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Crashing the Hedges: The Road to the Integration of the University of Georgia

Grace London

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When Charlayne Hunter arrived on the University of Georgia's campus on January 9, 1961, a hostile but not overtly violent crowd greeted her. While Hunter's situation was not ideal, in no way did it compare to the animosity and even brutality that other African American students had experienced trying to integrate into other segregated universities in the Southeast. In her autobiography, *In My Place*, Hunter-Gault describes only one obstruction to her registration process, and unlike the case of other African American students before her, this obstruction was not a result of antics from crowds thronging the university's campus or from any irate university or state officials. Hunter's barrier to registration came when Federal Judge William A. Bootle halted her registration process to allow time for the University of Georgia to appeal his earlier mandate that Hunter be admitted to the university. Fortunately for Hunter, another federal judge overruled Bootle's decision, and this obstruction was overcome quickly and peacefully. Many other African Americans trying to integrate segregated universities were not as fortunate as Charlayne Hunter and had to over-

come many other barriers to achieve integration.¹

Because of the difficulty and violence involved in their integration, students such as Autherine Lucy are better known than Charlayne Hunter-Gault. While Lucy's first day at the University of Alabama was uneventful and she was able to attend class without disruption, Lucy was attacked by a mob of students a few days later and was escorted off campus by the Alabama state patrol for her own safety. Later, Lucy was suspended from the university for her own protection and then expelled because of her attorneys' accusations that University of Alabama officials had conspired with that mob that attacked Lucy.² Lucy's experience integrating the University of Alabama was characterized by violent obstructions rather than the procedural obstructions used to keep Charlayne Hunter out of the University of Georgia. While Hunter faced some violence in her first days at UGA, she was generally able to continue her education peacefully and graduated in 1963. While cases such as Autherine Lucy's are more famous because of the violent reactions to her admittance to the University of Alabama and typify the conversation of school integration, Charlayne Hunter's experience demonstrates the true barriers that stood in the way of integration. Violent mobs could be quelled, but legal and administrative obstructions were not overcome quite as easily and often involved months of appeals to various levels of state and federal jurisdiction. Hunter's experi-

1 Charlayne Hunter-Gault, *In My Place* (New York: Random House Publishers, 1992), 172-175.

2 Diane McWhorter, "The Day Autherine Lucy Dared to Integrate the University of Alabama," *The Journal of Blacks in Higher Education*, No. 32 (Summer 2001), 100-101, <http://www.jstor.org/stable/2678792>.

The Corinthian: The Journal of Student Research at Georgia College ence combined with that of Hamilton Holmes, the other African American student involved in integrating the University of Georgia, stands as a perfect example of the various procedural obstructions that stood in the way of African American students, who wanted to enter segregated universities in the Southeast.

In 1957, Harper & Row published *With All Deliberate Speed*, a book of essays documenting the effects of *Brown v. Board of Education* throughout the school and university systems of the United States. In the essays, 'Law of the Land' and 'The Deep South,' Robert A. Leflar and W.D. Workman Jr. mention certain procedural barriers school systems put up to maintain their segregated status. While this book was published three years before the integration of the University of Georgia, the strategies discussed in *All Deliberate Speed* mirror those used by UGA as well as the University System of Georgia's Board of Regents to block Horace Ward's entry into UGA's law school and to stall Charlayne Hunter and Hamilton Holmes's admission to the university as undergraduates. Though Ward, Hunter, and Holmes eventually overcame these impediments, the creation of certain admissions barriers were made in response to Ward's efforts to matriculate at UGA as well as to *Brown v. Board of Education*. Therefore, Ward's attempt to integrate the University of Georgia was different from Holmes and Hunter's attempts because of the University of Georgia's evolution in strategies to delay the integration process.

Ward v. Board of Regents: The Initial Effort to Integrate the University of Georgia

Soon after applying to the University of Georgia's School of Law, Horace Ward faced the first barrier in his efforts to enroll at a completely segregated university. Like other African Americans before him who had applied to a segregated university, Ward was offered state funds to attend an out of state law school so as to maintain the University System of Georgia's segregated status. Instead of accepting the funds, Ward rejected the state of Georgia's offer and asked that his application be considered solely on its academic worth. Ward understood the University System of Georgia's offer of a scholarship to attend an out of state law school meant his academic eligibility had not been considered through a "color-blind" lens, but that his race had been the only criteria that seemed to matter on his application. Ward's request for an unbiased evaluation was met with another barrier: the University System's Board of Regents insisted they needed to discuss Ward's situation before they could allow his application to be accepted. After months of deliberation, the Board of Regents moved that Ward's application for admission to the University of Georgia's School of Law be denied.

