

Celebrating the 50th Anniversary of
**THE INTEGRATION OF THE UNIVERSITY OF FLORIDA
/CONSTITUTION DAY 2008**

WEDNESDAY, SEPTEMBER 17, 2008 10:00AM-1:00PM
CHESTERFIELD SMITH CEREMONIAL CLASSROOM

MILESTONES IN UNIVERSITY OF FLORIDA AFRICAN AMERICAN HISTORY

1905

1905 Buckman Act establishes Florida Agricultural College. Act specifies that UF "shall admit no person other than white male students."

1906-1919

1920

1920 S.D. McGill, an African-American attorney from Jacksonville writes the UF College of Law expressing interest in an extension course. McGill is referred instead to Florida A&M University.

1921-1945

1946

1946 Ulysses Kenisy and Elliott Robbins apply to UF Law School and are denied as per Florida law forbidding African American admissions.

1947

1946-1958 85 African American students apply to the University of Florida and are denied admission.

1948

1949

1949 Virgil Hawkins and William T. Lewis are denied admission to UF Law School. Several suits were then filed seeking to desegregate the University of Florida graduate schools, starting a nine-year legal battle.

1950-1953

1954

1954 Brown v. Board of Education decided by the U.S. Supreme Court ordering public schools desegregated "with all deliberate speed" by 1956. School segregation is ruled unconstitutional. In a companion decision to Brown the University of Florida is ordered to admit Virgil Hawkins. Florida resists the ruling. Virgil Hawkins brings his case before the Florida Supreme Court five times and the United States Supreme Court four times (and two times to the Federal District Court and one time to the Federal Appellate Court). Segregation in Florida continues well into the early seventies.

1955

1956

1957

1957 Florida Supreme Court upholds Virgil Hawkins' denial of admission to the Law School. Justice Stephen O'Connell, who later served as the university's president, concurs in the decision.

1958

1958 Hawkins withdraws his application to UF Law School in exchange for the desegregation of UF graduate and professional schools; he attends New England School of Law.

1959

George Starke is the first African American to be admitted to the UF Law School. He attends under police protection for the first few weeks and eventually withdraws after three semesters.

1960

1959 The College of Law celebrates its 50th anniversary.

1961

1962

1962 W. George Allen is the first African American to receive a degree from the UF Law School.

1963

The First African American undergraduates (seven students, including Stephan Mickle) register at UF.

1964

1965

1965 Stephan Mickle is the first African American to earn an undergraduate degree from UF (political science).

1966

Center for African Studies established at UF.

SCHEDULE OF EVENTS

Celebrating the 50th Anniversary of

THE INTEGRATION OF THE UNIVERSITY OF FLORIDA & CONSTITUTION DAY 2008

WEDNESDAY, SEPTEMBER 17, 2008 10:00AM-1:00PM
CHESTERFIELD SMITH CEREMONIAL CLASSROOM

- 10:00** Welcome and Introductions
Katheryn Russell-Brown
Professor of Law and Director of the Center for the Study of Race and Race Relations
Robert Jerry
Dean, Levin College of Law
Patricia Telles-Irvin
Vice President, Student Affairs
Pedro Malavet
Professor of Law and Chair, Planning Committee
- 10:10** Film Preview: *A Lawyer Made in Heaven*
- 10:25** The Life and Legacy of Virgil Hawkins
Harley Herman, Esq.
de Beaubien, Knight, Simmons, Mantzaris & Neal
- 10:35** Heroes in the Integration of Legal Education:
Remembering Those Who Walked With Mr. Hawkins
Robert Jerry
Dean, Levin College of Law
- 10:55** Break
- 11:05** Panel Discussion:
The Federal Constitutional Issues in Law School Desegregation
Kenneth Nunn
Professor of Law
Harley Herman, Esq.
de Beaubien, Knight, Simmons, Mantzaris & Neal
Juan Perea
Cone Wagner Nugent Johnson, Hazouri and Roth Professor of Law
Stephan P. Mickle
U.S. District Judge, U.S. District Court, Northern District of Florida
- 12:15** Remembering George H. Starke, Jr.
Michelle Jacobs
Professor of Law
- 12:25** Recognitions and Acknowledgements
Katheryn Russell-Brown
Professor of Law and Director of the Center for the Study of Race and Race Relations
Kassie Doyle
President, Law College Council
Demetrea Stewart
President, Black Law Students Association
- 12:35** Dedication and Closing
Robert Jerry
Dean, Levin College of Law

