found himself out of the spotlight because Governor Wallace chose to make his show of resistance in Tuscaloosa.

The federal injunction issued against Wallace created another problem for the Justice Department. The Kennedy administration did not want to arrest Wallace and risk martyring him. Under such a circumstance, Wallace sympathizers might break loose with violence. John and Robert Kennedy and advisors decided that on the day of enrollment, Hood and Malone would remain in a nearby car while Assistant Attorney General Nicholas Katzenbach confronted Wallace in front of Foster Auditorium. In this way, Wallace would not technically defy the federal court order, as he would not be preventing the students from entering the building. Katzenbach would then inform Wallace that he had Judge Groom's federal court order ordering the admission of James Hood and Vivian Malone and that the students would attend the university. Robert Kennedy thought Katzenbach and his entourage should push Wallace out of the way in the event that the Governor refused to obey the court order. As an alternative, the Attorney General suggested someone on the inside of Foster could open another door and let Katzenbach and company enter. "Wallace could not block all of the doors," Kennedy reasoned. Katzenbach ventured the idea of "reducing going through the door to nothing." He suggested bypassing Foster altogether and taking the students straight to their classes. In the end, the Kennedys agreed to handle Wallace's possible continued defiance with federalized guards.<sup>94</sup>

The president's advisors debated a number of issues associated with the use of troops. The advisors rejected having federal troops on the Tuscaloosa campus from the onset of enrollment, fearing that this presence would set off mob violence. The problem then became which troops to deploy and from what location they would travel. Travel time was critical to planning. Initially, the President did not want to wait a day for the troops to arrive, because he might be criticized for not taking control of the situation. Additionally, he planned to deliver an address on civil rights to the nation on either June 10 or 11. He felt his speech would have more impact if he had a positive outcome in Tuscaloosa.<sup>95</sup> Katzenbach informed the Attorney General that the process of deploying troops, be they National Guard or regular Army, could be expedited by having the necessary paperwork for a Presidential Proclamation granting the deployment, ready to sign. The Assistant Attorney General proposed prepositioning troops at either the Redstone Arsenal in Huntsville or Columbus Air Force Base in Mississippi, so they would be within a day's drive.<sup>96</sup> Once Robert Kennedy learned that the guard could make the trip to Tuscaloosa in four or five hours, he proposed having Katzenbach confront George Wallace for a second time on the same day should the Governor refuse to remove himself from the Foster doorway in the morning confrontation. President Kennedy thought this solution was preferable to waiting a day to re-engage Wallace, because he did not want to lose any momentum in the situation.<sup>97</sup>

In an effort to reduce the threat of violence, University of Alabama officials secured the Tuscaloosa campus. University officials cordoned off the campus the Friday before registration, only allowing select personnel ingress/egress to the campus.<sup>98</sup> All faculty, students, visitors, press, and federal representatives were required to present the proper credentials at one of three security checkpoints before entering the school. The university banned all but a few vehicles in the secured area. A very

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<sup>94</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963), filmstrip.

<sup>95</sup> Ibid.

<sup>96</sup> Nicholas Katzenbach, *RFK Papers*, "Memorandum from Nicholas Katzenbach to Robert F. Kennedy on Alternatives for Handling the Integration of the University of Alabama, 31 May 1963."

<sup>97</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963), filmstrip.

<sup>98</sup> *Tuscaloosa News*, "UA Barriers Go Up Saturday," 6 June 1963, 1.

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detailed list featuring the color, make, and license number of the cars driven by administrators, faculty, staff, students, the press, and law enforcement present for the beginning of the summer session, enabled officers to identify and remove suspicious looking vehicles from the general vicinity.<sup>99</sup> Maintenance workers removed rocks, bottles, sticks, and anything else that might be used as projectiles in the event that individuals or groups managed to overcome security. Late in the planning, university administrators scheduled Vivian Malone and James Hood for enrollment on June 11 and the rest of the students on June 10.<sup>100</sup> This arrangement reduced the number of potential problems by seriously reducing the number of people on campus for the showdown with Wallace.

Governor George Wallace kept his pledge to maintain peace and order at the University of Alabama. Wallace asked Alabamians to stay away from Tuscaloosa; he informed them that he alone would handle efforts to block desegregation.<sup>101</sup> Wallace mobilized 500 Alabama National Guardsmen to surround the university. The segregationist Governor arrived in Tuscaloosa in the afternoon of Monday, June 10.<sup>102</sup> He met with the University Board of Trustees in the evening before retiring to the Stafford Hotel.

