

Everything But Delibate Speed: Integration in Tunica County, Mississippi

Cecil Brown

2013 Rhodes Institute for Regional Studies
Professor McKinney

There were 428 white students enrolled in Tunica County Schools at the close of the first semester of the 1969-1970 academic year. When the second semester began on February 2, 1970 there were zero. Not a single white student returned to the local public schools after the winter holiday. On that very same day, 340 white students, all or nearly all a part of the aforementioned 428, reported to three different churches, organized as the Tunica Church Schools.¹ In a single day white enrollment in the public school district had dropped by 100%.

On January 29, several days before, the assistant principal at Tunica High School released a notice to white parents of students. The notice directed white students in grades 1-3 to report to the Presbyterian Church, grades 4-6 to the Methodist Church, and grades 7-12 to the Baptist Church.² In the weeks prior, Isbell had contacted the local churches to obtain permission for use of the property to hold classes. A meeting of white parents was convened on January 28 to discuss the organization of the church schools.³ The gravity of Isbell's actions should be noted. Isbell, at that time employed as a senior administrator in the public schools, directed the entire population of white students to

¹ *United States v. Tunica County School District*, 323 F. Supp. 1023 (1970).

² *Ibid.*

³ *Ibid.*

report to a new private school organization rather than report for class at the public schools. The events of these winter days, at the twilight of the turbulent 1960s, altered the course of education in Tunica County forever. Doll Baby Williams, a black elementary student at the time, notes, “after that nothing would ever be the same.”⁴

Integration in Tunica County occurred 16 years after segregation in public education was declared unconstitutional in *Brown v. Board of Education*. Maintaining segregation in public education was imperative to preserve the “southern way of life.” Educating white and black children in the same schools – having them grow up together, learn together, eat together, play together, and become adults together – represented a threat to the very heart of segregation. The preservation of the status quo in southern life meant preventing social equality at all costs. As the institution of segregation began to crumble around them in the 1960s, whites waged a staunch fight to keep their children separate. The battle to desegregate proved to be one of longest and hardest fought battles of the Civil Rights Movement.

The truth of desegregation cannot be neatly summed up by quoting *Brown* nor is the story of desegregation just a series of events in the mid-twentieth century – its consequences and results are still with America today. The story of integration in Tunica County illuminates the battle for integration at the local level. Not only does it represent a battle at a local level, but at a local level in the state of Mississippi, a battle in the Mississippi Delta – “the most southern place on earth” as historian James C. Cobb described it. The struggle to integrate Tunica County demonstrates how intensely whites attempted to circumvent integration. It demonstrates how desegregation required complex

⁴ “Interview with Doll Baby Williams,” interview by author, July 15, 2013.

interactions between white segregationists, black activists, district courts, appeals courts, and the United States Supreme Court. Finally, the results of desegregation in Tunica County demonstrates that race is still very much an issue and a detriment to a progressive society.

Education in Tunica County Before Desegregation

The development of Tunica County's educational system endured several decades of relative chaos, consistent reorganization, and ups and downs before a more cohesive system was established in the early twentieth century. Of course, this is not surprising for several reasons. Firstly, the settlement of Tunica County as an organized community was just taking shape in the mid-1800s. Frequent floods along the Mississippi River forced the county seat to be moved several times. Secondly, the Civil War disrupted the fledgling school system. Subsequently, Reconstruction forced control over to Republicans before local white Democrats wrestled control of the county and the school systems back into the hands of Lost Cause Tunicans. Once schools were back under the control of white Democrats, coupled with the rise of Jim Crow, the schools systems became more organized and centralized – albeit at the cost of quality education for the black community.

The school system of Tunica County was established in April 1846, under the Common School Law of 1846. On April 6, 1846, the Board of Police appointed five commissioners to organize schools and superintend the public schools of the county.⁵ Funding for the schools were paid for by a special tax of 25% on the state taxes for

⁵ Records filed in The Tunica Museum Research Room, The Tunica Museum, viewed by author June 29, 2013.

citizens.⁶ In 1846, after the county seat was moved from Commerce to Austin due to river flooding, the old courthouse, which was built by slave labor, was ordered by the Board of Police to be handed over to be used as a county schoolhouse for white children.⁷

In 1860, just prior to the onset of the Civil War, a report from the county treasurer showed that there were 16 schoolteachers employed by the county, who were paid \$479.85 each for their services.⁸ Upon the onset of the Civil War, local officials planned to continue to operate schools. School commissioners were appointed for 1861 and schools operated as usual that during the 1860-1861 academic year.⁹ The local government's commitment to the Confederate cause became, however, increasingly apparent and quickly superseded the commitment to education.

Late in 1860, \$1,000 of the school fund was given as loan to Robert Humphreys' company of Confederate soldiers known as the Tunica County Volunteers.¹⁰ On March 6, 1861, however, it was decided that the loan was no longer owed to the school fund, thus school funds began to be used to pay for the war effort.¹¹ Finally, on March 31, 1861, as the Civil War escalated, all funding for Tunica County schools was given by the county to pay "for the exclusive purpose of the war."¹² All money allocated for education was thereafter used solely for war efforts.

After the war, funds and organization necessary to reopen the common schools hindered education efforts. A March 1866 report from the county treasurer shows

⁶ "Education in Tunica County Exhibit," The Tunica Museum, viewed by author July 12, 2013.

⁷ Records filed in The Tunica Museum Research Room.

⁸ "Education in Tunica County Exhibit."

⁹ Ibid.

¹⁰ Records filed in The Tunica Museum Research Room.

¹¹ Ibid.

¹² Ibid.

promissory notes valued at \$4,500 as belonging to the school fund but there was no money available to pay those notes.¹³ School commissioners were appointed in June 1867 to make arrangements for re-opening the common schools but before any money could be raised the county was placed under officers appointed by the Commander of the South Military District.¹⁴

In January 1868, the Board of Police met and ordered, “since there are no public schools in the county, all school funds should be appropriated and disbursed for general county purposes.”¹⁵ Over the next two years, all school funds were used for general county purposes. Thus, public education in Tunica County had been halted and ultimately dismantled by the Civil War. It was not until the winter of 1870 that a Board of School Directors was appointed.¹⁶ On December 18, 1870, a tax of 1% on the state tax was levied for the purpose of building school buildings.¹⁷

Gradually, the schools were reorganized so that they would be more evenly distributed throughout the county. Under the leadership of Superintendent Frank Powell, the schools also began to secure more funding.¹⁸ By September 1888, there were 16 white schools – the same number as before the Civil War – and 19 black schools.¹⁹ By that time Reconstruction had ended and white Democrats had re-established control over the county.

¹³ Ibid.

¹⁴ “Reconstruction in Tunica County Exhibit,” The Tunica Museum, viewed by author July 12, 2013.

¹⁵ “Education in Tunica County Exhibit.”

¹⁶ Ibid.

¹⁷ Records filed in the Tunica Museum Research Room.

¹⁸ “Education in Tunica County Exhibit.”

¹⁹ Ibid.

