

**GREENSBORO VOICES/GREENSBORO CIVIL RIGHTS ORAL HISTORY  
COLLECTION**

INTERVIEWEE: William Caffrey

INTERVIEWER: William Link

DATE: May 8, 1987

[Begin Tape 1, Side A]

WILLIAM LINK: The date is May 8, 1987. We're in the office of Mr. William Caffrey. Mr. Caffrey, I wonder if you'd mind saying just a little bit about your life, where you were born, when you were born, your education.

WILLIAM CAFFREY: All right, I was born in Morehead City, North Carolina, November 5, 1928. I attended public schools in Morehead City. I graduated from high school there. Thereafter I attended school seeking to be an engineer, and decided not to be and went in the service. [I] came out of the service and earned an undergraduate degree from Indiana State University in 1950. And in three summers, [I] worked for my master's at George Washington University, and got my master's in 1954 I guess [unclear]. I was hired as a teacher for the Greensboro City Schools in the fall of 1950 and worked as a teacher, assistant principal, and principal in the Greensboro City Schools until I resigned as principal at the end of the '64-'65 school year to enter law school at Duke University. I attended Duke University law school for three years, graduated from Duke University law school, and returned to Greensboro as an associate with the firm of Jordon, Wright, and Henson, which is the predecessor of the firm I'm with now.

WL: As a teacher in the Greensboro school system in the early fifties, how--how well or how badly did the dual school system, that is, black and white segregated system, work do you think? What were you--what kind--did you have--did it strike you--I mean what kind of reactions did you have at the time?

WC: Well, I was born and went to school in a segregated society. I had then been in the service and had been out at Indiana State, which was an integrated university. And certainly George Washington was involved in an integrated society. But of course I had realized no direct effects of a segregated school system as I was a teacher in the system. The year I was a principal, I was appointed I think at the end of an academic year for the '54-'55

year, I think I attended the first integrated principals meeting in the Greensboro school system. It's a matter of coincidence.

WL: How did that come into existence? How did--what--

WC: The superintendent called a principals meeting with all the principals, including black and white, for the same meeting. I'm not aware that there were any meetings of black and white principals together before that. There may have been, but I'm not aware of it. The-- I think the school system had a--Mr. Ben L. Smith--a very progressive, forward-looking superintendent. I think it had an unofficial black assistant superintendent, in that Dr. [John A.] Tarpley, who was the principal at Dudley [High] School, probably--and this is surmise on my part--exercised some administrative responsibilities for the black schools in those days.

WL: All of the black schools?

WC: Yes. I would say so.

WL: Elementary?

WC: I would say so.

WL: So that Superintendent Smith could rely on, on Tarpley--

WC: That's surmise on my part, but I would say apparently so.

WL: Let's go back to your experience in the service, and memories, if any, about the contacts between blacks and whites.

WC: Very little, but the services were then just beginning to go through, as I recall--of course, I was very young-- but as I recall, [the service was] just beginning to get into integration. [knock at door] I don't recall that it had--there was really real integration. But as I recall, I think it was President [Harry] Truman at the time had ordered the military to become desegregated.

WL: Right. Let me pause this.

[recorder paused]

WL: You were a school--you were a principal then at the time that the *Brown [vs Board of*

*Education*] decision--or right, perhaps, after the *Brown* decision came down?

WC: Yes.

WL: Did that--what kind of reaction did that create?

WC: With me, or generally?

WL: Gen[erally]--both.

WC: Well, one, I wasn't surprised by it, really.

WL: [You] saw it coming?

WC: I thought, you know, it was inevitable, frankly. I was principal of Caldwell School, which was surrounded on at least two sides by black residential areas. And my own idea, never having had it confirmed, was that Mr. Smith appointed me principal down there because he thought that might be one of the first integrated schools. [laughs] And probably thought, maybe by reputation, that it would be something that I would not hesitate to try to deal with. But it didn't come that way.

WL: Was there--officially, Superintendent Smith, or immediately upon the--when the decision comes down in May of 1954, Smith's reaction is to obtain a resolution from the board endorsing it.

WC: Right, I think that day or the next day, as a matter of fact. The Greensboro city board of education recognized--I don't have the exact resolution--but recognized that the decision of the board in *Brown v. Topeka* was the law of the land and announced its intention to comply with the law. I don't know of a school system in the country that did it before that, certainly not in the South.

WL: The history, however, of compliance seems to be that the school system didn't comply.

WC: That depends on how you read *Brown v. Board of Education*.

WL: Yeah.

WC: The school system probably did little to implement compliance for several years. But I think you need to recognize that our schools did voluntarily desegregate, and as a matter of fact, were sued by something equivalent to a white citizen's council or something of

that nature to seek to get an injunction against the school board from integrating the schools. And the schools, as a matter of fact, hired this firm, before I was with the firm, to litigate that issue.