As the clock ticked down to the appointed hour on June 11, the Kennedy administration made final preparations for the registration of James Hood and Vivian Malone. President Kennedy sent Assistant Attorney General Nicholas Katzenbach to Tuscaloosa to personally oversee the operation as he had at the University of Mississippi.<sup>103</sup> General Creighton Abrams assumed control of the military presence. On June 6, James Hood, Dave McGlathery, and Vivian Malone met with Judge Lynne, University of Alabama Vice President Jefferson Bennett, Nicholas Katzenbach, and John Doar in Birmingham.<sup>104</sup> Doar informed the students that they should “dress as if they were going to church, modestly and neatly.” A car would take Malone, Hood, Katzenbach, and several others along University Avenue, turn on Sixth Street, and pull into the parking lot in front of Foster Auditorium. Doar assured the students that they would enjoy the fruits of successful litigation.<sup>105</sup>

Katzenbach and Robert Kennedy fine-tuned their plans on the morning of June 11 via telephone. The students were to wait while Katzenbach confronted George Wallace. If Wallace refused to step down, Katzenbach and others would escort the students to dormitories on campus and await a second confrontation with the support of federalized guards. Katzenbach believed that it was important to the federal cause to keep the students on campus, so the forces of integration would not be viewed as retreating while waiting for federalized guards.<sup>106</sup> Kennedy was rather adamant about not letting Wallace interact directly with the students. He did not want the students to suffer any indignities.<sup>107</sup>

At approximately 11:00 A.M., June 11, 1963, a three-car motorcade transporting Katzenbach, several other federal officers, and Malone and Hood arrived in a parking lot behind Little Hall adjacent to Foster Auditorium, the site of registration. University Trustees and President Rose watched the proceedings

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<sup>99</sup> The Stand in the Schoolhouse Door files at the University of Alabama Special Collections.

<sup>100</sup> Clark, *The Schoolhouse Door*, 209.

<sup>101</sup> *Birmingham News*, “University Prepares for Integration Attempt,” 9 June 1963, A-42.

<sup>102</sup> *Tuscaloosa News*, “Wallace Flies Here For Capstone Stand,” 10 June 1963, 1.

<sup>103</sup> Clark, *The Schoolhouse Door*, 217.

<sup>104</sup> *Tuscaloosa News*, “Negroes Join in on Talks,” 6 June 1963, 1.

<sup>105</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963), filmstrip.

<sup>106</sup> Ibid.

<sup>107</sup> Clark, *The Schoolhouse Door*, 220.

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from Little Hall. State troopers formed a human wall around the exterior perimeter of Foster. A small number of troopers perched atop the building.<sup>108</sup> Other officers stood vigil in the parking lot between the north side of Foster Auditorium and Farrah Hall. Select members of a local, national, and international television, radio, and newspaper contingency crunched together along a semicircle in front of the Foster doorway. Robert Sturdivant of the United States Information Agency (USIA) was among those covering the event. Concerned that racial strife had damaged the reputation of the United States as a democracy, USIA, which broadcast news to foreign countries including those behind the Iron Curtain, intended to report all the facts regarding integration at the University of Alabama, not just those the Communist propaganda presses chose to distort.<sup>109</sup> Inside Foster, a small group of faculty, staff, and reporters awaited Vivian Malone and James Hood should they make it past Wallace. As promised, Alabama Governor George Wallace stood in the schoolhouse door, ready to block those who would defy the color line at Bama.

While Malone and Hood remained in the safety of their motorcade, Katzenbach walked over to Foster Auditorium. After passing through the gauntlet of patrolmen and assembled media, Katzenbach confronted Wallace, who had firmly entrenched himself in front of the central entrance to Foster. Wallace held his hand up like a police officer stopping traffic.<sup>110</sup> Having identified himself, Katzenbach stated: "I have here President Kennedy's proclamation. I have come to ask you for your unequivocal assurance that you or anyone under your control will not bar these students."<sup>111</sup> Wallace unequivocally replied, "No." The Deputy Attorney General reiterated his demand of an unequivocal assurance only to have the defiant Governor cut him off. Wallace then stated, "Now you make your statement, because we don't need your speech." Wallace again interrupted Katzenbach as he was issuing his demand for compliance with the President's Proclamation, and stated he had a statement to read. Wallace then launched into a statement against what he considered to be an "unwelcomed, unwanted, unwarranted, and force-induced intrusion upon the University of Alabama." Katzenbach then countered with "From the outset, Governor, all of us have known that the final chapter of this history will be the admission of these students..." Tiring of the Governor's continued intransigence, the Assistant Attorney General conceded the Foster doorway for the time being. He then returned to the motorcade and escorted Malone and Hood to their respective dormitories, Mary Burke Hall and Palmer Hall.<sup>112</sup>

