

### **Indiana Statehouse Exterior**

The Indiana Statehouse, a grand building of Indiana limestone, completed in 1888, houses all branches of the state government.

# 11

## Justice, Equality, and Democracy for All Hoosiers

*All men are born equally free and independent, and have certain natural, inherent, and unalienable rights.*

— *Indiana State Constitution of 1816*

From the start, our nation and state claimed the highest ideals of equality and justice for all. The pioneers who wrote Indiana’s first constitution in 1816 asserted boldly that “all men are born equally free” and that “all power is inherent in the people.” They believed that such principles were essential to true democracy.

Writing such lofty words was easier than the reality of building and maintaining everyday democracy. Some Hoosiers allowed their own selfish interests or narrow prejudices to stand in the way of justice for all. Many men struggled to believe that women were worthy of full equality. Many whites thought blacks, Asians, and Hispanics were inferior. There were always Hoosier dissenters, people who lived outside the mainstream, who did not share the majority’s beliefs in religion, politics, sexuality, and other contentious issues.

### **African American Hoosiers and Civil Rights**

As Indiana became a state, the white majority in Indiana insisted that African Americans were second-class citizens. The 1816 constitution denied black Hoosiers the right to vote. Two years later the state legislature denied them the right to testify in courts and also prohibited marriages between white and black

Hoosiers—a law that remained on the books until 1965. Such restrictions worsened in the decades before the Civil War, culminating in the addition of Article XIII to the 1851 constitution, prohibiting African Americans from moving into the state.

The Civil War (1861–65) and the period following, called Reconstruction (1865–77), produced important steps toward equal rights. Most notable was the Fourteenth Amendment to the U.S. Constitution, which guaranteed equal protection under the law, and the Fifteenth Amendment, which promised the right to vote to all men, black or white.

One of Indiana’s major steps toward equality was the Civil Rights Law of 1885. As so-called Jim Crow laws were being passed in many states, relegating blacks to second-class status, Indiana’s law promised that all Hoosiers could eat in any restaurant, sit in any theater, ride any streetcar, or rent any hotel room “regardless of color or race.” The law was seldom enforced, however. In fact, Jim Crow discrimination became commonplace in late-nineteenth-century Indiana and lasted into the mid-twentieth century. As late as the 1950s, for example, some Indiana hotels still refused a room to a black traveler.



### Segregation at Riverside Park

At Indianapolis's Riverside Amusement Park in 1962, these young people point to a sign that says "Patronage Whites Only Solicited," meaning the park only wanted white customers' business. Legal segregation also barred African Americans from hotels, restaurants, and education facilities into the mid-twentieth century, but implicit forms of segregation continued long afterward, often visible in housing patterns.

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Especially troubling was discrimination in education. Some communities created separate schools for black children. Notable were Crispus Attucks High School, which opened in 1927 in Indianapolis; Lincoln High School, which opened in 1928 in Evansville; and Roosevelt High School, which opened in 1930 in Gary. All three are examples of schools built to keep black students out of white schools.

Housing patterns also developed along racial lines. Larger towns tended to divide into black neighborhoods and white neighborhoods. Some neighborhoods incorporated racial covenants in property deeds, making it impossible for African Americans to buy homes

in certain areas. For example, deeds for one Bloomington neighborhood in 1927 stipulated that "the ownership and occupancy of lots or buildings in this sub-division are forever restricted to members of the pure white race."

There were always Hoosiers who challenged segregation and discrimination. The National Association for the Advancement of Colored People (NAACP) began its long fight in the early twentieth century. In Terre Haute, Indianapolis, Evansville, Gary, and elsewhere, NAACP branches worked with African American lawyers to bring suits in court against businesses and organizations accused of racial discrimination.

Black attorneys such as Robert Lee Brokenburr and Robert Lee Bailey in Indianapolis were determined and courageous opponents of Jim Crow. Such lawyers argued for the rule of law to remind whites of America's ideals of justice and equality.

Ordinary people also played major roles in bringing about change. Black veterans returned home from service in World War II believing they had earned full rights as Americans that had previously been denied them. Sadly, they were once again subject to racism at almost every turn. In the next two decades these veterans, joined by other Hoosiers, became the foot soldiers in the fight against discrimination which, by the 1960s, became the Civil Rights Movement.

## Women and Equality

Nineteenth-century women never had rights equal to men. Many women came to believe that the right to vote was the most important step toward real citizenship. In the early twentieth century they shifted from “ladylike” protest—that is less public and more quiet—toward more assertive talk and action—such