WL: Litigate it in the interest of integration?

WC: Yes, that the board had the right to assign students regardless of race. Coincidentally, the judge of the Superior Court at that time was L. Richardson Preyer. And he ruled that the--that was within the discretion of the school board certainly, and that was appealed to the Supreme Court of North Carolina. At that time there was no intermediate court of appeals. And the Supreme Court--I don't have the date of the decision--but the Supreme Court affirmed Judge Preyer's decision that that was a matter within the discretion of the board of education.

WL: Do you think--what do you think--I'm asking a lot here I guess, but what do you suppose Superintendent Smith had in mind when he thought of integration in the fifties?

WC: Well, you're asking me to guess another man's thoughts, and, of course, he was subject to a lot of abuse--concrete blocks thrown through the door of his house, windows broken, and probably called a lot of things that a gentleman of his character shouldn't have called. But you're asking me to measure Superintendent Smith in that regard, and I would put him high on my list of people I admire. And I think that he was--[phone rings] he believed that that was the law of the land; he was going to comply with it. And whether he thought it was good or bad, that's a judgment he never expressed to me.

WL: Well, what do you, what do you suppose--not trying to read Superintendent Smith's thoughts--what do you suppose compliance actually meant?

WC: Compliance?

WL: This is a question that's intrigued me: what did *Brown* really mean?

WC: Well that's, that's--nobody knows what did it mean. Look at what *Brown*--the last two weeks there's been a new decision in *Brown v. Topeka* which says that their segregated schools are all right. And that's the, you know, the daddy-root case, frankly, which leads one to wonder where we, where we were and where we've gone, and where we're going to go.

I think it meant that you could no longer assign children to education on a segregated basis, the assignment being based only on race. Now, in--some say that it meant that there was an affirmative duty to integrate schools. I'm not sure that I would

have read it that way. I would have read that there is a duty not to segregate the schools, and I think that's two different things. Certainly that was Greensboro's approach. Children applied for Gillespie [Gillespie Park Junior High School] who were black. Gillespie was an all white school. Children applied to Grimsley [High School] or Senior High [now Grimsley], which was an all white school. The board admitted them. The administration admitted them, and the board sanctioned it. The board got sued, and the board defended its right for those children to attend those schools.

So, I suspect that Superintendent Smith--at least I think so--I think what he might have envisioned was an open school system, where, within some realm of reason as to where you live, you could attend the school you wanted to without regard to race, and that he would have thought that was sufficient. Now, I'm really guessing there. He wrote me a letter after I was in law school, because I had written him a letter expressing my admiration for the stand he had taken on the larger issue. And I have saved the letter. But--and that's thirty years ago.

Now that's different from what occurred later in the school system, where it became somewhat apparent, I think, that more was expected than not actively segregating the schools. And Greensboro had, in my view--and that was before I became a part of any decision-making process--had really embarked upon what I think they envisioned as starting with grade one and integrating--letting that be an integrated class. And then when it became two, you would have one and two, when it became three, you'd have one, two, and three as integrated classes. And doing some affirmative things.

WL: This was begun, say, when? What time period are you talking about, 1960s?

WC: I would say maybe in, maybe in the sixties.

WL: So kind of a gradual process of integration.

WC: Yes, process of gradualism. Which, you know, if you were an integrationist or civil rights advocate of the day, you probably thought the *Brown* [decision], when it said "all deliberate speed," meant speed. And if you were from Mississippi, you probably thought that meant dead halt. With the black in Mississippi, it was dead halt, I suppose. But it wasn't dead halt in Greensboro, North Carolina. There was movement. Apparently, on a later decision, not enough movement.

WL: There seems to be, by the early 1960s, a lot of frustration with the slow pace of change, however.

WC: On the part of some people there certainly was.

WL: Especially at the high school level, I suppose, but all through the school system. What's the attitude of the NAACP [National Association for the Advancement of Colored People] at this time, and when did--?

WC: Well, you know, who speaks for the NAACP? I'm not always sure I know all they know. Let's firm up a date or two. Just looking, I have just a history that was filed with the court here. Let me just look a second. In '65-'66 we submitted a plan for desegregation to the commissioner of education in Greensboro. And that was said to be adequate under the Civil Rights Act of 1964 by the commissioner of education and HEW [the Department of Health, Education, and Welfare]. We amended that in '66-'67, revised guidelines, submitted those to the commissioner, and said that we were abiding by this guideline in our school system, and changed those for '67-'68. And we were told that, I guess, there needed to be some changes in those plans, particularly in regards to the staff assignments, perhaps.

Then during the course of that, we filed a plan that we felt that by the opening of '69-'70, we would have eliminated desegregation [sic], but the commissioner, or HEW, said we hadn't done that, that the plan that we had would not be effective to accomplish that. We then were told we were under an order that we might lose our federal funding and so forth at HEW, and were given an opportunity for a hearing for HEW. I'm trying to find the date of that.