MILESTONES IN UNIVERSITY OF FLORIDA AFRICAN AMERICAN HISTORY

1970 Stephan Mickle is the second African American to graduate from UF Law School.
The Black Law Student Association (BLSA) is established at UF and named after W. George Allen.
Hazel Land becomes the first African American woman to enroll at the UF College of Law; she becomes the first African-American female graduate in 1973.
Dr. Henry Earl Cotman and Dr. Reuben Earl Brigetry become the first African-American graduates of the UF College of Medicine.
UF faculty and staff become integrated when seven African-Americans become faculty and one becomes an administrator: Thomas A. Wright (lecturer), Ronald C. Foreman (English), Alroy Chow (Medicine), Betty Ingram (English), Carleton G. Davis (Food Resource Economics), Elwyn Adams (Music), Byllye Avery (Nursing), and Roy Mitchell (Administrator).

1972 Stephan P. Mickle becomes the first African American to establish a law practice in Gainesville. He also joins the faculty of the College of Law as an assistant professor.
The Institute of Black Culture (IBC) at UF is established and dedicated.
Kappa Alpha Psi establishes the first historically African-American Greek-letter undergraduate fraternity chapter on UF campus.



1967 Stephen C. O'Connell becomes the sixth president of the University of Florida.
Evelyn Moore (Mickle) is the first African-American graduate of UF Nursing.

1968 Track athlete Johnnie Brown is the first African American at UF to compete in an intercollegiate sport.
The Black Student Union (BSU) is established at UF.

1969 Spencer Boyer is hired as a visiting professor and is the first African American to teach at UF law school. He leaves Gainesville abruptly after receiving threats.
Leonard George and Willie Jackson become the first African American football players signed at UF.
The African American Studies Program at UF begins.

1970

1971 African-American students stage a sit-in at President O'Connell's office to protest policies regarding minorities. Sixty-six students are suspended and arrested on O'Connell's orders.
"Black Thursday" protest: When O'Connell does not yield to BSU demands for amnesty for the suspended students, approximately one-third of UF's African-American students and several faculty members leave the university.
The Florida Congress investigates charges of racism at UF; AAUP censors and suspends membership of the University for violations of academic freedom.

1972

1973 Cynthia Mays is elected UF's first African-American Miss Homecoming.
An increase in the number of minorities at UF is made possible through the federally-funded Council on Legal Education Opportunity.

1974

1975

1976

1977 Virgil Hawkins is admitted to The Florida Bar and begins his law practice 27 years after he first applied for admission to UF Law School.

1978 Michael Moorehead begins tenure at Levin College of Law, first African-American full professor.

1979 Stephan P. Mickle becomes first African American Alachua County judge.

1980 The Black Honor Society, Beta Eta Sigma, is founded on UF campus.

1981

1982

1983

1984 The Office of Graduate Minority Programs at UF is established by the Graduate School.
Stephan P. Mickle becomes the first African-American circuit judge in the 8th Circuit.

1985 Virgil Hawkins is brought before The Florida Bar on ethics charges. Unable to afford a lawyer, he resigns from The Florida Bar.