Like Hood and Malone, Deputy Attorney General Katzenbach remained on campus. He did not want to appear as if he had retreated from the initial confrontation with George Wallace.<sup>113</sup> As planned, Katzenbach set the final act in motion when he placed a call from his car radio to Attorney General Robert F. Kennedy in Washington, D.C. The junior official asked Kennedy to grant permission to federalize local guard units. President John F. Kennedy signed the executive order that sent Brigadier General Henry Graham and the 31<sup>st</sup> Dixie Division to Tuscaloosa.<sup>114</sup> Upon arrival, General Graham met with General Taylor Hardin, a confidant of George Wallace. Hardin indicated that Wallace would capitulate peacefully if allowed a speech. Katzenbach agreed to the deal.<sup>115</sup>

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<sup>108</sup> *Tuscaloosa News*, photographs, June 11, 1963, 9.

<sup>109</sup> *Tuscaloosa News*, 10 June 1963, 1

<sup>110</sup> Clark, *The Schoolhouse Door*, 225.

<sup>111</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963), filmstrip.

<sup>112</sup> Clark, *The Schoolhouse Door*, 226.

<sup>113</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963), filmstrip.

<sup>114</sup> *Ibid.*

<sup>115</sup> Clark, *The Schoolhouse Door*, 229.

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Shortly after 3:00 P.M., the combatants reassembled for the final act in the “stand in the schoolhouse door.” At 3:16 P.M., three National Guard troop carriers escorted by Tuscaloosa motorcycle patrolmen stopped at Mary Burke Hall. Infantrymen of the 31<sup>st</sup> Dixie Division dressed in green fatigues and armed with M-1 rifles disembarked from the vehicles and formed beside Foster Auditorium. Another convoy featuring General Graham and more troops stopped near the northwest side of Foster. After conferring with Katzenbach, Graham walked toward the entrance of Foster Auditorium.<sup>116</sup> At 3:30 P.M., General Graham ordered Wallace to stand down, decreeing, “It is my sad duty to ask you to step aside, on order of the President of the United States.” After stating among other things that “Alabama is winning the fight against Federal interference,” Wallace terminated his resistance to desegregation and left the campus with his entourage.<sup>117</sup>

Katzenbach waited several minutes to ensure that Wallace had indeed left the campus before bringing Vivian Malone and James Hood forward. Katzenbach did not want Wallace to have any opportunity to personally address the students. Hood was the first to cross the threshold of the schoolhouse door of Foster and proceed to the auditorium. Malone followed a few minutes later. Near the entrance to Foster, a reporter asked the sharply dressed Malone, “How do you feel, Ma’am?” Malone responded with a smile.<sup>118</sup> Faculty enlisted to enroll Hood and Malone applauded their perseverance. Hood recently stated that these people should be applauded since they waited for Hood and Malone to appear in Foster for eight hours in 90 plus degree heat.<sup>119</sup> The victorious African American students completed registration in fifteen minutes.<sup>120</sup> Thus, a major coup was struck on behalf of desegregation and civil rights.

The Alabama National Guard remained in Tuscaloosa to ensure that no one undermined Malone and Hood’s continued enrollment in the days that followed. Additionally, federal agents escorted Malone and Hood to and from class. Hood remembers waking at 5:30 A.M. for 8:00 A.M. classes, as his federal escort required sufficient time to take him on a rather complicated route to class. This clandestine operation was designed to prevent people from laying in wait to attack him. The route to class was never repeated to avoid predictability. Agents screened mail and phone calls. Agents also remained close by in the dormitories.<sup>121</sup> Federal officials made every effort to protect Hood and Malone during their stay at the University of Alabama.