We took possession of the school system [so] that after '59-'60 all students in Greensboro were allowed to enroll in the school of their choice, or the choice of their parents, under the freedom of choice plan. I don't think you'll find many earlier than that. In '65 we adopted the freedom of choice plan and revised it under the direction of HEW. We changed it again in August of '65 to meet some HEW objections. And that freedom of choice plan, now, was approved by the U.S. Commissioner of Education on August 29, 1965. The plan is here, and the letter of approval is here.

WL: All this, excuse me, all this is prompted by the Civil Rights Act of '64, which requires, in other words, that you come up with a plan of desegregation and that it be approved by the--by HEW?

WC: Right, by the commissioner of education. We asserted, and it was true, that after '65-'66, or since the beginning of that year, no child was denied an opportunity to get in any school or school district he desired to attend. They applied under that plan. Now, of course the argument was, you know, they didn't--that doesn't do anything, because people signed up to go to their regular schools and their neighborhoods were segregated, therefore we still had segregated schools.

The question is how much of a burden of integrating society do the schools have? More than some people thought and not as much as others wanted, I suppose is the

answer. The statistics indicated that there was, there was integration, but that we still were operating a large number of all-black and all-white schools. We said that at that time, 91 percent of the black population lived in one quadrant of the city. That was a fact of life.

WL: Where is most of the pressure coming from?

WC: At this time?

WL: Yeah, all through those years. From '61 to--

WC: I would suspect the pressure here is coming from the government, from HEW. In our response to some of these allegations, we argued that we had integrated schools long before '65-'66, which they say that's when we started. We had had voluntary integration since 1957. That was the date you asked me about a while ago. It was '57.

WL: '59-'60, actually, you said earlier there was a freedom of choice plan.

WC: There certainly was, but there was--

WL: There was effective--

WC: --a voluntary integration since '57. Eight schools were integrated prior to '65-'66: Aycock [Middle School], Hunter [Elementary School], Lindley [Park Elementary School], Lindley Junior High, McIver [Special Education School], Pace Senior High, Erwin[?], and Smith Senior [High School]. One of the problems was, early problems was the segregated faculty.

WL: Was that covered by the plan you submitted?

WC: Yes, and we integrated the faculty completely before the student assignments forced attendance. That was early on. And I don't know whether that was under HEW or under the court's direction, but we'd submitted a plan where each school's faculty represented the overall proportion of faculty within the system, as I recall.

You know, I mean, for example, they said that we were operating segregated buses and we asserted back to them that, in that schools were--buses were passing schools in order to keep them segregated and we said that the only instance of buses passing schools were the bus serving Smith Homes area in '67, '66 passed Price School--we said because it was crowded--in route to Central School. We said that bus carried both black and white children to the Central School. It had nothing to do with race, it had to do

with the issue of the crowded school, because we were hauling children of both races to another school.

There was another bus from East Bessemer, a black area, transporting students to Erwin and Vesper Elementary, Mount Zion [Elementary School], and Aycock [Middle School]. And that was on the basis of freedom of choice forms that they had filed to attend those schools. And we were again transporting students of both races on those buses to those schools at their request. I mean there were a lot of other of the same prerogatives. There were students who lived within walking distance of Dudley [High School] who were being transported to Smith Senior High school, and those were black students.

The reason we operated an all-black bus was all-black students living there wanted to go over to an integrated, formerly all-white school. And we did that without any court order. There are long lists of--here, what this is, is the answer to the allegations that HEW made against the school system. And we either admitted, or denied, or explained their--what their allegations were or meant. It might be--this is a public document and it might be helpful for you sometime to review this. I certainly am not opposed to your having this, because it was filed as a public document in the HEW hearing. As a matter of fact, it includes the maps. This is a contemporaneous thing in those hearings in certain states, the positions, and the facts as we saw them today. [Here is] a letter from the commissioner of education approving what we had done.

We felt that we were proceeding to respond to the directions that were being given to us by the governmental authorities, the national authorities. And we felt what they did, they changed the rules of the game on us, in effect, and then asserted that what we were doing--even though we had complied with the past directions--was coming up short. That's why we asked for a hearing when HEW made these assertions.

WL: When did they start changing the rules?

WC: Well, it looked to me like in, probably after that letter. Let's see what the date on that letter is. I would say probably sometime after August of '65, what it looks like to me. Our compliance with the Supreme Court decision--resolution is dated May 18, 1954. Here's our--here, this might be more helpful. This exhibit four attached here, too, is the history of desegregation of the Greensboro school system as we presented it to HEW. That might--first of all, it might be more accurate.