1986 Pamela Bingham becomes the first African-American female elected UF Student Government president.

1987

THE VIRGIL HAWKINS STORY

In April 1949 Virgil D. Hawkins, a former faculty member of Bethune Cookman College, applied for admission to the University of Florida College of Law school. He was academically eligible and possessed appropriate life experience qualifications. However, the long road to achieving his goal of becoming a lawyer would force him to persevere for nine more years and overcome Florida's Jim Crow laws which racially segregated its state universities. His journey would eventually open the doors of Florida's public universities to African-Americans, although not to him.

In May of 1949, the University of Florida, through the Florida Board of Control (later Board of Regents), denied his admission (as well as five other African-American graduate school applicants) based solely upon race. Mr. Hawkins sought relief through the Florida Supreme Court. The Court acknowledged that he possessed "all the scholastic, moral and other qualifications except as to race and color" for admission (*State ex rel. Hawkins*, 47 So. 2d 608, 609 (Fla. 1950)). He did not prevail due to the Court's finding that under the Equal Protection Clause, Florida would pay for his legal education in a different state or Florida would build a law school for black students at Florida A & M University.

In 1954 the United States Supreme Court ordered the public schools desegregated "with all deliberate speed" by 1956 in *Brown v. Board of Education* and in a companion decision ordered the University of Florida to admit Virgil Hawkins. However, Virgil Hawkins was still not admitted to the University of Florida. Petitioning for his admission to the University of Florida College of Law, Mr. Hawkins eventually went before the Florida Supreme Court three times and the United States Supreme Court twice. After the U.S. Supreme Court ordered Florida to immediately enroll him in 1957, the Florida Supreme Court concluded that federal law could be superseded by state law in some instances (the now-discredited "interposition" doctrine). (Florida Supreme Court Oral Argument Press Summaries, see public information summaries, oral argument 5-99).

In 1958, Hawkins withdrew his application in exchange for a court order desegregating UF's graduate and professional schools. On September 15, 1958, George Starke was admitted to the College of Law, UF's first African-American law student. Mr. Hawkins' efforts to desegregate UF law school led the way for the desegregation of the entire State University System in Florida. In 1962, W. George Allen became the first African-American to graduate from the University of Florida College of Law.

Mr. Hawkins eventually received his J.D. 15 years after first applying to the University of Florida. Upon graduation he stated his goal was to offer legal assistance to "people, just barely making a living who don't qualify for legal aid, but still can't afford to hire an attorney." In 1976, he appeared before the Florida Board of Bar Examiners. His application to take The Florida Bar Examination had been denied because the Massachusetts law school from which he had graduated was not accredited by the American Bar Association, a formerly segregated organization. After a successful appeal, at the age of 70 Mr. Hawkins took his oath of office and became a member of The Florida Bar by special waiver.

After years of serving the poor and under-represented in Lake

County, Mr. Hawkins was brought before the Bar on ethics charges. At the time, some felt his advanced years and the lapse of time since his education led to errors in his professional judgment. Others would agree that his civil rights work and his historical involvement with Florida's desegregation did not help his cause. Unable to afford a lawyer and facing discipline,

Hawkins resigned from the Bar in 1985. Three years later, at age 81, Mr. Hawkins died. Soon thereafter, attorney Harley Herman, who had worked in the Civil Clinics with Professor Peters, petitioned for Mr. Hawkins' reinstatement (*The Florida Bar, In re Virgil Darnell Hawkins*, 532 So.2d 669 (Fla. 1988)).

Harley Herman, who had served as the Executive Director of the Virgil Hawkins Civil Rights Foundation, campaigned for more than a decade to publicly honor the Civil Rights pioneer. His dedication to Mr. Hawkins' cause has resulted in a number of successes in garnering attention and recognition of the importance of Mr. Hawkins' struggle. Virgil D. Hawkins' bar membership was posthumously reinstated by the Florida Supreme Court, making him a Florida attorney before the "Bar of Heaven." The action was credited as the world's first posthumous bar reinstatement. In 1989 Governor Bob Martinez signed into law a bill which named the UF's civil legal clinics in honor of Mr. Hawkins. Professor Don Peters, founder and 30-year director of the civil clinics, oversaw the naming of the clinics to the Virgil Darnell Hawkins Civil Legal Clinics. See also *The Florida Bar re: Virgil Darnell Hawkins*, Opinion No. 72,240 (filed October 20, 1988).