The end of Reconstruction clearly hurt the black community across the entire South as the victories and successes of Reconstruction were wiped away through Jim Crow and the relegation of blacks to second-class citizenry. Black political power and economic mobility were severely curbed. In the Delta, where a black-majority existed, blacks exercised significantly greater political power.²⁰ In Tunica County, in fact, blacks controlled the machinery of the public school system for a time during Reconstruction. At one point during Reconstruction, blacks enjoyed a two-three majority on the county school board.²¹ A black man, Edward Carter, even served as superintendent from 1872 until 1875. Yet the white minority refused to accept the white schools as part of the same system as the black majority.²² When Edward Carter attempted to fulfill his duties as superintendent by inspecting the white school at Austin the teacher and pupils forced Carter off the property.²³ Even while blacks had some political power at the time it was not always effective. Moreover, it was short-lived before the Reconstruction era died.

By the time Jim Crow was firmly established in the early 1900s, the public school system for black students in Tunica consisted mostly of one-room classes in buildings and churches across the county. In most situations, there was one teacher for all grade levels, which only extended through the 8th grade.²⁴ Enrollment varied depending on the population of the community. Most students walked to school from as far as three miles away and attended classes in split sessions due to the necessity of working on the farms and picking cotton. What this meant was that students went to school for about a month,

²⁰ Bolton, *The Hardest Deal of All*, 8.-9

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ "Education in Tunica County Exhibit."

worked in the fields for several months, and then returned to school when the fieldwork was complete.²⁵ Minutes from a 1905 board of supervisors meeting shows that a total of \$925 was allotted to white schools and \$1,455 for black schools.²⁶ Although this number indicates greater funding for black schools it is important to note that blacks comprised over 80% of the population in the early 1900s and that the planter elite often sent their children away to be educated.

Over the next few decades there was minimal change in the education status quo in Tunica County. By 1940, there were six schools for whites in the county including Tunica High School, two consolidated schools and three elementary schools, with a total of 27 teachers.²⁷ In that same year, however, there were 56 schools for blacks with a total of 90 teachers.²⁸ From 1917 to 1932, Jewish philanthropists and President of Sears, Roebuck, and Co., Julius Rosenwald donated millions of dollars to build schools for black children throughout the rural South.²⁹ Roebuck's donations were part of a larger effort by northern philanthropists to improve the quality of education for southern blacks.³⁰ He gave have the money needed and required that the community work to raise the other half.³¹ During the time period over \$539,000 were received by Mississippi to help construct 557 black schoolhouses and 77 additional school related buildings.³² During the time period Rosenwald Some of Roebuck's funding was allocated to build black schools in Tunica County.

²⁵ Ibid.

²⁶ Records filed in the Tunica Museum Research Room.

²⁷ "Education in Tunica County Exhibit."

²⁸ Ibid.

²⁹ Ibid.

³⁰ Bolton, *Hardest Deal of All*, 25.

³¹ "Education in Tunica County Exhibit."

³² Bolton, *Hardest Deal of All*, 26.

Yet white school officials controlled the Rosenwald Fund contribution and officials did not always ensure that the money was used correctly or that the northern money “reached its intended target.”³³ Tunica was not immune from that problem as reports regarding unpaid matching funds to Tunica and Yazoo counties surfaced when Bura Hilbun, former State Department of Education employee, left to take a job in Governor Bilbo’s second administration.³⁴

By the late 1930s, Mississippi had made significant improvements in the state’s public education system.³⁵ The improvements had only been possible, however, because of almost total neglect of black public education.³⁶ Mississippi could scarcely fund one school system let alone a dual school system. By 1940, three decades of building a dual school system had passed and the disparity between black and white education in Mississippi had grown “to immense proportions.”³⁷ The disparity between the two systems was in part due to whites at the local level appropriating funds provided to the county for the purpose of black education to instead be used in white schools.³⁸ In Tunica County in 1937 less than 50% of the funds allocated for black education were actually spent for that purpose.³⁹ Separate but equal had no actual meaning to white Tunicans.

Nevertheless, by around 1940 observant and pragmatic whites began to develop a new concern for the inequities between the dual school systems. That concern stemmed not from a newfound moral obligation or consideration of black citizens, but instead

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid, 33.

³⁶ Ibid.

³⁷ Ibid., xvii.

³⁸ Ibid., 21.

³⁹ Ibid., 23.

because whites began to understand that racial segregation was increasingly vulnerable. Whites realized that the glaringly obvious inequalities between the two systems were a threat to maintaining segregation in light of the federal government's increasing sympathies for black civil rights.⁴⁰ White Mississippians began to embrace an equalization plan in order to appease and pacify the federal government.⁴¹ The state-sponsored equalization plan would ultimately prove unsuccessful.

The failure of the equalization plan is hardly surprising. Firstly, actual equalization of the dual school systems was never the intent. Instead the purpose was to improve things to whatever minimum degree of equality was necessary to maintain segregation. Secondly, Mississippi had far too limited resources to expend on closing the gap.⁴² Even after the *Brown* decision the state continued to pursue an equalization plan in order to prevent court-ordered integration. The second state-sponsored equalization program, between *Brown* and 1964 (the year desegregation suits started in Mississippi) was as ineffectual as the first.⁴³

Within Tunica County the equalization plan was as ineffectual as it was on the state level. In fact, it was even more of a failure than at the state level. The school boards' improvements to black schools consisted of constructing three two-teacher schools and one-room additions to two existing schools.⁴⁴ At the time there were 48 black schools of which sixteen were located in churches and four in private homes. The improvements can hardly even be viewed as such considering the scope of black education in the

⁴⁰ *Ibid.*, 34-35.

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ *Ibid.*, 59.

⁴⁴ Tunica County Board of Education Minutes, September 9, 1946, September 10, 1947, reel 1, MDAH.

county. Even in 1962, after the second equalization program Tunica was still nowhere near equal. That year the per capita local education funding per pupil in Tunica County was \$172.80 per white student and \$5.99 per black student – the highest discrepancy in the state.⁴⁵ The inequities between white and black students had only slightly improved as late as the early 1960s. The only shining improvement in these decades was the closure of the one-room black schools by the late 1950s. They were replaced by Tunica Colored Vocational High School (later renamed Rosa Fort School) and Tunica Colored Elementary School.⁴⁶

Extreme inequalities between the dual school systems in Tunica County mirrored the state as a whole. Tunica County, however, also continually exhibited a major lack of concern for black education as officials diverted state funds and northern donations into white schools and continued to have a massive discrepancy between per pupil funding as late as 1962. Separate but equal meant nothing to white Tunicans and, in fact, actually striving towards separate but equal was not even a consideration until a degree of equality seemed necessary to preserve segregation. True equality could not come, however, through dual school systems. That meant the breakdown of segregation – the white children of Tunica would have to mix with the black children – but white Tunica would not let that happen until they were forced to be the courts and even then they would find a way to circumvent integration. The next move in the long battle lay with the federal and district courts.

Brown, Mississippi, Resisting Integration, and Case Law

⁴⁵ Ibid., 87.

⁴⁶ "Education in Tunica County Exhibit."