Beginning in '59 and '60, we adopted a policy allowing the first grade students to enroll in the school of their choice. If the school chosen was in his neighborhood, the assignments automatically made request for reassignment. For many of the students, the board ask[ed]--applied the question, "If the child were white, where could he be assigned?" We operated under that plan. And that was when they, I think, concentrated a year, each year. At the end of twelve years you'd have twelve completely integrated

grades.

WL: When does--this is beyond the preview of this document--but when does busing become an instrument of desegregation?

WC: Well, busing was an issue. HEW alleged that we were operating buses to segregate the school. So busing was an issue then. HEW, during the course of varied investigations of the school system after the assertions of operating and assisting in, not in compliance with their regulations, they suggested some plans that would have required extensive cross-town busing. That was, of course, before the decision in *Swann [v. Charlotte-Mecklenburg Board of Education]*. I didn't feel it was required. I didn't think it was required by the law or reason. [laughs] But HEW, somewhere up there, they thought it was.

And they brought in an expert to view our school system. And I paid my respects to some of these documents, because they brought in a guy from--don't hold me to the city, but I think it was Dover, Delaware. Maybe the superintendent there, which I think they destroyed that school system, and it became--I don't know what it is in recent years, but at the time we were going through all of this, it was moving towards a virtually all-black school system. And he was going to come down here and answer all of our problems. That didn't sit too well with anybody, but the advocates are out there doing whatever's necessary to integrate the school systems.

It was bad to segregate the school systems artificially, but it became good to integrate them artificially, in my view of things. And I don't consider myself a segregationist. Busing was an issue on a minor scale even under our voluntary integration plan, because at one point there was some fussing about we would let students, black high school students at Dudley, go to Smith, but we weren't providing transportation. And then the board agreed to provide that transportation. I told the Jaycees during the part of this time, in a talk one time, that I really did not believe it was riding the buses that upset everybody. It was where the damn buses stopped that upset people. The people in North Carolina been riding school buses since the first school bus was ever invented. Now I didn't. I lived two blocks from my school [and] went there--

[End Tape 1, Side A--Begin Tape 1, Side B]

WC: --they issued an order that we were not in compliance, et cetera. And then we app[ea]led--we asked for a hearing. We had a series of hearings, several days in Washington before an administrative law judge, I guess that's what you'd call it. Hearing officer I believe was the exact title in those days, a hearing officer. I can't remember his name; he was a nice fellow. I want to say Gumichi[?] but that may not be right. And we felt we made a good presentation.

We were at that time really trying to point out the things we had been doing right and the weaknesses in their expert from Dover, Delaware's plan. And of course their expert had made some glaring mistakes. He had, he didn't recognize where the thoroughfares were in the city or the problems that might cause. He left out two or three schools. And I had a lot of fun pointing out that he was just too quick--he'd forgotten some schools and that kind of thing.

But generally we felt that we had done a pretty good job. One of the fundamental misconceptions, I think, of some integrationists is that Greensboro is a segregated city by law. And that's not true. And we think we shared that. Historically, that's not true. Now, Winston-Salem had a city ordinance that required blacks to live in certain areas, and they couldn't live in other areas. Greensboro had such an ordinance for about three months and it was never enforced. I'm talking about like in 1900s or whenever.

WL: 1914, I think.

WC: Or whatever. And there's never a case of that ever being attempted being enforced in Greensboro, and it was repealed within--

WL: Overturned by the courts.

WC: --in a matter of months. I think we showed that historically, the blacks are--ended up in southeast Greensboro as a matter of choice and coincidence. For example, as Market Street developed, it became an area where former black slaves opened shops, probably serving mostly white communities. I think that's a historical fact.

WL: East Market?

WC: East Market Street. The area, and I can't remember the name of it now, directly south of town was, was developed by the Society of Friends or some of their colleagues from Pennsylvania to provide housing for recently freed men. And at the time it was outside the city limits [laughs], so the city didn't do it. I think the city got blamed for segregated housing patterns that were not the city's fault. Certainly the schools I don't think were at fault in segregated housing. Now, I think the argument there was whether the community was segregated by governmental action or not. I don't think it was. But, anyway.

WL: So that was part of your case at HEW.

WC: [That was] part of our case before HEW. We lost before the hearing officer. He made some findings of fact, which would be interesting reading for you, I think, some of which we objected to and some of which were in favor of. I think we felt that even with his

decision that we were not in compliance, we had to do some things. That the findings of fact that he had made, so many of them were favorable to our position that we were willing to appeal to a higher administrative review based on his fact findings. We thought we were--we had a good chance to win that.

While that appeal was pending--I think it was still pending, don't hold me to that, but that was my recollection--we were sued in federal court. That divested HEW in the jurisdiction overnight. It then became a matter to be litigated in the courts. We were sued by the, a group of black parents on behalf of their children including, as I recall, the then local president of the NAACP. It was clearly an NAACP sponsored litigation, and their lawyer, who is now the chairman of their, I think it's national defense fund, was Julius Chambers from Charlotte.