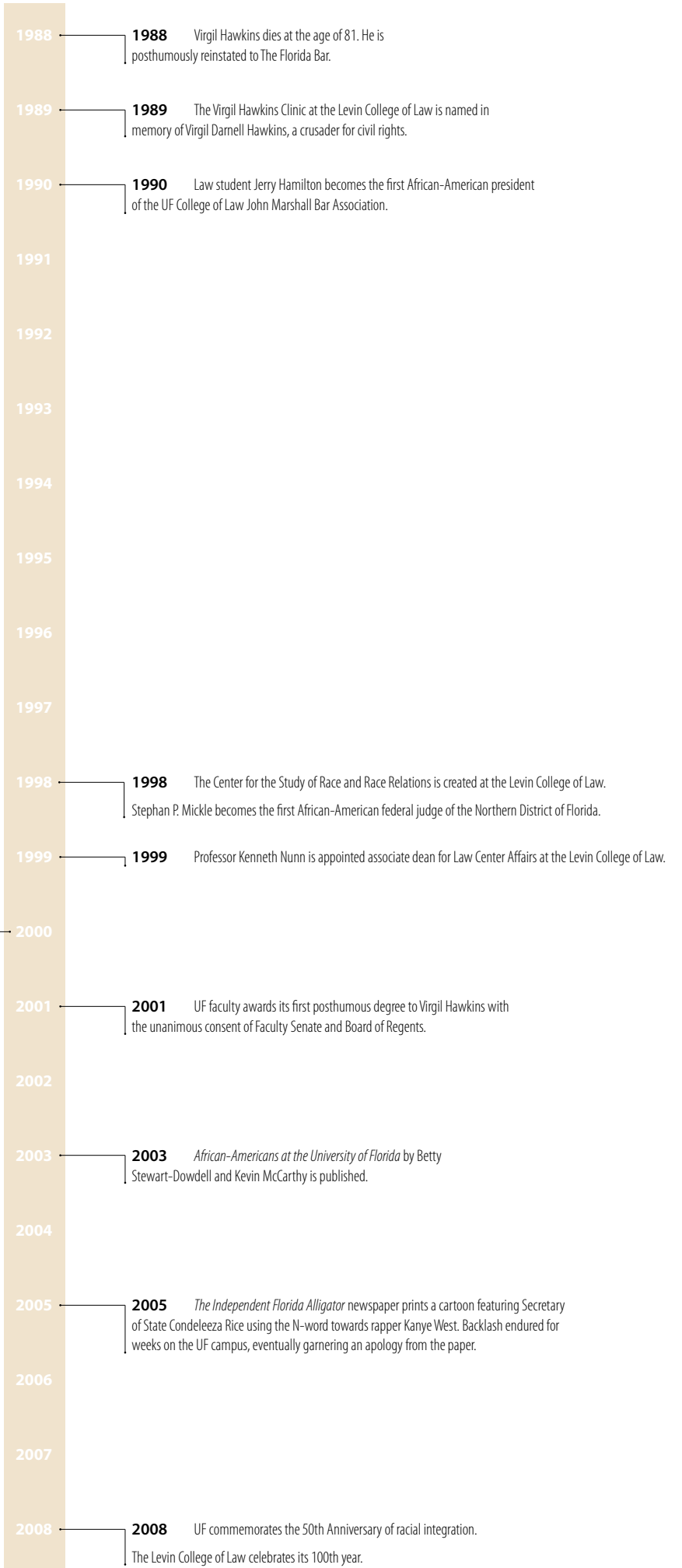
On May 25, 1999, the Florida Supreme Court sat in special ceremonial session in response to a request by Florida's NAACP chapters to publicly honor the 50th anniversary of one of its landmark cases: Florida's first desegregation lawsuit, *State ex rel. Hawkins*, 47 So. 2d 608, 609 (Fla. 1950). After viewing the documentary narrated by former Congresswoman Barbara Jordan covering in detail Virgil D. Hawkins' story, Major B. Harding, Florida's chief justice, looked squarely at the audience and said,