On the evening of June 11, approximately four hours after Vivian Malone and James Hood crossed the color line at the University of Alabama, President Kennedy delivered a nationally televised address on the civil rights crisis. He began by informing America of the events that had just transpired at the University of Alabama: “Alabama National Guardsmen were required to carry out the final and unequivocal order of the United States District Court of the Northern District of Alabama. That order called for the admission of two clearly qualified young Alabama residents who happened to have been born Negro.”<sup>122</sup> After complimenting students for meeting their responsibilities in resolving

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<sup>116</sup> *New York Times*, “Governor Keeps Campaign Pledge,” 12 June 1963, 20.

<sup>117</sup> *Birmingham Post Herald*, “Wallace Bows after Troops Federalized,” 12 June 1963, 1.

<sup>118</sup> *Newsweek*, 24 June 1963.

<sup>119</sup> Hood, interview.

<sup>120</sup> Clark, *The Schoolhouse Door*, 231.

<sup>121</sup> Hood, interview.

<sup>122</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963), filmstrip. *New York Times*, 12 June 1963. All the information regarding President Kennedy’s nationwide address is drawn from the *Times* and *Crisis*.

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desegregation at the University of Alabama in a constructive way, the President stated, "I hope that every American, regardless of where he lives, will stop and examine his conscience about this and other related incidents."

President Kennedy then made the point that the United States is committed to a worldwide struggle to promote and protect the rights of all who wish to be free. He stated: "When Americans are sent to Vietnam or West Berlin we do not ask for whites only." He reasoned that African Americans who are called upon to fight for the rights and freedom of others should have the right to attend any public institution, the right of equal service in public accommodations, and the right to vote in free elections in their own country. "In short, it ought to be possible for every American to enjoy the privileges of being American without regard to his race or his color."

After outlining the plight of African Americans in terms of a shorter life expectancy, fewer educational and professional opportunities, and a higher rate of unemployment than white Americans, John Kennedy informed Americans that "We are confronted primarily with a moral issue. It is as old as the Scriptures and is as clear as the American Constitution. The heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated."

The President returned to the issue of world freedom and its link to national civil rights: "We preach freedom around the world, and we mean it. And we cherish our freedom here at home. But are we to say to the world--and much more importantly to each other--that this is the land of the free, except for the Negroes... Now the time has come for this nation to fulfill its promise."

President Kennedy next addressed solutions to the civil rights crisis facing the nation. He did not believe the crisis could be solved by repressive police action, demonstrations, token gestures, or talk. He charged Congress with the responsibility of making a "commitment to the proposition that race has no place in American life or law." He asked Congress to enact legislation giving all Americans the right to be served in all public accommodations, hotels, restaurants, theaters, stores, and similar establishments. Proposed legislation included authorization enabling the Federal government to enact and enforce lawsuits designed to end desegregation in public schools. Additional measures covered voting rights, housing, and employment. President Kennedy intoned, "But legislation, I repeat, cannot solve this problem alone. It must be solved in the homes of every American in every community across America."

In the remaining days before his assassination on November 22, 1963, President Kennedy dedicated himself to the passage of the civil rights legislation proposed in the June 11 speech. Eight days after the "stand in the schoolhouse door" and the nationwide broadcast, Kennedy sent his requests for legislation to Congress in writing. He entreated Congress to stay in session until it had enacted an omnibus bill.<sup>123</sup> The President personally contacted Dwight Eisenhower to drum up Republican support. Burke Marshall and Robert Kennedy talked to all the members of Congress they could reach and urged advocacy.<sup>124</sup> The President, Vice President Johnson, and Attorney General Kennedy met with group after group. In late June, the President initially warned civil rights leaders that a massive march on Washington, D.C. planned for August would have a negative impact on Congressional support for civil rights legislation, but he later gave the march his blessing, hoping that the demonstration would convince Congress of the

<sup>123</sup> Brauer, *John F. Kennedy and the Second Reconstruction*, 266.

<sup>124</sup> Schlesinger, Jr., *Robert Kennedy and His Times*, 348.



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necessity of passing the omnibus bill.<sup>125</sup> Not even further violence in Birmingham and George Wallace's resistance to the desegregation of high schools in September deterred John Kennedy from his cause. Unfortunately, he would not live to see the fruits of his labors materialized in the passage of the Civil Rights Act of 1964, as he was assassinated on November 22, 1963.