While we were developing our case, the *Swann [v.] Charlotte* case had already been through the litigating part, and I believe that the judge there had made his decision. And that decision was on appeal, maybe to the fourth circuit, and ultimately would appeal to the Supreme Court. Or maybe it went, I think it went through the fourth circuit, I'm sure. But in any event, while we were developing all of this information through pre-trial discovery, and we had session after session after session with Julius and other members of his staff just getting the material together, the Supreme Court came down with the *Swann* decision.

From my viewpoint it was unfortunate that it was the *Swann* case that went up first. I would like for our case to have gone up first. In *Swann* you have [a] recalcitrant, obstinate, negative, refusing-to-budge school board, who clearly was defying the United States district judge and what the judge was trying to accomplish. And he lowered the boom on them--a recalcitrant school board, the opinion says--and ordered busing as one of the tools to integrate that school system. And the Supreme Court upheld it.

My own view is, [unclear], that the law of the land might have been different, at least in degree, if the school board had gone up and had affirmed the supreme law of the land being what the Supreme Court said, that they voluntarily started desegregation or integration no matter how slight or how little, that had complied with the commissioner of education's directives and had revised its plan several times in order to be in compliance, and that had at least had a system that was to some degree integrated on a voluntary basis. I think the law might have been different in that case. Certainly subsequent history may seem to bear that out.

WL: What kind of case would you have made? Would it have been along the lines of the case that you had been making for the past four years?

WC: The same thing that we would have presented, that we did present to HEW, there isn't any question. As a matter of fact, the admissions--request for admissions and the documents, we put virtually all of the documents that were in the HEW here, in the

record, in the federal court case, because we thought we had made a good case. And it made it, it was going to be right much a paper case. We didn't need a lot of testimony because we already had the testimony. And Mr. Chambers and I were working out that almost everything that was done would kind of go in the case, and the judge could review it and make his decision, and then whoever lost could appeal. And the--you know the facts don't change, anyway. I might have made some facts different, and I don't know that I will, but we had developed pretty fully what the facts in our case were. And the contentions on each side were pretty clear, and it was clear where they parted it, I think, and the court could've made a decision on that basis. But we didn't get there.

WL: Did Chambers essentially want the Charlotte case supplied that the same terms--

WC: Well, he did both cases.

WL: Yeah, and did he want the same solution here in Greensboro?

WC: Oh yeah. He said, "That's the law." That became "the law." And the judge accepted that that was the law, and that--I might have read that a little bit differently, and argued so, that while busing was a legitimate tool, it wasn't required.

WL: In every instance.

WC: Yeah. But the timing was too close to begin with. Our decision was right there at the judge's bosom practically. He was reading all this discovery, we were arguing it on occasion before him in order to decide whether this document had--you know, that kind of thing. And he was familiar with our facts. And I think his view was you can read the Supreme Court opinion in *Swann* as well as I can. You all, both sides, get together and work out a plan that accomplishes the same kind of result as *Swann*. And if necessary you bus, you pair, you have even more than pairs, preschools if necessary. Anybody can draw one of those.

We argued a lot. We had a number of meetings with counsel for the NAACP. But we had our fact basis. There was no secrets. Enrollments of the schools, percentages, and where everybody lived--I mean, those were all facts. And with the judge's direction, you know, then it just comes--which is something to accomplish the goal you're told to get to that is acceptable to both sides, or perhaps least objectionable to both sides. And that was the, that was the plan that the court in effect ordered and approved, and this was implemented.

WL: How does implementation take place? The school board comes up with a plan and the judge then approved it?

WC: Well, it's part of the school board's plan.

WL: It was the plaintiff's plan.

WC: It was the--well, yes, in effect, but it was really the judge's plan. Not the details, obviously, but the goal to be achieved was set up by the judge, clearly. Then it became just a matter of the logistics of doing that. And of course, there were things I'm sure in it that--I don't know all the details--that Mr. Chambers didn't like, things that I didn't like, my client didn't like, maybe things that his clients didn't like. But overall and during the course of whatever time it took, there may have been, I can't remember, but there may have been incidences where there were appeals to the judge, "They want to do this" and "Judge, they say we got to do that." And the judge would try to bring that together as to--getting into some probably pretty minute details.

But the judge didn't write "heard" on the details. He left that to the lawyers and the clients to work it out. There was clear direction given as to where you work them out. And then the board adopted the plan and implemented it.

WL: At what point was the judge no longer involved? When, was there a point there where the judge was able to say, "It's certified that desegregation has taken place?"