On May 17, 1954, the opinion of the Supreme Court was delivered in the case of *Oliver Brown, et al. v. Board of Education of Topeka, et al.* The Court’s landmark decision in that case is the turning point upon which the history of public education in the United States was forever changed. In *Brown*, the Court rejected the “separate but equal” doctrine developed in *Plessy v. Ferguson* (1896)⁴⁷, which sanctioned segregation in public facilities. The doctrine of “separate but equal” was found to have no place in public education and separate educational facilities were found to be “inherently unequal.”⁴⁸ Upon the issuance of the Court’s opinion the legality of segregation was fatally undermined.

Brown clearly marks a decisive legal victory in civil rights history and ranks among the most important moments in the black freedom struggle. How the decision in *Brown* would be implemented was not, however, immediately clear. A year later, the Court delivered an opinion in a case known as *Brown II*, which provided the legal framework under which *Brown* would be enforced. *Brown II* held that responsibility for the implementation of desegregation would fall under the purview of the district courts and ordered states to comply with desegregation in “good faith” and “with all deliberate speed.”⁴⁹ That phrase proved a haunting one for civil rights advocates as white southerners viewed the use of that simple adjective – deliberate – as a legal way to delay and resist desegregation.⁵⁰ At both the state and local level, segregationists used the *Brown II* opinion to their advantage in furtherance of their campaign to maintain segregation as the backbone of southern life.

⁴⁷ *Plessy v. Ferguson*, 163 U.S. 537 (1896).

⁴⁸ *Brown v. Board of Education of Topeka*, 347 U.S. 495 (1954).

⁴⁹ *Brown v. Board of Education of Topeka*, 349 U.S. 294 (1955).

⁵⁰ James patterson book

Desegregation at the local level in Tunica County cannot be properly understood, nor does it have contextual significance, unless the larger Mississippi response to *Brown* is understood and traced up to the original complaint filing to desegregate Tunica County schools in 1967. The actions of the state government and the tactics employed by white supremacists at the local level are tantamount to understanding the slow implementation of *Brown* and to comprehend the local events in the Tunica community.

Compliance with *Brown* in Mississippi would ultimately take years to come to fruition. The implementation of the Supreme Court's ruling would require the federal government and the courts to force it. White Mississippians did all in their power to prevent integration in education as it threatened their ultimate goal: maintaining the status quo in race relations at any cost.⁵¹ Equality in education was necessary to elevate the black population from second-class citizenry. Black opposition to segregated schools was based upon the realization that separate school systems were inadequate in providing equal quality of education.⁵² For white southerners, however, desegregated schools were “tantamount to losing the war over the continuation of racial separation.”⁵³ Segregated schools were a necessary condition to prevent social equality between the races. As a response to the inherent threat that school integration posed, white Mississippians waged a vicious battle to maintain the state's dual school system.

The response of white Mississippians to *Brown* was largely four-fold: 1) continuing the “equalization within segregation” efforts 2) passing legislation to abolish the entire public school system if necessary 3) economic intimidation against blacks

⁵¹ Dittmer, John, *Local People: The Struggle for Civil Rights in Mississippi*, Chicago: University of Illinois Press, 2004), 69.

⁵² Bolton, *The Hardest Deal of All*, xvii.

⁵³ Ibid.

pursuing school desegregation and 4) at times, physical intimidation or violence. These state-sanctioned actions were, of course, always conducted under the auspice of separating the races. These efforts largely paid off in staving off desegregation in secondary public education for a decade or more.⁵⁴ Desegregation in compliance with *Brown* in schools was circumvented and resisted in Mississippi until 1964, which was just the beginning of implementing the *Brown* decision.

Until 1964, desegregation efforts in Mississippi were largely unsuccessful. In 1964, however, the federal government began to take a more active role in pressing for integration. Prior to 1964 the burden to pursue desegregation at the local level fell on local blacks or civil rights organizations. Title IV of the Civil Rights Act of 1964 changed that because it authorized the U.S. Attorney General to initiate school desegregation lawsuits when a complaint was received.⁵⁵ Title IV still placed the burden on blacks to initiate the process. Title VI of the CRA was more effective as it barred racial discrimination in “any program or activity receiving federal financial assistance.”⁵⁶ Since Mississippi did receive funding the door was opened wider for federal intervention in actually achieving school integration.

Desegregation by Mississippi school districts from 1964 to 1969 were done under the freedom of choice model. Under that model students were “supposedly allowed to go to any school in a district.”⁵⁷ Yet in typical white Mississippi fashion, segregationists managed to bend the freedom of choice method to largely preserve segregated schools.⁵⁸

⁵⁴ Ibid., 97.

⁵⁵ Ibid., 118.

⁵⁶ Ibid.

⁵⁷ Ibid., 117.

⁵⁸ Ibid.

While white Mississippians implemented freedom of choice in a manner that preserved segregation the highest degree possible, with “integrated” school districts achieving token desegregation at best, the federal courts began to wise up and respond to the fact that freedom of choice was unsuccessful. Eventually the actions of federal courts disapproving of freedom of choice would cause district courts in Mississippi to invalidate freedom of choice. Once freedom of choice was invalidated then the only option for schools districts were to become unified school districts – marking the final end to dual school systems.

In two cases, *United States v. Jefferson County Board of Education* (1967) and *Green v. County School Board of New Kent County, Virginia* (1968) the courts began to note the failure of freedom of choice. The *Jefferson* case, in the Fifth Circuit Court of Appeals, was key as it noted that all freedom of choice desegregation plans were accomplishing was to give “paper compliance” with federal desegregation orders.⁵⁹ The *Green* case was even more important as the Supreme Court ruled that Kent County’s freedom of choice plan did not adequately meet the school board’s duty to come up with a non-racially based school system.⁶⁰ The Court ordered the school board to formulate new plans that would be more successful in achieving a desegregated system.

The key cases that would challenge freedom of choice in Mississippi are *Anthony v. Marshall County Board of Education* (1969) and *United States v. Hinds County School Board* (1969). While the *Hinds* case occurred in the southern judicial district, it was the *Marshall* case that at first most affected Tunica as they were both in the northern district. Judge Keady, the same judge who would issue the district court rulings in the lawsuits

⁵⁹ *United States v. Jefferson County Board of Education*, 380 F. 2d 385 (1967).

⁶⁰ *Green v. County School Board of New Kent County*, 391 U.S. 430 (1968).

against Tunica County, ruled in the *Marshall* case in favor of an approval for Marshall County's freedom-of-choice desegregation plans.⁶¹ Judge Keady ruled in favor of the plan simply because it would lead to *less* desegregation than the alternatives.⁶² The Fifth Circuit overruled Keady's decision in April 1969.⁶³

The *Hinds* county case was similar, but on a larger scale as it challenged freedom of choice in 25 Mississippi school districts. The judges in the southern federal judicial district ruled in favor of the defendants.⁶⁴ An appeal to the Fifth Circuit seemed, however, an assured success for the plaintiffs in favor of invalidating freedom of choice.⁶⁵ White Mississippians, as always looking for a way to circumvent integration, hoped to expect a reprieve by appealing to the newly elected President Nixon, who had used his "southern strategy" to attract southern whites fleeing the Democratic Party.⁶⁶ Lobbying President Nixon for support was successful as he agreed to commit to pursuing more "moderate" federal desegregation policies but it was too late as the appeals process had started and the Fifth Circuit ruled to desegregate the twenty-five schools by September 1969.⁶⁷

Nevertheless, soon after the Fifth Circuit's rulings, the Nixon administration did release new desegregation guidelines that would allow a limited delay in black-majority districts and would not require the fall 1969 deadline to be met.⁶⁸ The pressure applied on

⁶¹ *Anthony v. Marshall County Board of Education*, 409 F. 2d 1287 (1969).