### Analysis & Outcome

The "stand at the schoolhouse door" brought substantial changes in the desegregation of education and the civil rights movement. Secretary of Commerce Luther H. Hodges remembers President John F. Kennedy telling him: "There comes a time when a man has to take a stand and history will record that he has to meet these tough situations and ultimately make a decision."<sup>126</sup> Facing criticism from all sides and fearing that his civil rights advocacy might cost him the next presidential election and result in the rejection of proposed civil rights legislation, President Kennedy still elected to make a stand on civil rights issues. The defining moment of this stand occurred on June 11, 1963. President Kennedy, Attorney General Robert Kennedy, and their advisors secured a peaceful end to a decade long battle over segregation at the University of Alabama. In the process, the Kennedy administration prevented the violence that characterized prior desegregation events and reduced the forces of massive resistance to a one-man symbolic act of defiance.

For the Kennedy administration, the "stand in the schoolhouse door" was not an end in itself; rather, the event served as an essential part in a well-orchestrated strategy. Hugh Davis Graham, author of *The Civil Rights Era: Origins and Development of National Policy 1960-1972*, assessed the importance of the "stand in the schoolhouse door" thus: "The Birmingham violence threatened nationwide turmoil. But the post-Birmingham climate of national indignation offered hope by inviting a bolder reach of presidential leadership. Thus the victory in Tuscaloosa gave Kennedy a fitting occasion to address the nation on the intensifying civil rights crisis."<sup>127</sup>

President Kennedy's address on the evening of the "stand in the schoolhouse door" marked a significant turning point in the civil rights crisis. According to historian Carl M. Brauer, the speech "marked the beginning of what can truly be called the Second Reconstruction, a coherent effort by all three branches of the government to secure blacks their full rights."<sup>128</sup> In the civil rights speech, President Kennedy proposed legislation that would enable the executive and legislative branches to join the judicial branch, the NAACP, African Americans, and civil rights advocates in the struggle to eliminate racial discrimination in all aspects of American life. This legislation, which came to fruition under the aegis of the 1964 Civil Rights Act, enabled the Justice Department to bring suit against 500 school districts in the 1960s and 1970s. The Department of Health, Education and Welfare brought action against schools that racially discriminated in 600 cases. During the 1960s and 1970s, the Justice Department filed 400 anti-discrimination cases against hotels, restaurants, taverns, gas stations, truck stops, and other establishments.<sup>129</sup> The federal government gained a measure of control over local school districts nationwide via Title VI of the Civil Rights Act of 1964, which authorized the federal government to withhold funding from those schools that failed to comply with desegregation. In *The Reconstruction of Southern Education*, author Gary Orfield opines that the authority granted by Title VI led to "a major

<sup>125</sup> Brauer, *John F. Kennedy and the Second Reconstruction*, 291.

<sup>126</sup> Ibid., 246. The primary source is Dan B. Jacobs, "Luther Hodges Interview, 18 May 1964, KLOHP, 92."

<sup>127</sup> Graham, *The Civil Rights Era*, 74.

<sup>128</sup> Brauer, *John F. Kennedy and the Second Reconstruction*, 259-260.

<sup>129</sup> Kluger, *Simple Justice*, vol. 2, 958.

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social revolution in thousands of Southern school districts.”<sup>130</sup> President Kennedy’s nationwide address on June 11, 1963, paved the way for major changes in the desegregation of public education and promotion of civil rights.

While President John Kennedy, Attorney General Robert Kennedy, and their advisors received the lion’s share of the credit for the end of segregation at the University of Alabama, there are those who lauded Vivian Malone and James Hood as the real heroes of the event. *The Guardian*, a Manchester, England, newspaper applauded the actions of Hood and Malone:

The true heroes of yesterday’s confrontation in Tuscaloosa are the two Negro students concerned. The coolness and courage which have been displayed by the Negro leadership in the South—and by scores of ordinary Negroes like Miss Malone and Mr. Hood—are bound, in the long run, to have greater effect on the attitudes of the white community than anything ordered in Washington. The ugly edifice of white supremacy in the Southern States rests on the belief that Negroes are naturally inferior to white men—inferior in ability, and also in courage and dignity. In the end the only way to destroy the edifice is to destroy the belief on which it is based. That can only be done by the Southern Negroes themselves.<sup>131</sup>