WC: Well, Judge Stanley died. Judge Stanley was the judge that approved and gave directions to the plan. He died in there somewhere after it was implemented for a period of time. At some later period, and you've probably got the date I would think, I filed a motion in the cause in the case to have our school system declared to be a unitary school system. That was the catch word. I'm not sure what it meant, but I think I know what it means now. Mr. Chambers filed a motion objecting to that, at least in part, and I don't--the motions are a matter of record, you may have them. He wanted us to continue to be under supervision of the court.

Under the original order, as I recall it, we continued to file annual reports with the judge with enrollment figures and faculty figures and some other things, I don't know what they were. And he wanted us to continue to be under supervision of the court. Judge--[I'm] having a momentary lapse, [he] had just retired as chief judge. He had taken over as chief judge in Judge Stanley's place [and had] heard our motions. And after some period of some time--he gave it some thought obviously--he entered an order declaring to bring our school to unitary and dismissing the case. After that we were no longer in court. Of course within the last two months the courts had given a very confusing direction as to what does that mean.

In the Norfolk [Virginia] case, the forth circuit court of appeals said once unitary, you're no longer under the supervision of the court. And if someone brings you into

court, they then have the burden of establishing that you are engaging in wrongful conduct. The burden of proof is on them to prove you're doing something wrong. The, I can't think of the name of the case, I've got another--there's another circuit case, I believe the ninth circuit, I can get it for you. It says unitary doesn't mean that. And when once somebody brings you back into court, even though you've once been declared unitary, the school system still has the burden of showing that it is not violating the law.

That's a lawyer's difference, I'm sure, as to where the burden of proof lies, but it makes a lot of damn difference as to how a case is going to be disposed of. Because if the burden of proof is on you and you don't satisfy the judge that there's enough evidence to believe your side of it, he kicks it out of court. And if the burden of proof is on me and you claim something I've done is wrong, I've got to prove that. And the Supreme Court refused to hear either case. [laughs] So you get a mixed signal. But in the fourth circuit at least, unitary means the burden of proof is on those who claim you're doing something wrong to prove it.

WL: So at the moment the law is that--

WC: There's a split in the circuits and usually the Supreme Court, that's one thing they'll hear a case on, you know. They don't hear anything if they don't want to. And usually what they will hear is where the law is different in two circuits, because they want the law to be uniform, supposedly. But they have declined, as I understand it at present, to hear either of those cases. And it didn't go up in exactly the same postures perhaps but they, all of the current literature says they've given mixed signals. And of course you read the Little Rock [Arkansas] case. You know they--it would appear that they have continued to operate a system that has a number of all-black and all-white schools. Even though they were the daddy rabbit case.

WL: To be--you mean Topeka?

WC: Yeah, yes sir.

WL: Yeah Topeka. It's quite a standard--

WC: And the *Brown*, let's see, one of the children--

WL: Of Linda Brown--

WC: --who was involved in the original *Brown* case is the mother of one of the children involved in this most recent contest, I believe.

WL: Yeah, Linda Brown, who's--

WC: Yeah, I believe that's right.

WL: Let me ask--I don't know whether you'd want to answer this question or not, but you tell me--

WC: I'll tell you if I don't. [laughs]

WL: I'm just wondering--and just so far as you can answer it, let's put it that way--how did the school board operate just as a decision-making body? The school board's been in the news a lot lately, obviously. It's been much more public, perhaps, or the conflicts have been much more public in the last couple of years. In the--in this period, was there a uniformity or consensus of opinion just generally about these decisions? Was the--the system of elections, if you will, were school board members elected that way?

WC: No, they were appointed. But they couldn't--I don't think you can talk about school boards. I think you have to talk about the school board at a particular time, how that board--

WL: [How] it appeared.

WC: --operated. First of all, I don't have a public opinion about elected and unelected school boards. I represent what is now an elected school board for our county. At that time, in the beginning--when the board of education in 1954 said it was going to comply with the law, I believe it had a black member at that point. Don't hold me to that, because I'm not sure. But it had a chairman, he was a lawyer, I believe, and he was a Rhodes Scholar. And he later became vice president of general council in Jefferson, Mr. Ed Hudgins. He's still alive. And Mr. Hudgins is an outstanding lawyer, a person of, I would say, impeccable conscience. I think that's where a lot of that leadership came from in the first place.

There may have been some periods of time in there when there were not black members on the school board. But as I remember, there was always a black member on the school board, at least one black member in all of its appointed days. And I think that's one of the facts that we tried to point out during the court hearing. We didn't have a--we had an integrated school board, all appointed, during those days.

During the course of working out "the plan" that was court-ordered, it was a lot of give and take in discussions. But almost every decision that I can think of, frankly, was a unanimous decision. The board, the board resolved its differences in almost any instance I can think of. Beyond that, I don't, I wouldn't feel at liberty, you know, to discuss the

specifics of that. But I thought that the, I thought that the appointed board demonstrated a lot of responsibility in very difficult circumstances.

