

## COMMENTARY / CULTURE

**Leonard Pitts Jr.: What Do the Book Banners & Burners Fear?**

Terry Howard

Let's pick up where we left off with "Breaking the cycle of racial conditioning," part one, by working the iceberg in a racial context.

Above the waterline we see indications of gender and race—Asian, African American, white, Latinx, etc. We also see physical characteristics — skin color, weight, hair style, etc., and hear accents and languages. Now on one hand people are treated differently based on any or all of those characteristics, i.e., reactions to their accent (Southern, Boston, New York, British, etc.). On the other people sometimes unfairly stereotype other people based on those characteristics.

But what we do not see are those characteristics below the surface. For example, we do not see a person's exact age, life experiences, sexual orientation, faith, values, political affiliation, economic status, invisible disabilities, etc., unless they communicate that to us.

My point is that because of what's below the surface, we don't see our commonalities and mutual interests given the blinders that race in America has straddled us with, the stuff that divides rather than unites us. What happens is "protective hesitation" when matters of race come up. So often we don't talk about race for fear of not knowing how to about race. And we can say the same thing about other thorny issues.

Which brings me to an experience that occurred years ago, one that I remember as if it happened yesterday.

You see, I was asked to attend a workshop for twenty-five white male managers, most of whom I'd known for quite some time, to help increase their awareness of "diversity," racial diversity in particular. But because of a traffic jam, I arrived 15 minutes after the session started.

Now as I approached the room where the workshop was taking place, I heard lots of chatter and laughing by the men inside. But as soon as I walked in, things came to a halt, a surprise to me since I'd been in meetings with these guys many times over the years.

Aha, I quickly surmised that the combination of the workshop's focus on race and my presence as the only Black person in the room may have been underlying

factors at play. But I still was not sure and decided to break the impasse.

"Okay guys, would you be more comfortable talking about these issues without me in the room?" After a short uncomfortable pause, the group's leader broke the silence with, "Of course not Terry, we want you here." Others in the room nodded in what felt to me like contrived agreement.

Okay, let's fast-forward to years later when as a white college student, Phyllis Unterschuetz, co-author of "Longing Stories of Racial Healing," found herself in a dormitory room with a group of African American women when a heated discussion of "Black power" came up.

"I asked if they would be more comfortable if I left the room?" One of the girls said, "No, of course not. Stay right where you are. We don't see you as white anyway." "Said Phyllis, "I really didn't know what she meant by that, but it made me feel good, included and safe."

Humm, given my interest in flipping the script for teachable moments, I shared this scenario with three Black women, but with an added twist. "If you found yourself as the only African American in a roomful of whites and offered to excuse yourself when debates about race came

up, how would you respond if one said, "no, please stay because we don't see you as Black anyway?"

"I'd damn sure not feel good, included and safe," said one.

"Hey, that's happened to me many times before and here I am years later still angered by it," said another.

Said another with a laugh, "Terry, this reminds me of one of those "some of my best friends are Black" moments. Years ago, 'compliments' like these would have upset me, but since then I've learned to set aside their impact on me and consider their intent. These are teachable moments, especially when I know that often people have a good heart and do not mean to offend when they say these things."

Now given the completely different responses to the "we don't see you" comment, as a white person reading this, how would you explain those two different responses to another white person? And if you are a person of color reading this, how would you explain those two different responses to another person of color?

Now (smile!) while you may be grappling with those questions, let's step back to our iceberg and go below the surface, shall we?

Along the journey you'll pass other identities that comprise individuals. Look for points of commonality. Seize opportunities to learn about those identities that are suddenly visible. Like grapes on a vine, they're there for the taking. Once there, fears and apprehensions will melt away, trust increases, mutual exploration begins and, over time, conditions become ripe for exploring the possibilities for breaking down racial and other barriers.



As American novelist William Faulkner once wrote, "You move a mountain one

stone at a time." Similarly, to break the cycle of racial conditioning, you do so one relationship at a time.... one trip below the surface of the iceberg at a time.