⁶² Keady, William C., *All Rise: Memoirs of a Mississippi Federal Judge*, Boston: Recollections Bound, 1988.

⁶³ *Anthony v. Marshall County Board of Education*.

⁶⁴ *United States v. Hinds County School Board*, 417 F. 2d. 852 (1969).

⁶⁵ Bolton, *The Hardest Deal of All*, 128.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*, 130.

⁶⁸ *Ibid.*

President Nixon by powerful Mississippians, like Senator Stennis, ultimately led to the federal courts switching sides in a sense. Although the Fifth Circuit had in the *Hinds* case ruled to desegregate by September 1969, the federal government then requested that it be delayed until hearings in December 1969.⁶⁹ The district and federal courts both granted the delay, although the Fifth Circuit questioned the request. Essentially, pressure by white Mississippians on President Nixon, somewhat ambivalent on desegregation and well aware of his necessity for southern support, had postponed school integration in the most ardently segregated Mississippi counties again.

As Charles Bolton points out, the matter did not just disappear because the Nixon administration caved under southern pressure. Instead, the NAACP took up the cause of the black plaintiffs in *Hinds* and appealed to the Supreme Court under the stylization of *Beatrice Alexander v. Holmes County Board of Education*.⁷⁰ The Supreme Court, not unaware of the tomfoolery between Mississippi segregationists, Nixon, and the Fifth Circuit, finally laid the issue to rest. The Supreme Court stated, “all deliberate speed for desegregation is no longer permissible. The obligation of every school district is to terminate dual school systems at once and to operate only unitary schools.”⁷¹ There were to be no more delays orchestrated by white Mississippians. School districts would have to comply with and in turn finally comply with *Brown*. In the areas where whites had succeeded in resisting integration for so long there were no options left to prevent integration.

⁶⁹ *Ibid.*, 134.

⁷⁰ *Ibid.*, 134.

⁷¹ *Alexander v. Holmes County Board of Education*, 396 U.S. 19 (1969).

Tunica County's desegregation history largely mirrors that of the state of Mississippi. On November 13, 1965 Tunica County submitted its first desegregation plan pursuant to Section 601 and 602 of the Civil Rights Act.⁷² That plan stated all grades were to be desegregated at the start of the 1967-1968 school year.⁷³ by the end of the 1966-1967 school year there were only 12 black students in the formerly all-white schools.⁷⁴ As a response in 1967, the Department of Justice filed suit for the Tunica County School Board to submit a new desegregation plan using the freedom of choice model in accordance with the latest court rulings, such as the *Jefferson* model.⁷⁵ The case, *United States v. Tunica County School Board*, would drag on for the next three years. The Tunica County School Board complied and submitted that a new plan. The plan was, however, nearly identical to those other Mississippi counties were using and achieved minimal levels of even token integration. In the late 1960s, for example, the school district contained over 3,000 black students but only slightly more than a hundred had been accepted to white school under the freedom of choice plan.⁷⁶ Tunica County operated under freedom of choice until May of 1969. After the Fifth Circuit's overruled Judge Keady in the aforementioned *Marshall* case, the United States District Court entered an order disapproving freedom of choice for Tunica County Schools and directed the school board to submit a new plan by June 18, 1969, effective for the school year

⁷² Complaint of Plaintiff, U.S. District Court for the Northern District of Mississippi, Delta Division, *United States v. Tunica County School District*, filed July 5, 1967, obtained from National Archives in Atlanta, in author's possession.

⁷³ *Ibid.*

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ Appellant's Brief, Petition for Writ of Certiorari, U.S. Court of Appeals, Fifth Circuit, *United States v. Tunica County School District*, obtained from National Archives Atlanta, in author's possession

beginning in September.⁷⁷ The courts did not, however, specify the requirements for the new desegregation plan.

The all-white school board responded by submitting a new plan based on achievement test scoring. In doing so, the school board attempted to find yet another way to maintain the highest degree of segregation it could. Since freedom of choice had disappeared as a viable option local whites attempted to find a new way to maintain segregation. Using intelligence tests, the plan was to assign students based on the results of the test with the highest-scoring students attending the white schools and the lesser scoring attending the black schools. The primary reasoning behind intelligence scoring as an option was a general belief among local whites of black inferiority.⁷⁸ Furthermore, the three-staged plan would have taken over three years to implement, which would have further delayed integration.

Judge Keady approved Tunica County's achievement test plan on July 22 with students in 4 grades per year (beginning with the lower grades) to be tested and the highest scoring students sent to formerly whites schools and the lower scoring vice versa.⁷⁹ In Tunica County, over 10 percent of black students taking the test scored high enough to receive assignment in the white school, while the scores of one third of the white students would have landed them in a formerly black school.⁸⁰ The results of the test resulted in a higher level of integration than anticipated by whites and as a result the school leaders asked Judge Keady to postpone implementation of the strategy in favor of

⁷⁷ *United States v. Tunica County School District*, 323 F. Supp. 1019 (1970).

⁷⁸ Bolton, *Hardest Deal of All*, 131.

⁷⁹ *United States v. Tunica County School District*, 322 F. Supp 1023 (1970).

⁸⁰ Testimony of George Pettey, Hearing on Plan before Judge Keady, September 2, 1969, *United States of America and Driver v. Tunica County School District*, case file, obtained from Charles Bolton.

retaining a basic freedom of choice plan.⁸¹ Judge Keady, although a supporter of freedom of choice but bound by the court's disavowal of that method, denied the motion.⁸² The school board appealed the denial of that motion to the Fifth Circuit. Meanwhile, the plaintiffs (United States) appealed intelligence testing as a satisfactory desegregation method. Thus both the school board and the federal government appealed the district court's approval of intelligent testing as an option, albeit for two very different reasons. The school board wanted even more time to delay integration, even after Judge Keady had approved intelligence testing which have delayed integration to begin with, so they appealed to postpone intelligence testing itself. On the other hand, the government appealed to invalidate intelligence testing as a viable option.

As the appeals from the intelligence-testing plan worked through the Fifth Circuit, the Supreme Court issued its landmark decision in *Alexander v. Holmes County*, which ordered that every school district was to terminate dual school systems and begin operating unitary schools. The thirty-three *Alexander* districts were ordered by federal courts to begin complete integration after the Christmas holidays.⁸³ Tunica County was not, however one of the *Alexander* districts. Therefore, it was not immediately clear by what date Tunica County School District would have to begin the process of complete integration. The ruling in the Tunica appeals case then became even more important. On January 6, 1970, the judgment was handed down. The Fifth Circuit Court of Appeals condemned intelligence testing as a method for assignment, remanded the case for further proceedings in conformity with *Singleton v. Jackson Municipal Separate School District*,

⁸¹ Bolton, *Hardest Deal of All*, 167.

