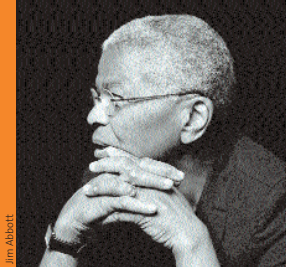




AFTER DECADES CRUSADING FOR CIVIL RIGHTS, MARY FRANCES BERRY  
REFLECTS ON HER PAST AND CONTEMPLATES THE ROAD AHEAD

# Still a Lot More to Do

I WAS WALKING DOWN THE STREET WITH MY TEACHER IN NASHVILLE THE DAY *BROWN V. BOARD OF EDUCATION* WAS DECIDED. I SAW THE HEADLINE IN THE NEWSPAPER AND I REMEMBER SAYING, “LOOK AT THIS! THIS IS GOING TO BE GREAT! STARTING NEXT YEAR THE KIDS WILL ALL BE GOING TO SCHOOL TOGETHER!” AND SHE LOOKED AT ME AND SAID, “I’M NOT SURE IT’S GOING TO HAPPEN QUITE NEXT YEAR.” —Mary Frances Berry in *I Dream a World* by Brian Lanker



Jim Abbott

BY JOSEPH MCLAUGHLIN

Mary Frances Berry has spent her life trying to uphold the promise of equality that began with *Brown v. Board of Education*. More than 50 years have passed since the landmark Supreme Court ruling outlawed segregated public schools and created fertile ground from which the civil rights movement could grow. Berry, the Geraldine R. Segal Professor of American Social Thought and professor of history, is one of the fruits of that flowering.

Berry experienced the poverty and racism that came with growing up black in segregation-era Tennessee. She recalls opening textbooks and reading the names of students from Nashville’s whites-only schools. Family hardship forced her and her older brother into an orphanage for a short while, where children survived on watered milk, rotten food laden with black pepper and scraps of meat from leftover bones.

“I never had any childhood, really,” she would later say. “But I’m not unhappy about my life. It’s sort of an upbeat message I give, not ‘Oh poor me. I didn’t get the right food when I was little, and I didn’t get to read any fairy stories.’”

If *Brown* opened the door for Berry to escape the hardships of her youth, it was she who strode through it. Heeding her mother’s advice to always be overqualified, she went to college during the day and worked in the afternoon and at night, earning a doctoral degree in history and a law degree, both from the University of Michigan.

Appointed chancellor of the University of Colorado at Boulder in 1976, Berry was the first African-American woman to head a major research university. She then accepted an invitation from President Jimmy Carter to join the Department of Health, Education and Welfare. As assistant secretary for education from 1977 to 1980, she was the first black woman to serve as a chief educational officer in the United States.

After helping pass landmark legislation that created the Department of Education, Berry confided to her mother that the stress of upholding her ideals was taking its toll. “Mama, I’m tired now. I think I’ve done enough,” she said. But her mother would hear none of it. “Oh, what are you going to do next? There’s still a lot more to do.”

Berry responded by accepting President Carter’s invitation to join the U.S. Commission on Civil Rights. Established during the Eisenhower administration, the commission was designed to investigate social-justice complaints, recommend changes to the federal government and monitor enforcement of the law. Berry soon earned a reputation as one of the most tenacious civil rights activists. Her tenure stretched nearly 25 years, ending last December, and was marked by myriad civil rights investigations and public clashes with Democratic and Republican presidents. A formidable one-woman force, she took on anyone she suspected of undermining the cause of equality or shifting the commission from its bi-partisan foundation.

“The commission is supposed to be a watchdog,” she explains. “It’s supposed to monitor what presidents do and tell the public when they don’t do what they’re supposed to do. If the commission believes that the administration’s policy on racial profiling isn’t strong enough, as it did with [President] Clinton, it’s up to the chair to say so.”

left: A founder of the Free South Africa Movement, Berry was arrested five times in 1984 and 1985 at protests outside the South African embassy in Washington, D.C.



JIM ABBOTT

“I decided to sue [President Reagan] because he shouldn’t be allowed to fire a commissioner just because he doesn’t like the commission reports.”

A registered Independent with a deep and abiding faith in the necessity of affirmative action to achieve equality, Berry admits that her uncompromising nature has made her a political target for those on both sides of the partisan fence. She may be the only person to draw the ire of conservative pundit George Will and *Village Voice* columnist Nat Hentoff. Says Berry, “If people on the right and people on the far left both have bad things to say about me, then I must be doing alright.”

After the commission published a study that favored correcting historic discrimination against blacks and women, President Ronald Reagan, who had spoken out against affirmative action during his 1980 campaign, responded by removing Berry and two other commissioners. “I decided to sue him because he shouldn’t be allowed to fire a commissioner just because he doesn’t like the commission reports,” she says. “Then you could only do reports that people liked, and why have a civil rights commission at all?”

Berry won that battle in federal district court – she was known thereafter as “the woman the president could not fire” – but may have lost the war as Congress set a six-year limit on commission seats.

She has been reappointed repeatedly by Congress, which appoints some of the commissioners, and

became chair in 1993 under President Clinton. After a decade at the commission’s helm, she decided not to seek another term. Her departure was hastened, however, by a report released last year. The document, *Redefining Rights in America: The Civil Rights Record of the George W. Bush Administration*, included a letter from Berry and Vice-Chair Cruz Reynoso.

They wrote, “Your administration has missed opportunities to win consensus on key civil rights issues ranging from affirmative action, to fair housing, to immigration, to voting rights. Instead, you have adopted policies that further divide a deeply torn nation.” Bush responded by announcing Berry’s replacement before she resigned.

Now six months after her departure, Berry takes a moment to reflect on contemporary threats to civil rights. She criticizes the Bush administration for appointing minorities to top posts, including Secretary of State Condoleezza Rice and Attorney General Alberto Gonzalez, while not supporting historically oppressed groups as a whole.

“People of color are so eager to see someone like themselves in a position of power and influence that we all have the tendency to applaud when it happens for the first time,” she says. Meanwhile, Bush refuses to address the annual convention of the NAACP and supports the

Supreme Court’s decision to strike down the University of Michigan’s affirmative action program for undergraduate admissions.

“Conservatives were smart enough to satisfy people’s desire for diversity and at the same time promote people who are consistent with their philosophy,” she explains. This strategy is helping Republicans gain the support of minorities whose longtime loyalty to the Democrats has not been rewarded. “The Republicans are saying, ‘We can be just as diverse as you can. In fact, we can go you one better.’”

Now 67, Berry again finds herself at a crossroads. This time, however, she doesn’t need her mother to remind her that there’s still a lot more to do. She will publish her eighth book this fall, *My Face is Black is True: Callie House and the Struggle for Ex-Slave Reparations*. She is also a regular roundtable participant on “News and Notes,” a National Public Radio show that tackles issues that are important to black America, and is embarking on a series of civil rights forums around the nation.

“Sometimes I wish I could abandon principles when there’s a lot of stress and a lot of Sturm und Drang, but I’m not able to do that,” she says. “There are certain things that I believe. I may be wrong about what I believe, but I believe it. I believe in truth. I believe in people having a fair shot. I believe I’m a purist when it comes to free speech. So I’m not able to abandon what I believe in order to curry favor or to have friends.” ■