Stalling tactics continued when Ward appealed his rejection to the University System of Georgia's Chancellor, Harmon Caldwell, who claimed it was not within his jurisdiction to admit Ward to the University of Georgia. When Ward appealed his case to UGA's president, O.C. Aderhold, claiming his application had been illegally rejected because of his race, Aderhold appointed a committee to study Ward's situation and to give the final decision on whether Ward should be admitted to the university or not. The committee also deliberated for months and on September 8, 1951, they called Ward in for a personal

The Corinthian: The Journal of Student Research at Georgia College interview, a procedure that was not yet part of the admissions process. After the interview, the committee moved to reject Ward's application but did not formally reject it. Once Ward received the Board of Regent's tentative rejection, he appealed to Caldwell again, claiming the Board of Regents had moved to reject his application because of his race. Caldwell responded to Ward's appeal by indicating Ward would have to provide proof of such illegal discrimination.

Instead of supplying evidence of illegal discrimination, Ward appealed to the University System of Georgia's Board of Regents, an action that backfired and resulted in a series of new admissions requirements for entry into UGA's School of Law. When Ward first submitted his application to UGA's law school, the only requirement for admission was a Bachelor's degree from an accredited institution. Since his application submission in 1950, the Board of Regents, under the pressure of the Georgia Bar Association, decided to reform the law school's admissions procedures to make them congruent with those of other law schools in the United States. The new admissions standards stated that to be considered for admission into UGA's law school applicants had to pass several university administered tests, provide character references and recommendations letters from law school alumni, and obtain approval for their application from the Superior Court Judge in the area of their residence. These new admissions requirements would apply to any new applicants to UGA's law school as well as any continuing applications such as Ward's application.³

3 Thomas, Dyer, *The University of Georgia: A Bicentennial History: 1785-1985* (Athens: University of Georgia Press), 303-306.

Due to the obvious opposition to Ward's entry to the University of Georgia's School of Law, certain conditions were specifically implemented with the purpose of preventing integration. Both the character reference requirement and the recommendation letters requirement would have been nearly impossible for Ward to obtain because of the general attitudes of southern white people toward African Americans during this time. W.D. Workman's essay, "Deep South" deliberates on this attitude by naming five perceived differences between African Americans and whites that made white parents hesitant to support the integration of schools and universities. The specific reasons fall under the categories of health, home environment, marital habits, crime, and intellectual development, but a broad theme runs through all of them; all categories differentiate white people and African Americans by subscribing a higher moral code to white people. Such general distrust in African American morality would have created doubts in regards to Ward's moral code or any African American who could have written him a recommendation letter or given character reference.⁴

Ward's Difficulties: Foreshadowing Future Obstructions to UGA's Integration

On June 23, 1952, Ward's attorneys, Thurgood Marshall, Robert L. Carter, and D.L. Hollowell, filed suit in federal court, arguing Ward's application had been re-

4 Workman, W.D., "The Deep South," in *With All Deliberate Speed: Southern Education Reporting Service*, ed. Don Shoemaker (Westport: Negro Universities Press, 1957).

The Corinthian: The Journal of Student Research at Georgia College rejected because of his race. Initially, federal judge, Frank A. Hooper, dismissed this petition because Ward had not exhausted full administrative remedy. Hooper indicated that to exhaust full administrative remedy, the University System of Georgia's Board of Regents needed to formally act on Ward's application. Under pressure from the courts, the Board of Regents officially rejected Ward's application on the grounds that he did not meet UGA's School of Law's standards academically and morally. Ward and his attorneys would not take further action to repeal this rejection until Ward's return from military service.⁵

Ward's military service postponed the court date for *Ward v. Regents of University System of Georgia* until December 17, 1956. The case revealed specific reasons behind the University System of Georgia's Board of Regents' rejection of Ward's application, elaborating on the Board of Regents's academic and moral qualms to prove the Board of Regents possessed legitimate reasons to deny Ward admission. As revealed in court, the academic qualms about Ward's application came from the fact that the institutions Ward formerly attended, Morehouse College and Atlantic University, were not accredited by the Southern Association of Colleges; the University of Georgia's law school did not accept anyone without credits from an accredited institution. The moral qualms about Ward's application were less clear. Through use of Ward's interview with the University System's Board of Regents and Ward's personal finances, the university's lawyers tried to prove Ward did not meet UGA's character quali-