⁸² *Ibid.*

⁸³ *Alexander v. Holmes County Board of Education*, 396 U.S. 19 (1969).

and mandated the board to submit a desegregation plan by no later than January 14, 1970 and to take steps “for complete desegregation by February 1, 1970,” should the Supreme Court require it in *Carter v. West Feliciana School Board*.

As Tunica County was not an *Alexander* district it was not necessarily subject to the requirement that complete integration occur when the second semester began after Christmas. While it was of course bound, as was the entire United States, to *Alexander's* holding requiring the termination of dual school systems, the *Alexander* timetable did not apply directly. The Fifth Circuit's January 6 order required Tunica County to conform with *Singleton v. Jackson*, which was another Fifth Circuit desegregation case. The Fifth Circuit entered its opinion in that case on December 1, 1969 and ordered that in regards to *Alexander* school districts must comply but the *Singleton* ruling allowed the process to not reach completion until the fall of 1970.⁸⁴ The school district of West Feliciana Parish, Louisiana was one of the defendants in *Singleton*. When the Fifth Circuit issue *Singleton* allowing a delay of immediate integration then parties in the West Feliciana School District appealed to the Supreme Court. The case was then joined again with *Singleton*. The Supreme Court had not yet decided in *West Feliciana* when the Fifth Circuit issues its decision regarding Tunica. Tunica would have only had to comply with complete student desegregation by February 1 if the Supreme Court required it in *Carter v. West Feliciana*. By then, the time frame had become very tight. The Fifth Circuit did not rule in Tunica until January 6. School was to begin in less than a month but the Supreme Court still had yet to rule in *Carter*. On January 14, with less than three weeks before the second semester started, the Supreme Court ruled that allowing student desegregation to

⁸⁴ *United States v. Tunica County School District*, 322 F. Supp 1023 (1970).

be delayed until the fall of 1970 was contrary to the meaning of *Alexander*.⁸⁵ The Tunica County School Board was left with no legal options left and had to comply with the courts, which it did on January 7 and which was approved by the court on January 23.⁸⁶ Tunica County schools were set to begin complete integration when they opened on February 2, 1970.

In Tunica

Although the black community was not particularly active or effective in Tunica County, at least in lieu of the reality that the driving force in desegregation in Tunica County was the federal government's court case, they were not silent or idle. The most outward expression by the black community was the boycott of Rosa Fort High School in February and March of 1969.

Characterizing the local black community as not particularly active or effective is not to marginalize their role as actors in the desegregation process. Blacks had exhibited great agency and were the most important actors in the larger struggle. The author would like to note that he was unable to locate papers or materials from the Tunica Chapter of the NAACP, which could possibly illuminate local black efforts desegregation. Through surveying the existing literature, databases, combing the archives of The Tunica Times, and conducting interviews there is minimal evidence to support an assertion that the local black community was anywhere near as important in local desegregation as the actions of the courts were. Elsewhere in Mississippi actions of local blacks in regards to

⁸⁵ *Carter v. West Feliciana Parish School Board*, 396 U.S. 290 (1970)

⁸⁶ *United States v. Tunica County School District*, 322 F. Supp 1022 (1970).

desegregation were of much greater significance as local lawsuits brought the courts' rulings in *Brown* and the rebuke of freedom of choice as a viable option to Mississippi.

Answering why there was a lack of black action regarding desegregation in Tunica County requires delving into the field of speculation. Perhaps the economic and racial demographics of Tunica provide an answer. It was the poorest county and had an overwhelming black-majority. Typically, desegregation came slowest to counties with large black majorities and more quickly to affluent communities. The local black population was active in voter registration.⁸⁷ Perhaps that superseded or was an easier issue to tackle before moving on to education. Another possibility is that economic and physical intimidations were negative influences. The best explanation may be that by the time the education issue began to build to a climax in Tunica that the federal government and associated court decisions in favor of integration had already reached a point that negated the need for the black community in Tunica to be the primary agents of change. Essentially, since Tunica County as a poor, black-majority county in the Delta would have naturally been one of the last to see large-scale black mobilization that by the time the local black community was ready – in 1969 – that the necessary framework was already in place for the role to primarily fall upon the courts.

Nevertheless, by the end of the winter in 1969 the local black community enacted their most significant demonstrations in regards to education during the boycott of the all-black Rosa Fort School. The goals of the protestors were more free school lunches, a

⁸⁷ "Civil Rights in Tunica County Exhibit," The Tunica Museum, viewed by author July 12, 2013.

black studies program, representation on the county school board, and most important to the protestors – the ouster of the black school principal.⁸⁸

The march began on the morning of February 25 1969 when demonstrators blocked school buses from the school grounds. At first a handful of black women and approximately 30 schoolchildren blocked the buses.⁸⁹ When Tunica County Sheriff Joe Carsley and his deputies began trying to disperse the group more students and parents joined the crowd. The crowd continued to swell and the local authorities were unable to unblock the school drive. Governor John Bell Williams then ordered the Highway Patrol to Rosa Fort School and Mississippi State Troopers began to arrive to monitor the situation and break up the protest.⁹⁰

Later that night, a march was organized to the Tunica County Courthouse. The march to the courthouse, about a mile from Rosa Fort School, was led by Calvin Norwood, president of the local NAACP, and R.B. Cottonreeder of Grenada, a staff member for the Southern Christian Leadership Conference. The 150 person march – not a small number by Tunica standards – remained peaceful but the actions on February 25 were the beginning of a three-week period of demonstrations.

Marches and demonstrations continued over the next three weeks, which resulted in 49 persons being arrested and jailed at the County Penal Farm.⁹¹ After three weeks of daily demonstrations the marches were halted on March 13, 1969.⁹² At that point all

⁸⁸ Records filed in the Tunica County Museum Research Room.

⁸⁹ "Civil Rights in Tunica County Exhibit."

⁹⁰ Records filed in the Tunica County Research Room.

⁹¹ Ibid.

⁹² Ibid.

arrestees had been released from custody and their trial postponed indefinitely.⁹³ The impetus behind halting the demonstrations appears to stem from a meeting between an individual and the Tunica County Board of Education on that same day of March 13 in which the grievances of the protestors were discussed and an agreement was made that the unnamed individual would not sponsor any additional demonstrations. The name of the individual has been redacted from FBI memos for unknown reasons but the man was most likely the aforementioned Calvin Norwood. Norwood is not mentioned elsewhere in the memo and reference to the individual – name redacted - is made in several instances as having “advised” on various dates during the protests and aftermath.

Assuming Norwood is the individual, he most likely did not want to be identified as an FBI informant, particularly as an NAACP leader. Furthermore, three days after the cessation of protests, NAACP Field Director Charles Evers spoke at the Tunica County Auditorium and indicated that he did not agree with the decision to cease demonstrating, although he did encourage black parents to make their opinions known through the PTA at Rosa Fort School.⁹⁴ Norwood’s position stands in contrast to Evers’, perhaps indicative of a conflict between the local and national leader. Nevertheless, protests did not resume and the conflict faded. The redacted individual did advise that on March 27, 1969 it was still the position of the NAACP to have Principal Jimmy Walker removed.

