

Remembering “Firsts” on the path to UF integration

By Pedro Malavet, professor of law

Constitution Day at the University of Florida, scheduled for Sept. 17, is dedicated to a remembrance of desegregation at UF. As the university enters its 50th year of desegregation, it is appropriate to reflect on the tremendous progress we’ve made towards the ultimate goal of racial integration.

The bitter Civil Rights struggle that first opened the doors of educational opportunity to people of color on this campus seems very far removed from modern experience — as do the individual struggles of the men and women who put themselves on the line to push those doors wide. Yet, we cannot possibly understand the significance of our current, diverse student body unless we remember and acknowledge the truly heroic individual struggle these men and women endured to achieve it.

Admission into the UF College of Law on Sept. 15, 1958 of a single African-American student, George Starke, came nearly a full 100 years into the university’s existence, and mid-point in the College of Law’s history. His matriculation marked the end of extrajudicial and judicial steps to desegregate the University of Florida, but it came at great personal cost to another African-American applicant, Virgil Hawkins.

In 1949, Virgil Hawkins was among six African-American students who applied for admission to several graduate schools at UF, including the College of Law. On the 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. 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 rejected UF applicants in filing suits to end the racist exclusion rules.

The litigation involving the law school lasted nine years; it produced four opinions by the Supreme Court of the United States. The state of Florida, through Florida Supreme Court rulings and other methods, repeatedly sought to maintain an all-white student body at the University of Florida; the state offered to and indeed created a “separate-but-equal” law school for blacks at FAMU. When federal courts rejected all attempts to enforce segregation and

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.

Finally, in 1958, Hawkins, who was by then the only remaining lead plaintiff in the case, abandoned his own aspirations to attend the College of Law by agreeing to drop his suit against the state — ending nine years of litigation — if the state would desegregate university admissions. On Sept. 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. In 1965, the Honorable Stephan Mickle, United District Judge in the Northern District of Florida, became the first African-American to earn an undergraduate degree from the university. Hawkins went on to graduate from New England School of Law in 1964 and became a member of The Florida Bar in 1977.

Hawkins, Starke, Allen, Mickle and the other men and women of color who followed them in subsequent years demonstrated remarkable personal courage and persistence. Five decades later, nearly 12,000 African-American students have earned UF degrees. Today, this university has a 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 UF, including approximately 4,300 African-Americans, 6,000 Hispanics and 3,800 Asian-Americans. The Levin College of Law was recently named one of the top 10 best law schools for Hispanic students by *Hispanic Business Magazine*.

To celebrate UF's diversity and its enormously positive effects on our community and society, UF will hold a series of events throughout the 2008-09 academic year entitled "Celebrating the Firsts." On Sept. 15, the university will remember George Starke's matriculation at the College of Law, which officially broke the absolute race barrier to admissions to the university. UF's Constitution Day program honoring Virgil Hawkins and his contributions to desegregation at UF is open to the public and will be held Sept. 17 at the Levin College of Law's Chesterfield Smith Ceremonial Classroom starting at 10:00 a.m.

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

become the diverse institution we are today. Remembering where we have been and how difficult it was to take those early first steps will help us understand where we are today.

Pedro A. Malavet is a University of Florida professor of law, with expertise in comparative law, civil procedure, evidence and critical race theory.