WL: [The school board] felt an obligation, obviously, to be responsive to the community, represent the community.

WC: That's right. And if they were law abiding citizens, they're going to comply with orders of the court. While they may, may or may not have felt that certain things were good ideas, I think they recognized what the court was telling them they had to accomplish. And they depended on the staff to develop ways to accomplish it--which school, what school, how many here, how many there, you know, who goes where and what. And [they depended on] the lawyers to advise them as to was this acceptable to the court, and then the law. And then they did it. I don't remember any really sharp divisions within the board, frankly.

WL: More or less consensual, the way that those decisions--

WC: Yes. And of course during much of that period of time, I was working with Mr. Mosley, Robert Mosley, a quite older lawyer, but a very good lawyer, who had a background with the general statutes division, been chairman of the general statutes division. He had been a teacher, a principal, and a superintendent, and a member of the board years and years ago. And so, you know, he knew it from several versions and several sides. He was a gentleman of the old school, and a real gentleman.

WL: Let me ask you--again, I don't know whether you can answer this question, it might be a different problem. But I found some indication that there's a lack of, or there was a lack of uniformity, consensus, in the black community about the way that integration should take place, that integration of the *Swann* variety would bring costs to black neighborhood schools, for example. To what extent was there opposition or--

WC: In the black community?

WL: Yeah. Or hesitancy, shall we say, with this kind of full scale--

WC: Well, I'm like you. I felt there was, and I've had some black people express to me concerns even then. But in my view of things, those people were kind of cowed by the leadership and the aggressiveness of those who were seeking to change things. Now, I don't know who represented what percent, obviously. I've had a number of people in the black community during all this, I had black lawyers who would say that, "I don't give a damn what you do except my wife and I are wanting to walk out to the front of our house

and see our little girl walk down the street to the school. We don't want her riding the bus anywhere," you know. [laughs] And a lot of people felt that way I'm sure, because, you know, it made sense I think, if where they were walking was a good school. And I'm sure a lot of people--I think there's more sentiment now in the black community, but I mean, maybe that's not right.

I think there's a more expressed sentiment there in the black community that all this disruption over integration may not be in the best interest of anybody's children, much less everybody's children. And a lot of black parents want neighborhood schools, depending on what that means, you know, of course. And I can understand their logic apparently. I was, I've been an elementary school principal. You know, what makes sense is children go to school in their neighborhood, if it's a good school.

WL: How well do you think the desegregation worked, in your perspective?

WC: It depends on what it was supposed to accomplish. If it was supposed to integrate the schools, it did it. It may have even changed society right much. I can look at my own children, both grown men now, and it may have given them an opportunity to learn some good lessons about life, people, and otherwise. It may have even lifted the level of educational opportunities for black students in some instances. Some would say it diluted educational opportunities for all students. I'm not one who happens to believe that, frankly. I think that it's kind of dual.

Somebody told me one time they were going to hire a one-armed lawyer, they were so damn tired of hearing "on the other hand." But I think on the one hand, it did do something for racial atmosphere that people were exposed to people, dealt with people, recognized that they have genuine concerns for their children, ambitions, and that all blacks aren't dirty, and don't stink, and aren't ignorant, and that kind of thing. And maybe some black learned that all whites aren't niggers wearing white sheets and so forth, and are anxious to make this thing in our society and our life work. I think that was good.

But I think it also really hardened some positions, on the other hand, and, I think, in both communities. I think that some blacks are so resentful of the segregated society that they or their parents grew up in that they keep animosity that I don't think integrating schools is going to cure. And I think there are some whites who will never and have never stone[?] forced association, and I don't know what will change their absence[?], maybe nothing. But I think it has cost the public education considerable support.

And even back when I was teaching school, I always felt--and in my background in the South--that a lot of people out there don't believe everybody's children got any damn business having an education. I'm not talking about just blacks either. There are a lot of people out there that say, "I can educate my children and I'll educate my children, but goddamnit you look after yours and get off my tax rate." And they may be deeper

than you and I know, but I've seen it, and I know there's some of that there. And now they've got a whip to use, and they've got an audience and a group of supporters that are numerous. See, those people were probably more influential than numerous that don't believe in public education. But now they've got some people--

[End Tape 1, Side B--Begin Tape 2, Side A]

WC: The public schools have been hurt. The higher economic level of people who can afford and have to move their children from public schools to expensive private schools, at a lesser affluent level, which basically [are] religious-based oriented schools, to escape what they consider to be unpleasant or unacceptable school assignments. And at a lower level, where people who can't get out of what they consider to be an unacceptable system, they despise it. And that's all, almost all three levels.

Now the emerging, you say the effects of it, the emerging problems, it seems to me, include a lessening of support for the cause of public education that I believe in, among the great middle class. Not only in Greensboro but everywhere. You see, middle-class people have always, in my view--and this is an over simplification, I'm sure--view education as the opportunity to become affluent people. It's the ladder. If you go to school and study hard and do good, you'll get ahead in this world. Whatever that means.