The desire to terminate Principal Walker stemmed from disapproval of Walker’s discipline policies.⁹⁵ Tunica Museum director Richard Taylor recalls that “they wanted

⁹³ Federal Bureau of Investigation Memo, “Negro Boycott of Rosa Fort School in Tunica, Mississippi,” April 7, 1969, obtained by Freedom of Information Act Request.

⁹⁴ Ibid.

⁹⁵ “Civil Rights in Tunica County Exhibit.”

him gone because they didn't like his discipline methods, like paddling."⁹⁶ Doll Baby Williams, a black elementary student at the time, notes that "the only thing I can remember about him is that the community did not like him."⁹⁷ The divide between the black principal and the larger community clearly is problematic for cohesion in the local black community. It is possible that the conflict was more complicated than simply different views on discipline. It was not uncommon for blacks who were comfortable in their social standing to appease the white establishment out of fear of maintaining their social occupancy. Regardless of reasons, the protests largely failed. While the message was heard and attention was attracted, the protests failed in their two largest goals: removing Walker and securing representation on the school board.

Meanwhile, while white students departed en masse and withdrew completely from the public schools a problem of a different sort faced the teaching staff of the public schools.

The implementation of the desegregation order would require faculty reassignment. Necessarily, this would require some teachers to be reassigned to majority black schools. Teachers clearly faced a choice not unlike that of white parents. To accept reassignment meant conceding themselves to accepting on some level integration of the races.

Some white teachers accepted reassignment. Patty Sue Tucker, a schoolteacher and lifelong Tunican, recalls that she valued her role as an educator over preserving the

⁹⁶ "Richard Taylor Interview," interview by author, July 12, 2013.

⁹⁷ "Doll Baby Williams Interview," interview by author July 14, 2013.

so-called southern way of life. After discussing it with her husband she remembers that she accepted reassignment without much hesitation – in fact she recalls that she threatened to “take the story to Memphis” if she was not allowed to continue to teach her students.⁹⁸ Tucker’s feelings were not, however, felt by all teachers.

Nineteen teachers at the white Tunica School refused reassignment to Rosa Fort School and Dundee School in compliance with the new court-ordered desegregation plan. Upon refusing reassignment the nineteen teachers subsequently handed in their letters of resignation at the beginning of the second semester of the 1969-1970 academic year.⁹⁹ Typically the resignation of employees from the duties specified in their contract would also result in a loss of pay from their previous employers. The Tunica County School Board, however, saw fit to continue to pay the 19 teachers after the termination of their employment. These actions would become an important legal issue as the courts had to determine whether the actions were in violation of desegregation orders and whether the school board had used the funds to pay these teachers as a way of supporting private education, which had resulted in de facto segregation.

In May 1969, prior to the 1970 desegregate now order, the court ordered the school board to submit a workable plan no later than June 18, 1969 for the school year beginning in September.¹⁰⁰ Of course, any new workable plan could be altered pending future faculty desegregation orders by the courts. Earlier, in March 1969, the school board had noted in its minutes that the board was “of the opinion that no contract of employment could be entered into with the teachers until a desegregation decision was

⁹⁸ “Interview with Patty Sue Tucker,” interview by author, July 2, 2013.

⁹⁹ *United States v. Tunica County School District*, 323 F. Supp. 1019 (1970).

¹⁰⁰ *Ibid.*

handed down by the district court of northern Mississippi in the matter now pending in said court relating to faculty desegregation and other matters.”¹⁰¹ The board withheld making formal contracts until May of 1969. At that time, the courts had not acted in regards to the faculty desegregation cases currently making their through the legal system. While making formal contracts that May the school board once again noted that “compliance with future faculty desegregation orders... may force the Board of Education to reassignment a teacher to a school other than the school shown hereon, and the Board hereby reserves the right. In the event of reassignment, teacher reserves the right to terminate the contract without prejudice.”¹⁰² Furthermore, the courts had already ruled on the issue of potential reassignment pending future orders when it stated “The duty of assigning faculty according to these requirements is not option with the desires of the district or the wishes of teachers.”¹⁰³ When teacher contracts interfere with the duty of school boards to assign faculty according to new requirements the contracts must be deemed invalid and unenforceable.¹⁰⁴ Therefore, the understanding was clearly established and understood that teacher reassignment....

The nineteen teachers in question entered into contract for the 1969-1970 academic year that May and June. Their employment contracts, which contained the clause reserving the right for the Board to order reassignment or to terminate contracts upon refusal, indicated that they were designated to teach at the predominately white Tunica Elementary and High School.

¹⁰¹ Ibid. 1020.

¹⁰² Ibid. 1021

¹⁰³ Ibid.

¹⁰⁴ Ibid.

As discussed earlier, the January 1970 court orders directed the board to assign principals, teachers, and staff effective February 2, “so that the ratio of Negro to white teachers in each school and the ratio of other staff in each are substantially the same as each such ratio is to the teachers and other staff respectively in the entire system.”¹⁰⁵ On the basis of that order, and to appease the federal government, the school board ordered reassignments on January 24. After the teachers resigned, the board met on January 30 to consider the request of some teachers refusing reassignments that their contracts should be honored since they were employed to teach in the Tunica School for the full year.¹⁰⁶ According to court papers, in actuality only two teachers had written letters that contained direct or indirect demand for payment of the unearned portions.¹⁰⁷ During the January 30 meeting the board decided that it had “a moral as well as a legal obligation” to pay them and any other teachers refusing reassignment.

It is imperative to note, however, that even before the teachers had refused reassignment that the board contacted the Attorney General of Mississippi to see if “it had the legal right to pay a teacher who refuses reassignment [because of federal desegregation orders] yet demands her salary.”¹⁰⁸ The letter was submitted on January 9 immediately following the Court of Appeals decision. Six days later, the State Attorney General replied that the board had the legal authority to make such payment. The State Attorney General found that the board had authority to make payments if they chose because the board’s contract with the teachers contained unauthorized language . The Mississippi Code of 1942, Section 6282-13, stated “contracts shall be in such form as

¹⁰⁵ Ibid., 1022

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid., 1024.

shall be prescribed by the State Board of Education.”¹⁰⁹ Because the reassignment clause was added by the Tunica County School Board without being contained in the State Board’s contract form then the Attorney General found that “such language may be ignored in the determination of the right of the teacher.”¹¹⁰

Not only were the teachers paid but they subsequently began teaching in the Tunica Church Schools. Upon that reality, a lawsuit was filed with in Spring 1970 with the plaintiffs contending that the payments to the teachers were unlawful and unconstitutional because they were made for the purpose and effect of supporting a racially segregated school contrary to the Fourteenth Amendment and that the actions directly interfered with the court’s desegregation order.¹¹¹ The defendants denied that they paid the teachers with any intention to aid or establish a racially segregated private school but that they did so only to satisfy a legal and moral duty to the teachers. The defendants also claimed that they had no intention to thwart or not carry out federal court desegregation orders.¹¹² The plaintiffs sought injunctive and other relief against the Tunica County School District for their actions and the courts sought out to decide the case and to order monetary relief depending on the judgment.