"Ladies and gentlemen, you have heard about a regrettable and poignant moment in the jurisprudential history of this Court. We must learn from the lessons taught . . . hatred and discrimination will not triumph."

In 2001, UF awarded its first posthumous honorary degree in its 150-year history to Mr. Hawkins, with the unanimous consent of the Faculty Senate and the Board of Regents.



MILESTONES IN UNIVERSITY OF FLORIDA AFRICAN AMERICAN HISTORY



THE UNIVERSITY OF FLORIDA CONSTITUTION DAY 2008:

A COMMEMORATION OF 50 YEARS ON THE PATH TO AN INTEGRATED UNIVERSITY

Fifty years ago, Virgil Hawkins entered into a consent decree that ended nine years of litigation to desegregate the student body of the University of Florida. On September 15, 1958, George H. Starke, Jr. enrolled in the University of Florida College of Law, becoming the first African-American student to enter the university. In 1962, W. George Allen became the first African-American to receive a degree from the UF College of Law. Mr. Hawkins, Mr. Starke, Mr. Allen, and the other students of color who followed them in subsequent years, demonstrated remarkable personal courage and persistence. Five decades later, upwards of 12,000 African American students have earned University of Florida degrees. Today, this university has a more diverse student body, one that more closely matches the populations of Florida and the nation. In the Fall of 2007, 51,725 students were enrolled at the University of Florida, including approximately 4,300 African-Americans, 6,000 Hispanics and 3,800 Asian-Americans.

Historical Background

The desegregation of the UF College of Law by a single African American student, George H. Starke, Jr., came at just about the halfway point in the College of Law's now almost centennial history. Mr. Starke's matriculation marked the end of extrajudicial and judicial steps to desegregate the University of Florida. African Americans applied for and were denied admission as early as 1946. In 1949, six African American students applied for admission to several graduate schools at the University of Florida, including the College of Law. On advice of their counsel, they applied for admission to programs that were not offered at the historically black Florida Agricultural and Mechanical College. Their applications were rejected by the University of Florida solely on the basis that they were not white. Mr. Hawkins and William T. Lewis were denied admission to the College of Law and —with the assistance of future Justice Thurgood Marshall and the NAACP Legal Defense Fund— they joined three other applicants in filing suits to end the racist exclusion rules intended to ensure an all-white student body.

The litigation involving the law school lasted nine years; it produced four opinions by the Supreme Court of the United States. Although federal courts ordered the State of Florida to admit Hawkins to the College of Law, the Florida courts and state executive officials engaged in additional delaying tactics. Mr. Hawkins, who was then the only remaining lead plaintiff in the case, chose to forgo his own opportunity to attend the University of Florida College of Law by entering into the consent decree that opened the door for Mr. Starke to matriculate in our student body and for Mr. Allen to become our first African American alumnus. Mr. Hawkins went on to graduate from New England School of Law in 1964 and became a member of The Florida Bar in 1977. During the coming year, we will remember and acknowledge the struggle as well as celebrate the courage of these and other "Firsts" who led us to the diverse institution that we are today.

References:

Harley S. Herman, *Anatomy Of A Bar Resignation: The Virgil Hawkins' Story: An Idealist Faces The Pragmatic Challenges Of The Practice Of Law*, 2 Florida Coastal Law Journal 77 (2000) <http://web.fcsl.edu/academics/journal/volumethree/Herman.htm>;

Center for the Study of Race and Race Relations, *Judge Stephan P. Mickle: Celebrating Ten Years on the Federal Bench* (2008).