5 *Ward v. Regents of the University of Georgia et. Al.* 191. F. Supp. 491 (N.D. GA. 1957).

fications.⁶ They cited Ward’s interview with UGA’s Board of Regents in which they noted he was “evasive” and gave contradictory answers to their questions.⁷ The attorneys also questioned Ward’s character by proposing that Ward’s ability to attend law school meant he could have had corrective surgery sooner than he did thus making him eligible for military service much sooner than 1953. This proposition insinuated Ward had been avoiding military draft and might have cast a huge allegation on Ward’s character if he had not just served time in the military.

The ultimate barrier that would stop Ward from entering the University of Georgia was one of his own making. Ward’s matriculation at Northwestern University’s School of Law in 1956 precluded him from entering UGA’s School of Law as a first year student. When Ward admitted to his matriculation at Northwestern, Judge Hooper dismissed the case. If Ward wanted to continue to fight to enter UGA, he would have to apply as a transfer student and begin the admissions process again. As a transfer student, he would still be subject to the additional regulations that had been added to the admissions process since the inception of his application in 1950. In order to receive any aid from a court, Ward once again would be obligated to exhaust administrative remedy, a course of action that had not achieved much in his last application and resulted in endless stalling. At this point, Ward decided against restarting an application and remained at Northwestern University for his law school education.

In the intermediate years between the end of

6 Dyer, *The University of Georgia*, 306-312.

7 *Ward v. Regents of the University System of Georgia et. al.*

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Ward's battle to enter the University of Georgia's law school and the beginning of Charlayne Hunter and Hamilton Holmes's efforts to enter the university as undergraduates, several new barriers were erected in an attempt to stop the integration of any University System of Georgia school. Under pressure from Governor-elect Ernest Vandiver Jr., the Board of Regents of the University System of Georgia reassessed the general admissions requirements of all state of Georgia universities and decided to make the admissions process more stringent. The Board of Regents now required all applications for admissions to be filed twenty days before the start of term, for applicants to attend personal interviews for the assessment of their character, and for transfer students to pass a series of tests that would determine both their academic and moral fitness to attend a public university in the state of Georgia. Once in office, Governor Vandiver passed a law stating that anyone over the age of twenty-one could not be admitted to a Georgia public university as an undergraduate and anyone over the age of twenty-five could not be admitted to a public professional school. While these new regulations made the admissions process difficult for anyone to navigate, special compensation was often given for white students who might not have exactly fulfilled all these requirements. If African American students such as Charlayne Hunter and Hamilton Holmes wanted to enter a traditionally white university, they were left to navigate the newly complicated process without any university guidance and definitely without university support.

Holmes v. Danner: The Second Attempt to Integrate UGA

In the summer of 1959, Charlayne Hunter and Hamilton Holmes applied to the University of Georgia. In their first rejection letters from the university, Walter N. Danner, the university's registrar, said they were rejected because the university did not have the capacity to house them at this time, and because Hunter and Holmes were applying for their freshman year, they would be required to live in UGA's residence halls. Danner also intimated that their applications could not be considered because they had turned them in after the deadline date of July 15, 1959 despite the original deadline being August 10, 1959. During fall and winter quarters of 1959, Hunter and Holmes attended two other colleges, Wayne State University and Morehouse College respectively. By attending these colleges, Hunter and Holmes could apply to the University of Georgia as transfer students and therefore avoid some of the complications involved with applying as a freshman, so both students renewed their applications for the subsequent quarters, expressing their desire to transfer from their current institutions. Still claiming they did not have sufficient facilities (dormitories, class room, and dining halls) to accommodate the number of students applying for admission, UGA developed a system for classifying transfer students that worked to Hunter and Holmes's disadvantage. With the new classification system, both students were identified as students who did not need to transfer to continue their academic program. Therefore, the University of Georgia could easily justify admitting students from junior colleges that traditionally flowed into the university over two students who were at institutions that offered their intended degree.