I'll leave you with this point to ponder: The best time to develop a relationship with someone different from you is not when you need to...but when you don't!

Enjoy the ride.

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**Court: from front**

rested in a simple thing: What benefits academically are there to your definition or the diversity that you're asserting."

In sharp contrast, liberal Justice Sonia Sotomayor reminded the court that diversity was deemed an issue of national importance in previous rulings and that without such programs, the number of historically disadvantaged applicants decreases substantially.

"What we know," Sotomayor said about the nine states who have tried dropping affirmative action programs, "in each of them, white admissions have either remained the same or increased. And clearly, in some institutions, the numbers for underrepresented groups has fallen dramatically, correct?"

**The US military experience**

In my view as a scholar of the history of affirmative action, the military officers make the case that diversity is a matter of life and death.

The officers argued in their brief that barring universities from taking race into account in admissions risks sowing "internal resentment, discord, and violence" in an era when "diversity is imperative to our military's dealings with international allies and complex global challenges."

In addition, the military leaders argued that overturning affirmative action would damage the extremely successful talent pipeline that the officer corps has set up directly through military academies and indirectly through the university-based ROTC programs.



A wounded soldier is carried by members of the 1st Cavalry Division near the Cambodian border during the Vietnam War. Bettmann/Getty Images

This is not the first time former military officials have weighed in on affirmative action. They did so in the 2003 case against the affirmative action program at the University of Michigan in Grutter vs. Bollinger.

"The importance of maintaining a diverse, highly qualified officer corps has been beyond legitimate dispute for decades," the military officials wrote.

Indeed, in 1962, when U.S. involvement was starting to grow in Vietnam, Black commissioned officers represented only 1.6% of the officers corps. Military academies remained virtually segregated, with Black people making up less than 1% of enrollees. As a result, the number of Black officers didn't grow much.

Over the next five years, the number of Black soldiers fighting and dying on the front lines grew to about 25%. Racial ten-

sions between white and Black soldiers led to at least 300 fights in a two-year-period that resulted in 71 deaths.

Fueling those fights was the belief among Black soldiers that the largely white officers didn't care about their lives.

The lack of diversity, the military leaders wrote in their brief, "led to a complete breakdown in understanding between minority enlisted service members and the white officers who led them."

In what they described as "a painful chapter," military officials said the Vietnam War "brought home the importance of cultivating diversity across all levels of leadership."

It also began the military's use of affirmative action, including race-conscious admissions policies at service academies and in ROTC programs.

**Conservative target for decades**

In their lawsuits now in the Supreme Court against Harvard and the University of North Carolina, the anti-affirmative action organization Students for Fair Admissions argued that the schools' race-conscious admissions process was unconstitutional and discriminated against high-achieving Asian American students in favor of traditionally underrepresented Blacks and Hispanics.

These cases mark the second time the Students for Fair Admissions and its founder, Edward Blum, a conservative

activist who has raised millions of dollars from right-wing donors, have reached the Supreme Court in their efforts to dismantle affirmative action.

In 2016, they challenged the University of Texas on behalf of white and Asian students, but lost. That didn't stop Blum from filing the latest challenges before the Supreme Court — all in the effort to eliminate the use of race in college admissions.

In an October 2022 interview, Blum said he believes that diversity on campus is a good thing, but "there is a way to go about doing this without putting a thumb on the scale."

Given the conservative 6-3 majority on the Supreme Court and its controversial ruling that overturned the landmark 1973 abortion decision in Roe v. Wade, it does not appear likely that affirmative action as it's known will survive, despite decades of rulings that protected the use of race as an admissions criteria.

In 2007, for instance, Chief Justice Roberts wrote in a school busing case that "the way to stop discrimination on the basis of race is to stop discriminating on the basis of race."

Forms of that argument have been around since the 1970s, when a legal challenge reached the Supreme Court in Regents of the University of California v. Bakke.