Hood and Malone conducted themselves well in this endeavor. They served as apt ambassadors for the cause of integration, meeting the threat of potential violence and denial with unshakable conviction, perseverance, dignity, and selfless courage. These noble actions did not go unnoticed as millions of Americans viewed newspaper photographs and television images of the duo facing and passing through the gauntlet of troopers, breaching the forbidden doorway, smiling while registering for classes and talking to reporters, and engaging in the daily activities of student life. No doubt media images of Hood and Malone triumphing over the forces of bigotry went a long way in swaying American sentiment in favor of integration just as television and newspaper coverage of Bull Connor and his police force brutalizing demonstrators in Birmingham rallied Americans against the violence and repression of racism.<sup>132</sup>

Vivian Malone and James Hood broke down barriers for themselves as well as other African American students. After the “stand in the schoolhouse door,” integration progressed at the University of Alabama, albeit slowly. Eleven African American students were enrolled at the university by 1965.<sup>133</sup> Hood was not among them. The university expelled him after an ill-fated attempt at voicing his political stance on integration. Malone graduated in 1965. In 1973, the University of Alabama elected its first African American homecoming queen, while on the playing field one half of Bear Bryant’s Crimson Tide could not have entered into the school ten years previously.<sup>134</sup> The tide had truly changed at the University of Alabama and many other Southern colleges and universities as African American students, encouraged by Hood’s and Malone’s deeds, gained access to educational opportunities formerly reserved for white students.

<sup>130</sup> Gary Orfield, *The Reconstruction of Southern Education: The Schools and the 1964 Civil Rights Act* (New York: Wiley Interscience, 1969), 46.

<sup>131</sup> *The Guardian*, “Uncle Tom’s Total Failure,” 12 June 1963, 8.

<sup>132</sup> Brauer, *John F. Kennedy and the Second Reconstruction*, 236-239.

<sup>133</sup> Clark, *The Schoolhouse Door*, 249.

<sup>134</sup> James Sheire and Arkansas Historic Preservation Program, “National Register of Historic Places Nomination: Little Rock Central High School,” National Park Service, December 1984.

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Bryan K. Fair expressed a debt of gratitude to James Hood and Vivian Malone in his text *Notes of a Racial Caste Baby*: “Because of the courage of Vivian Malone-Jones, James Hood, and the thousands of others who challenged their denial of equal educational opportunities throughout the country, I did not face identical barriers.”<sup>135</sup> Fair, who hailed from an impoverished African American family from Columbus, Ohio, admitted he could have been easily trapped by racial caste were it not for the education he received at Duke University and UCLA. This education prepared him for his current profession as an Associate Professor of Law and Assistant Academic Vice President at the University of Alabama.

The “stand in the schoolhouse door” and President Kennedy’s nationwide address on June 11, 1963, also held important political implications for the nation’s foreign policy. In a television interview, Attorney General Robert Kennedy conceded that a secondary reason for securing a peaceful end to integration at the University of Alabama involved countering negative images of civil rights events in foreign presses.<sup>136</sup> Anti-American propaganda had impeded diplomatic relations between the United States and a number of African, Latin American, and Asian nations that were seeking independence from unwanted colonial governance. The USIA provided coverage of the confrontation at the University of Alabama to foreign countries, including those behind the Iron Curtain, in order to present American democracy in a better light. The Kennedy administration counted on this press coverage to improve international relations.

The “stand in the schoolhouse door” and President Kennedy’s June 11, 1963, speech also figured in efforts to re-establish Cold War negotiations with the Soviet Union. On June 10, 1963, a day before the “stand in the schoolhouse door,” President Kennedy announced that Britain, the Soviet Union, and the United States had scheduled a mid-July conference in Moscow to discuss a nuclear test ban treaty. However, a six-month stalemate between the two super powers involving ideological differences over arms superiority and human rights issues threatened negotiations. In a calculated measure of good faith, President Kennedy announced that the United States would suspend atmospheric testing of nuclear bombs. Kennedy further greased the wheels of diplomatic relations at a commencement address at Washington’s American University. During the address given on June 10, 1963, the American leader argued that “both the United States and their allies have a mutually deep interest in halting the arms race and achieving peace. We must conduct our affairs in such a way that it becomes in the Communist interest to agree on a genuine peace.”<sup>137</sup> This conduct implied living up to America’s rhetorical commitment to freedom at home and abroad. When President Kennedy declared “We preach freedom around the world and we mean it” in the June 11 national broadcast, his declaration carried the weight of the end of segregation at the University of Alabama behind it. The civil rights legislation proposed by Kennedy further illustrated how the American government intended to act in the interest of peace and freedom. Through the June 10 and 11 addresses, Kennedy served notice to the Soviets that he was eliminating major impediments to arms control negotiations.