Joined with this particular case was a companion case (DRIVER) entered by black parents of the school district who charged that the school board unlawfully allowed school books and other property to be used in a private school by white students withdrawing from public school at the end of the semester. JoEllen Sharpe, a Tunica

¹⁰⁹ Ibid., 1025

¹¹⁰ Ibid.

¹¹¹ Ibid.

¹¹² Ibid.

School student at the time, remembers that when the students went home for the Christmas holiday that year they had been told to take their textbooks with them.¹¹³

The United States District Court for the Northern District of Mississippi, Delta Division issued their ruling on July 16, 1970 in favor of the plaintiffs and ordered the recovery of the amount of money paid to each of the 19 teachers.¹¹⁴ In regards to the textbook issue, the court held that the issue had been rendered moot by the return of all school books at the close of the church school.¹¹⁵

The court reached their decision by focusing on several particular factors. The ultimately found that regardless of what the school board may have intended, the effect of its voluntary decision to pay salary balance to teachers refusing reassignment was to furnish material aid to continuing segregation in Tunica County by means of a private school. The court found that without the school board's compensation to the teacher's salary that the teachers could not have donated their services to private school and the children attending it.¹¹⁶ In regards to the defendant's argument that they paid the teachers because of a moral and legal duty the court found that the board acted voluntarily and under no direct compulsion.¹¹⁷ All parties knew that according to the written and signed contracts that the board reserved the right to reassign them to another school. Finally, the court ruled that the State Attorney General's conclusion was in error and could not be relied upon by the school to justify an unconstitutional action. The court stated that the Attorney General's order erred by ignoring the "pendency" of a federal desegregation suit

¹¹³ "Interview with JoEllen Sharpe," interview by author, July 12, 2013.

¹¹⁴ *United States v. Tunica County School District*, 323 F. Supp. 1028 (1970).

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*, 1025.

¹¹⁷ *Ibid.*, 1026

against the school officials seeking the opinion, it ignored the *Singleton* mandate, and it ignored the plain contrary provisions of the teachers' contracts in spite of *Greenwood*.¹¹⁸

The court only had to determine the constitutionality of the actions and the form of relief to grant. It did not have to consider the actual intent of the school board's actions. Obviously, also, the court did not analyze these actions in the context of the local white response to desegregation and the larger meaning. There are several events in the chronology of the teacher reassignment controversy that indicate the school board knew exactly what it was doing. Firstly, the school board clearly knew, as evidenced by the contracts, that they would likely have to reassign teachers once the court ruled on the latest desegregation cases. By presenting the contracts in a manner they shielded themselves from possible legal action by the future reassigned teachers. In doing so they demonstrate that they knew that the federal court orders would legally override the teacher contracts. Additionally, immediately following the desegregate now order the board contacted the Attorney General to ask whether "it had to the legal right to pay a teacher refusing reassignment." They did not ask whether they had a legal obligation to but instead they essentially asked if they *could* pay the teachers. The school board wanted to pay them. In doing so they aligned themselves in sympathy with teachers exhibiting racist behavior. Paying the teachers was a way that the white leaders saw to circumvent the court's orders and to fund the white response of moving to private education as the only means to maintain segregation in education.

Moreover, not only did the school board provide the nineteen teachers with the financial option to donate their services to the new private white school, but by directing

¹¹⁸ *Ibid.*, 1027

white students to take their textbooks home that December they also attempted to find a way to aid the private schools. In fact, they took that step before the new desegregation order had been handed down the next month.

The Tunica Church Schools were never intended by white Tunicans to be a permanent fix. Since 1964 when the earliest desegregation successes began in the wake of Title IV of the Civil Rights Act, local white landowners had begun donating grounds and money to erect Tunica Institute of Learning (later known as Tunica Academy) as an alternative to public education. As the school was built and expanded it grew slowly in attendance. It was not, however, prepared to handle upper grades. Coincidentally, Tunica Institute of Learning (TIL) graduated its first class in 1971 – the year following the tumultuous events of 1969-1970. The Tunica Church Schools closed in May 1970 and white students either transferred to TIL or left the county if they could not afford the tuition. None returned to Tunica County Public Schools.

The actions of the school board serves to further highlight the point that local whites attempted to resist desegregation through any means they could. The school board used government money and state-issued textbooks to temporarily fund the Tunica Church Schools until the new private segregation academy was ready to become the permanent solution. By using state money, and also by gaining permission from the State Attorney General, the state of Mississippi was sponsoring segregation as late as 1970 – a full 16 years removed from *Brown*. The president of the Tunica County School Board at the time, Wesley Bailey, Sr., remembered that he never anticipated the amount of

“hatred” and “contempt” he received from the black community at the time. He remembers not expecting desegregation to become such an issue.¹¹⁹

Tunica Today: Remembering, Conscious Choice, and Reality

Just as history does not exist in a vacuum nor are the events in mid-twentieth century Tunica simply a recollection of times past. The past is still very much present in Tunica and influences the very fabric of the community.

In some ways, the racial dynamics of today’s Tunica are starkly different than 1960s Tunica. In the 1960s, whites occupied all elected offices at both the county and the town level. After the elections of 2012 blacks occupied all positions in the county government.¹²⁰ Notably, the entire school board is now black – a complete reversal from 1970. Yet despite newfound political power on the county level the government of the town of Tunica remains almost entirely white with a single black representative.¹²¹

The fact of segregated representation is party of the reality of Tunica today. That fact is mirrored in several other areas that represent the fabric of a community. Where residents live both explains and mirrors the segregation in political power between the county and town. As discussed earlier, Tunica was and remains a majority black county. As of the 2010 census the population was 10,778 with blacks comprising 74.4% of the

¹¹⁹ Short documentary film in The Tunica Museum, viewed by author July 12, 2013.

¹²⁰ Elected Officials of Tunica County, Tunica County website, <http://tunicacountycircuitclerk.com/Elected-Officials.php>, accessed on August 3, 2013.

¹²¹ Town of Tunica Elected Officials, Tunica County Chamber of Commerce, <http://www.tunicachamber.com/chamber-of-commerce/town-of-tunica>, accessed August 3, 2013.

population and whites comprising 23.8%.¹²² The town of Tunica (the only incorporated community in the county) had a population of 1,030 of which 68.25% were white and 29.13% were black as of the 2010 census.¹²³ A cursory glance at this data would seem to explain the representation demographics. As an overwhelmingly black county it makes sense that blacks occupy the county offices. The town of Tunica, with a substantial white majority, is the opposite.

The elected office and demographic data, however, only explains the reality in part. An argument that demographics solely explain why blacks control the county government and whites control the town government is an oversimplification. That logic would in simple terms indicate that blacks vote for blacks and whites vote for whites. On the national level it is apparent that logic is only true in certain degrees. In Tunica County, however, it is generally true that voting is almost first and foremost along racial lines rather than party or ideological lines or even along the lines of which candidate would actually be best for the job. What the dichotomous representation reflects in Tunica is two-fold: 1) a lack of reconciliation, trust, and respect among the races and 2) de facto residential segregation.