In that 1978 case, Allan Bakke, a white man, had been denied admission to University of California at Davis' medical school. Though ruling that a separate

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**This Week in African American History****Macon Bolling Allen, First Black Attorney**

Macon Bolling Allen (1816–1894) was not only the first African American licensed to practice law in the U.S., but he was also the first to hold a judicial post.

Allen was born A. Macon Bolling in 1816 in Indiana. As a free African American, Allen learned to read and write. As a young adult, he gained employment as a schoolteacher.

During the 1840s, Allen moved to Portland, Maine. Although it is unclear why Allen moved to Maine, historians believe it may have been because it was an anti-slavery state. While in Portland, he changed his name to Macon Bolling Allen. Employed by General Samuel Fessenden (an abolitionist and lawyer) Allen worked as a clerk and studied law. Fessenden encouraged Allen to pursue a license to practice law because anyone could be admitted to the Maine Bar association if they were considered to have good character.

However, Allen was initially rejected. He was not considered a citizen because he was African American. Allen then decided to take the bar examination to bypass his lack of citizenship.

On July 3, 1844, Allen passed the exam and became licensed to practice law. Yet, despite earning the right to practice law, Allen was unable to find much work as an attorney for two reasons. One, many white people were not willing to hire a Black attorney and two, there were very few African Americans living in Maine.

By 1845, Allen moved to Boston. Allen opened an office with Robert Morris, Sr. Their office became the first African American law office in the U.S.

Although Allen was able to make a modest income in Boston, racism and discrimination were still present and prevented him from being successful. As a result, Allen took an exam to become a Justice of the Peace for Middlesex County in Massachusetts. He became the first African American person to hold a judicial position in the U.S.

Allen decided to relocate to Charleston following the Civil War. Once settled, Allen opened a law office with two other African American attorneys, William J. Whipper and Robert Brown.

The passing of the Fifteenth Amend-

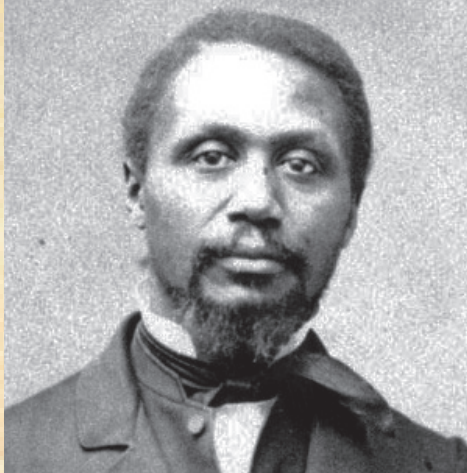
ment inspired Allen to become involved in politics and he became active in the Republican Party.

By 1873, Allen was appointed a judge on the Inferior Court of Charleston. The following year, he was elected as a probate judge for Charleston County in South Carolina.

Following the Reconstruction period in the South, Allen relocated to Washington, D.C. and worked as a lawyer for the Land and Improvement Association.

After becoming licensed to practice law in Boston, Allen caught the attention of abolitionists, such as William Lloyd Garrison. Allen attended an anti-slavery convention in May 1846 in Boston. At the convention, a petition was passed around in opposition to involvement in the Mexican War. However, Allen did not sign the petition, arguing that he was supposed to defend the U.S. Constitution. This argument was made public in a letter written by Allen that was published in The Liberator. However, Allen ended his letter arguing that he still adamantly opposed enslavement.

Very little is known about Allen's



family in Indiana. However, once moving to Boston, Allen met and married his wife, Hannah. The couple had five sons: John, born in 1852; Edward, born in 1856; Charles, born in 1861; Arthur, born in 1868; and Macon B. Jr., born in 1872. According to U.S. Census records, all of Allen's sons worked as schoolteachers.

Allen died on October 10, 1894, in Washington D.C. He was survived by his wife and one son.



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