Foster Auditorium stands as a milestone in the history of school desegregation. It marks a significant departure in the way the executive branch of the federal government used its powers in the civil rights crisis. Disastrous confrontations with Southern segregationists convinced President Kennedy that mediation and minimal use of federal powers were ineffective in dealing with the intransigent forces of

<sup>135</sup> Bryan K. Fair, *Notes of a Racial Caste Baby: Color Blindness and the End of Affirmative Action* (New York: New York University Press, 1997), 181.

<sup>136</sup> ABC News, *Crisis: Behind a Presidential Commitment* (Drew Associates, 1963), filmstrip.

<sup>137</sup> *Tuscaloosa News*, “Big Three Will Try for Test Ban Pact,” 10 June 1963.

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what *Newsweek* coined “Doorsill Resistance,” the concerted efforts of school administrators, politicians, and mobs to prevent integration.<sup>138</sup> With the peaceful end of segregation at the University of Alabama on June 11, 1963, the federal government had reduced the forces of massive resistance to a one-man symbolic act of defiance. A week later President Kennedy submitted a comprehensive civil rights bill to Congress that became the foundation of the Civil Rights Act of 1964 that authorized the federal government to withhold federal funds and file suits against segregated school districts. The Civil Rights Act of 1964 represents a coherent effort of the executive, legislative, and judicial branches of the federal government to secure African Americans their lawfully entitled civil rights. The event had a secondary role in demonstrating America’s commitment to defending human rights. The Kennedy administration used this image as an important component of America’s foreign policy.

### Comparisons of Properties

Foster Auditorium is one of other extant historic resources, including Little Rock Central High School (NHL, 1982) and the Lyceum at the University of Mississippi, that represent conflict during the massive resistance phase (1956-1964) of school desegregation in the South. However, Foster Auditorium is the only one of these resources directly associated with the event marking the last confrontation between executive federal enforcement and segregationists during massive resistance that led to President Kennedy’s campaign to enact civil rights legislation.

The exterior and interior of Foster Auditorium retain a remarkably high degree of integrity. These features convey a clear image of Alabama Governor George Wallace’s “Doorsill Resistance” and the registration activities of Vivian Malone and James Hood in the auditorium.

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<sup>138</sup> *Newsweek*, June 24, 1963, 31.

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Previous documentation on file (NPS):

- Preliminary Determination of Individual Listing (36 CFR 67) has been requested.  
 Previously Listed in the National Register.  
 Previously Determined Eligible by the National Register.  
 Designated a National Historic Landmark.  
 Recorded by Historic American Buildings Survey: #  
 Recorded by Historic American Engineering Record: #

Primary Location of Additional Data:

- State Historic Preservation Office  
 Other State Agency  
 Federal Agency  
 Local Government  
 University  
 Other (Specify Repository):

## **10. GEOGRAPHICAL DATA**

Acreage of Property: Less than one acre

UTM References:	<b>Zone</b>	<b>Easting</b>	<b>Northing</b>
	16	449284	3674283

Verbal Boundary Description:

The boundary of Foster Auditorium is defined thus: begin at the southwest corner of the parking lot between Foster Auditorium and Farrah Hall and extend a line south along the western edge of the sidewalk on the west side of Foster Auditorium to the northwest corner of the parking lot between Foster and Mary Burke Hall; then extend a line from this point at a 90 degree angle to the southeastern corner of the sidewalk on the east side of Foster Auditorium; then extend a line at a 90 degree angle north along the eastern edge of the sidewalk on the east side of Foster Auditorium to the southern edge of the parking lot between Foster and Farrah Hall; then extend a line at a 90 degree angle to the starting point.

Boundary Justification:

The boundary takes into account the "stand in the schoolhouse door," which occurred at the central entrance on the north side of Foster, registration in the auditorium, the assemblage of media, local patrolmen, and Alabama National Guard in the area between Foster and the parking lot on the north side of the building, and the sidewalks surrounding Foster which were occupied by a human wall of Alabama National Guard, all of which were associated with Wallace's stand in the schoolhouse doorway and the enrollment of Vivian Malone and James Hood on June 11, 1963.



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April 05, 2005