As indicated, racial demographics help to explain the political power polarization. The town of Tunica as primarily white has almost complete white representation. The sole black representative serves Ward 5 of the town. Ward 5 is drawn to primarily include the portion of the town formerly known as Sugar Ditch, which remains primarily black and contains several housing projects that were build after national outrage in the 1980s

¹²² 2010 Census Data, <http://quickfacts.census.gov/qfd/states/28/28143.html>, accessed July 26, 2013

¹²³ 2010 Census Date, <http://ardownload.placesofusa.com/mississippi/tunica-town/>, accessed July 26, 2013.

after Sugar Ditch was exposed as a black slum with raw sewage running through it. The town of Tunica also reveals, however, a degree of residential segregation. The degree of racial segregation becomes more shocking when compared with North Tunica.

North Tunica is a census-designated place that directly borders the incorporated town of Tunica. North Tunica is separated from the town by a large field that abruptly begins when the streets of the town dead-end at a line of trees marking the beginning of the field. North Tunica and Tunica are only connected by Highway 61. Ironically, North Tunica is of a slightly larger population than the town with 1,039 residents as of 2010.¹²⁴ The population is 95.36% black and 4.35% white.¹²⁵ Both these communities are of a similar geographic size and stand directly side by side but the demographic data shows extreme polarity. Clearly de facto residential segregation exists in 2013.

Evidence of racial separation is obviously apparent in two of the main components of a community fabric and exists in other aspects of community life such as church attendance. Nevertheless, more important is the degree of racial separation apparent in education in Tunica County today. To put it most simply, when whites left the public school system in 1970 they never returned. The private school became the primary institution through which Tunica's white children were educated. If parents did not send their children to TIL they either sent them to private schools in Memphis, Clarksdale, or occasionally to boarding schools. In 2012, the demographic makeup of those enrolled in the Tunica County School District were as follows: 97% African-

¹²⁴ Ibid.

¹²⁵ Ibid.

American, 1.3% white, and 1.1% Hispanic.¹²⁶ These statistics stunningly highlight that whites simply do not send their children to Tunica's public schools to this day. The private TIL remained all-white until 2001 when the first black child enrolled as a fourth grade student. In 2009, the renamed Tunica Academy graduated its first black student. TIL contained nondiscrimination policies in its handbooks at least as early as 1990.¹²⁷ Yet it remained all-white into the 21 century. The school is now integrated, albeit at a low percentage, particularly in consideration of the demographics of the county.

Nevertheless, black students are increasingly enrolling in the private school while whites are most certainly not enrolling in the public school. Arguably, though, race may play less of a factor in explaining the lack of white enrollment in the public schools than the quality of education. White parents do have an attitude that they could not possibly be expected or even justify their children in the public schools when their child would likely be the only white child in the entire grade. But in terms of quality the public schools clearly also have no appeal. Rosa Fort High School, for example, has never ranked above underperforming since the advent of the No Child Left Behind Report Card of Assessment and Accountability.¹²⁸ Additionally, since 1990 it has been taken over by the state on two separate occasions. Whether the lack of white enrollment is based on race or educational quality – and it is likely based on both – a conundrum is apparent. Actual integration and the education of Tunica's youth both black and white as one community appears unlikely

¹²⁶ Tunica County School demographics, <http://febp.newamerica.net/k12/MS/2804290#Demographics>, accessed on August 2, 2013.

¹²⁷ Ibid.

¹²⁸ Ibid.

to occur unless the public schools begin performing significantly better and not until the public schools are “less black,” which is where the conundrum exists.

The way in which local whites remember desegregation and then link it to present-day Tunica illuminates several problems. Understanding how it is remembered and viewed reveals the key problem in local race relations today. The most outward expression of memory of desegregation is at The Tunica Museum. The museum contains a lengthy exhibit that traces the history of Tunica County from past to present. Incorporated within the exhibit are histories and interpretations of Jim Crow, the Civil Rights Movement, and education in Tunica County. Several panels are devoted to the desegregation process. The panels characterize the 1970 immediate desegregation order as an example of “irony” because the schools were already integrated under freedom of choice.¹²⁹ Further, it states that though court order’s “stated aim was to desegregate Tunica County schools, the result was almost totally to segregate the schools into black and white, a situation that continues to exist.”¹³⁰ It then goes on to state that the immediate desegregation order changed Tunica County schools forever, “to no one’s liking.”¹³¹ The panels then go on to remark that because of the order that hardship fell upon the white students, in addition to the “many black students” who had chosen to enroll in the former all-white public schools and that they now faced a “dismal future” as they were back in the Rosa Fort classrooms they had “sought to avoid” by choosing to go to the formerly white public schools.¹³² For context, it’s important to note that Rosa Fort was a black school while whites went to Tunica County High School. Under Judge

¹²⁹ “Education in Tunica County Exhibit.”

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² *Ibid.*

Keady's new order the Rosa Fort campus would house all high school students while Tunica County High would house the junior high students, hence why black students who left for Tunica County High found themselves back at Rosa Fort, which serves to this day as the county's sole high school.

As Museum Director Richard Taylor stated, "desegregation caused segregation."¹³³ The most pervasive white narrative in Tunica is essentially the same as illustrated by the museums. Court-ordered desegregation is viewed as the cause of de facto segregation. That fact is then pointed to as the reason for the unsatisfactory state of the public schools today. The other competing white understanding of why the schools are segregated today is not an understanding. It is just an acceptance and observance that blacks go the public school and whites go to the private school without much consideration for *why*.

Remembering desegregation in this manner is incorrect. It is akin to what school board attorney John Dulaney wrote in his brief filed in 1969 when the courts disapproved freedom of choice as a viable option. He argued that freedom of choice was the only option because if freedom of choice was not an option that whites would leave when integration occurred. Essentially true integration should not be ordered by the courts because it would result in segregation regardless. He also argued that "the objective of the U.S. Supreme Court decisions is to give the Negro the chance to go to school with white children. If we stay on the present course, we must know, and this record shows without dispute, that we are about to deprive the Negro of

¹³³ "Interview with Richard Taylor."

this supposed advantage in Tunica County, Mississippi.”¹³⁴ His first statement is misguided as the purpose of desegregation was not just to let black children go to school with white children. The purpose was to integrate schools to allow black children equality in education. His statement highlights local whites complete disregard for what integration meant for black Americans. This mirrors local white memory of desegregation because that memory does not consider two things. Firstly, it does not consider that regardless of any problems in education today that the black children of Tunica County have much better education and much greater capacity to realize the full potential of their beings. Secondly, it fails to indict the conscious choice that whites made. If whites knew the outcome of integration would be de facto segregation and then argued against integration because of that fact then why did they not make a conscious choice to stay in the public schools? Instead they made a conscious choice to leave. An argument expressing concern that integration would result in segregation is illogical.

The legacy of desegregation is still very much a part of Tunica County. In a community that still faces major issues having a community of two, rather than a community of one, is an impediment to future progress. The state of education in Tunica County with private and public education split along racial lines only reinforces the split of the community. Education is an important key to success and progress but schools are the backbone of a community. If Tunica will not educate its white children alongside its black children then there will remain a divisive split that will prevent the community from uniting as one.

¹³⁴ Appellant’s Brief, Petition for Writ of Certiorari, U.S. District Court for Northern Mississippi, Delta Division, *United States v. Tunica County School District*, obtained from National Archives Atlanta, in author’s possession