But now middle-class people feel that they're kind of being sacrificed. And that's an unfortunate, because that develops a whole lot of other attitudes that will harm your children. And that concerns me--because I really do believe, I believe that the best hope for democracy is public schools. I believe that the best hope for the black community to better itself and provide more of the good things in life for black children is the public school. I believe the same is true for the members of the white community at every level, except perhaps the highest economic level.

The people I know at the higher economic level who got good sense know that their children don't need to run only with people of the same ilk, that they need to know what life is all about and what society is really made up of and you've got to get along in the world, just like those at the bottom end of the economic level need to know what society is made up of. So, I think anything that damages the cause of public education is a real deficit.

On balance, I don't know where the balance is struck in desegregation and integration of schools. But I'm beginning to think that the public and the courts and everybody else is going to have to look again. Of course, that's what they did in Norfolk. The only two, the two given reasons for allowing for the return to neighborhood schools in Norfolk were to avoid white flight and to increase parental participation. That was all. That was all there was to it.

You know, I don't know what white flight--of course they had a terrific white flight problem, there was no question. But you see, I'm always concerned about that too.

You know, parents who stayed in the system, and worked to make it work, and traveled across town with their children, and who supported the school wherever the hell their children were, get punished [laughs] because they did that. And those who fled, like outside of Norfolk, go to Virginia Beach, you know, to a school they're more receptive to, they get rewarded, they get neighborhood schools back. [laughs] I mean there are a lot of big picture things, you know, I think, that certainly are beyond my responsibility.

WL: Greensboro, when you first started teaching in Greensboro in the fifties, was a public school town, wasn't it?

WC: Oh yes. It was one of the strongest in the state. As a matter of fact, that's why I came to Greensboro. I was in school in Indiana State in Terre Haute, Indiana, which was a teacher's college originally. [I had a] strong education background, I wanted to be a teacher, and I wanted to come to North Carolina because I was courting a girl from North Carolina. And I went to one of my professors in the psychology department, Dr. Cobb[?], I remember his name, I remember him very well. And I was talking about coming to North Carolina, and I wanted to apply to some school systems down here for teaching jobs. And I was talking--I'm from Morehead City, I didn't even know that Greensboro was here, you know, really. I knew Charlotte was there and I figured Charlotte's the biggest city in the state and I'm a big time operator. If I'm going to be a school system participant I want to get in the biggest and the best. And I said "I'm going to apply to Charlotte."

He said, "Well, that's all right," he said, "but the best school system in North Carolina is in Greensboro." Now he wasn't from Greensboro. He said it, you know, the way it's developed, the leadership that it's gotten, [the] position in the community, he named a whole lot of things. And that's why I applied here. [I] wrote a letter to the superintendent for a job, because it is an education town. Of course there's UNCG [The University of North Carolina at Greensboro], and Greensboro College, and Guilford College, and A&T [North Carolina A&T State University], and Bennett [College]. You know, it's an education conscious city.

And I think over the years, for whatever purpose--I don't judge motivation--but some of the power in the community for education becomes, for example, a strong history of supporting the schools for the children of mill workers, if you want to put it that way, which a lot of textile industries didn't further[?], in Proximity School. Yeah, it was built with Cone money. That wasn't even city money, wasn't tax money, as I understand it. And some others likely in the same way. And there were other leaders in the community, that this town just had a long history of supporting public education.

WL: There wasn't really a major private school rival, was there, in Greensboro in the fifties? Or was there?

WC: I don't think so, I don't remember one. I think one of the first ones was probably a little Quaker school, and I don't think it had a thing to do with integration or segregation. And-

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WL: This would be in, like, well, Charlotte, which had private schools for a while.

WC: Well, in Durham.

WL: Durham, Winston-Salem.

WC: Durham had a pretty large and strong private school, maybe even pre-integration. But, of course, integration has built a lot of private schools. And again, I believe in the dual education system, in that it's private and public funds, especially at the higher levels. I'm not opposed to that. But beyond a certain point, the public--the private schools cease to become competitive and innovative and are just siphoning off a lot of the support.

And you know, I've--you have to be almost unrealistic not to recognize that a fellow living in a two hundred thousand dollar house, sending a child to a private school, and paying X thousands of dollars to go, is not happy when you start talking about raising the tax rates for schools. Now we've always had people who are narrow-minded enough to think, "Well, I don't have any children, therefore I shouldn't have to pay taxes for educating other people's children." But that to me is not as easy to understand as the fellows who says, "Yeah, I've got children and I'm paying to educate them. And why should I pay these taxes to educate these children of these people who ran me out of the public schools." And that's, that is deadly stuff.

[End of Interview]