The University of Georgia also claimed there would

The Corinthian: The Journal of Student Research at Georgia College be difficulties transferring Hunter and Holmes's credits from Wayne State University and Morehouse College because both institutions used the semester system unlike UGA, which used the quarter system. Holmes was particularly warned that his transcript and therefore credits might not be processed in time to be considered for admissions for the summer quarter of 1960. However, their transcripts both arrived in time to be processed for summer quarter of 1960, and UGA had to find a new reason to delay the integration process. Therefore, Holmes's application was rejected because Morehouse College did not include a statement that explicitly stated that he was in good academic standing. Hunter's application was rejected because she had not filed a formal request to renew her application for this particular quarter.⁸

After their rejection for the summer quarter of 1960, Holmes and Hunter appealed to the Chancellor of the University of Georgia and then to University System's Board of Regents, saying they had been rejected on basis of race rather than for the formally stated reasons. Hunter and Holmes understood that their efforts would be fruitless from Horace Ward's own experience appealing to the Chancellor and the Board of Regents, but they appealed all the same so if they took their case to court, they could claim they had fully exhausted administrative remedy. As they had done with Ward, the Chancellor and the Board of Regents stalled in giving Hunter and Holmes a formal answer, so their attorneys took their case before federal judge, William A. Bootle. However, during a preliminary hearing, Judge Bootle ruled that because Hunter and Holmes had not received a formal answer

8 Dyer, *The University of Georgia*, 323-326.

from the Board of Regents, they had not exhausted full administrative remedy and would need a formal rejection from the Board of Regents to continue their case in full trial. Acknowledging that in the past the Board of Regents had taken long periods of time to make such decisions, Bootle ordered the Board of Regents to deliver a decision to Hunter and Holmes within thirty days and effectively ceased any stalling tactics.⁹

During the thirty days decision period, the University System of the state of Georgia's Board of Regents asked Hunter and Holmes to come to UGA for personal interviews. These interviews became the basis for UGA's formal rejection of Holmes, who was described as shifty and incapable of not giving straight answers. This description, which was similar to the one given about Horace Ward after his personal interview indicated UGA's intentions to reject Holmes's application on the basis of their perception of his lack of moral qualities. However, Holmes's interview lost validity when compared to Hunter's interview, which was conducted in a less hostile environment. Her interviewers did not purposely try to find a moral reason to disqualify her from attending UGA but instead relied on the same excuse that the university had limited facilities and had already reached the maximum enrollment.¹⁰

With these formal rejections, Hunter and Holmes's attorneys were able to take the students' case to full trial. At trial, the University of Georgia's attorneys argued that even by waiting on a formal verdict from the University System of Georgia's Board of Regents, Hunter and

9 *Holmes v. Danner*. 191. F. Supp. 385 (M.D. GA. 1960).

10 Dyer, *The University of Georgia*, 327-331.

Holmes had not exhausted full administrative remedy because they had failed to follow the proper procedure for appealing denials of admission. Hunter and Holmes's attorneys argued the students did not follow proper procedure because the administrative remedy would not have been adequate, and in the case of inadequate procedure, the parties affected by the procedure are not required to follow it. Adequacy was determined by whether or not the party making admission was free to make the decision without any pressure to consider factors beyond academic and character qualifications. The court found that because of the Appropriations Act of 1956, which would cut off the state of Georgia's funding to any university that integrated, effectively causing that institution to shut down, the University of Georgia's registrar, Danner had not been free to make decisions regarding Hunter and Holmes's admissions. Therefore, because of the Appropriations Acts of 1956, Danner had been forced to take into account Holmes and Hunter's race, Judge Bootle ruled that if both students had been white they would have been admitted to UGA and ordered they be admitted to the university for the following quarter.¹¹

While Horace Ward, Charlayne Hunter, and Hamilton Holmes did not face the same level of violence as other African American students who integrated segregated universities in the southeast, their integration is an important example of the typical procedural barriers that blocked many African Americans from attending segregated universities. Some universities, such as the University of Alabama, used violence to express their opposition to integration, but the University of Georgia

11 *Holmes v. Danner*. 191. Supp. 394 (M.D. GA. 1961).

adamantly used subtle procedures to stop the integration process. While the University of Alabama's integration is more infamous than the University of Georgia's integration because of the violence that ensued, the University of Georgia's integration demonstrates where the true battle for integration was fought. Courtrooms and judges were more influential in desegregation than a dissenting public because only they can dismantle the barriers and traps school administrations employed to impede desegregation. Horace Ward's first attempt to integrate the University of Georgia demonstrates the common obstructions set in place to stop integration. His failed attempt is significant because it allowed the University of Georgia the time and ability to prepare for more ambitious African American students' attempts to integrate the university. Charlayne Hunter and Hamilton Holmes's cases are important as they exhibit the policies set in place because of Ward and are the ultimate realization of Ward's desire to integrate the University of Georgia.

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