John R. Dubin, *Virgil Hawkins: One-Man Civil Rights Movement*, 51 Fla. L. Rev. 913 (1999).

UNIVERSITY OF FLORIDA COMMEMORATING 50 YEARS OF INTEGRATION:

CELEBRATING THE FIRSTS

The end of racial segregation in the South is a defining moment in the nation's history. 2008 marks the 50th anniversary of this watershed event at the University of Florida. As UF reconfirms its commitment to diversity, faculty, staff and students will acknowledge and honor those who broke through racial barriers and struggled to make the University of Florida a more humane institution. Today, the University of Florida has more than 12,000 black alumni in the Gator Nation, making UF more reflective of the diversity of the state of Florida.

The theme for this year-long remembrance is "Celebrating the Firsts." During this year the University community will take time to reflect on a period in the University's history when prejudice and injustice compromised our mission to serve all the state's people. Commencing in February 2008, Black History Month, the University began a year of dedication that will culminate with a keystone event - Legends Ball Weekend - on February 6, 7, 8, 2009. For more information on this and other events, visit the 50th Anniversary website at <http://www.urel.ufl.edu/50/>

University of Florida 50th Anniversary Planning Committee:

J. Courtney Cunningham, Esq., UF Board of Trustee
(Honorary Co-Chairman)
Stephan P. Mickle, United States District Judge
(Honorary Co-Chairman)
Melissa Bamba, Assistant Director, Center for the Study of
Race & Race Relations, Levin College of Law
Michael Blachly, Director,
University of Florida Performing Arts Center
Florida Bridgewater-Alford, Director, Community Relations
(facilitating chairman)
Joel Buchanan, Archivist, African American history,
Smathers Library
Cynthia Moore Chestnut, Director,
Shands Eastside Community Relations &
Educational Coordination & Alachua County Commissioner

Anthony Crenshaw, Director, Institute of Black Culture,
Assistant Director of Multicultural and Diversity Affairs
Susan Crowley,
Assistant Vice President for Community Relations
Faye V. Harrison, Director, African American Studies Program
Joint Professor of African American Studies & Anthropology
Virginia Horton, Assistant Director of Club Relations and
Special Interest Groups, Alumni Association
Linda Jackson, President, Association of Black Alumni
Katie Marquis, Director of Membership and Marketing,
Alumni Association
Evelyn Mickle, Retired Nurse and first African American
graduate of the College of Nursing
Susan Stewart, Associate Director of Public Relations
Carl Van Ness, UF Historian
Larnell Vickers, Vice President, Black Student Union

THE CENTER FOR THE STUDY OF RACE AND RACE RELATIONS

MISSION STATEMENT

The Center for the Study of Race and Race Relations (CSRRR) is committed to de-stigmatizing race in America. With the objective of fostering communities of dialogue, the Center embraces historically and empirically based thinking, talking, teaching and writing on race. To this end, the Center creates and supports programs designed to enhance race-related curriculum development for faculty, staff and students in collegiate and professional schools. Of the five U.S. law schools with race centers, the CSRRR is uniquely focused on curriculum development.

CONTACT INFORMATION

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VISION

The CSRRR is an academic research and resource center. The Center's mission will be met through the work of various groups engaged in a wide range of activities. This work includes:

- Producing, supporting and highlighting race-related scholarship within and beyond the UF community
- Gathering, analyzing and sharing historical and contemporary knowledge about race and race relations
- Developing and supporting—through teaching, research, writing and workshops—race-related curricula for collegiate and professional schools
- Fostering non-stigmatizing ways of discussing issues of race and ethnicity, including African Americans, Latino/as, American Indians, Asian Americans and Whites

Did we not include an important person or event? The Race History Project is an ongoing activity of the Center for the Study of Race and Race Relations. Email comments, additions and suggestions to Melissa Bamba at Bamba@law.ufl.edu.