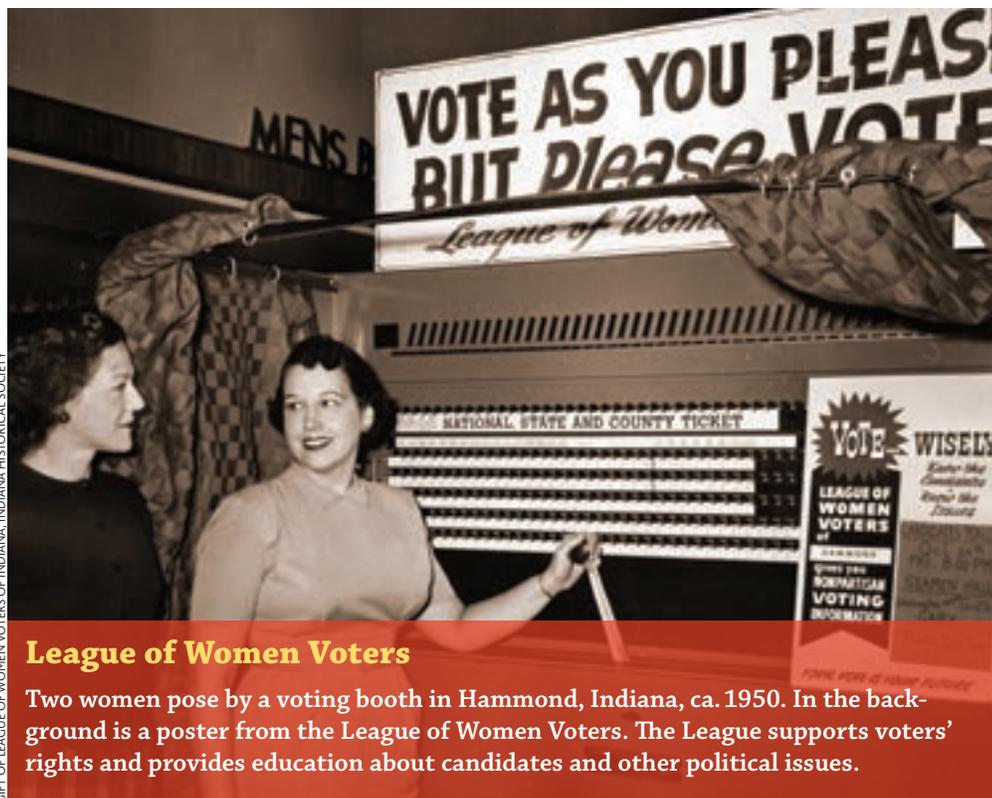
as protest marches in the street—in their long battle for suffrage. Finally, the Indiana legislature in 1920 ratified the Nineteenth Amendment to the federal constitution, guarantying a woman's right to vote. In 1921 the women's suffrage amendment was added to the Indiana State Constitution and ratified by voters at a special election. Hoosier women had the right to vote in local, state, and national elections.

The ballot box did not bring all the changes suffragists had hoped for, however. Many Hoosiers continued to expect women to defer to men. Jobs were still designated as men's work or as women's work. Salaries and wages were generally lower for women even if they were doing the same job as a man. Women could generally become secretaries, teachers, or nurses. Few were doctors, lawyers, or heads of business. Traditionalists thought women should stop working outside the home when they married. Although a number of jobs for women opened up during World War II, the gains were mostly temporary since women were expected to give up those jobs when soldiers returned home. It was not until the Women's Rights Movement of the 1970s

that gender equality really took center stage.

## Hoosier Differences

Hoosier pioneers prided themselves on their commitment to individual freedom. Many claimed they could do as they pleased so long as they did not harm others. Such freedom was the heartbeat of democracy. However, individual freedom did not always square with majority rule. The idea of majority rule was widely accepted. But what if the rule of the majority conflicted with the rights



### League of Women Voters

Two women pose by a voting booth in Hammond, Indiana, ca. 1950. In the background is a poster from the League of Women Voters. The League supports voters' rights and provides education about candidates and other political issues.

GIFT OF LEAGUE OF WOMEN VOTERS OF INDIANA, INDIANA HISTORICAL SOCIETY



PHOTOGRAPH BY WILLIAM DELLENBACK; COURTESY OF THE KINSEY INSTITUTE FOR RESEARCH IN SEX, GENDER, AND REPRODUCTION

### Alfred Kinsey

Alfred Kinsey conducts a sample interview in this photograph from 1953. Kinsey's interviews with a wide range of Americans led to his ground-breaking publications on human sexuality.

During the late twentieth and early twenty-first centuries, some Hoosiers raised issues of separation of church and state, objecting to prayers in public schools or to Christian crosses on government spaces.

Sex was another difficult subject for many Hoosiers. Indiana University Professor Alfred Kinsey's research on human sexuality revealed many varieties of sexual behavior, including homosexuality. While many Hoosiers supported his work, many others thought Kinsey should be fired. Twentieth-century advocates of birth control education faced strong opposition. Today, there is strong opposition for abortion—some Hoosiers draw lines limiting when and how a woman can have an abortion; while others are against any

or wishes of a minority that wanted to live differently from the majority? Here was a central tension in Indiana and American democracy.

All sorts of individuals and groups found themselves in the minority. Often their different views and actions deeply troubled the majority. Standing outside the Indiana mainstream, for example, were the utopians at New Harmony in the early nineteenth century (see chapter 3). In the early twentieth century there were religious freethinkers—men and women who opposed organized religion. One freethinker also advocated a vegetarian diet, cold showers, and nudism.

abortions, as in cases of rape or when a mother's life is endangered.

Indiana's democracy has been fraught with tensions surrounding such issues as majority rule, individual rights, and minority freedoms. Differences over race, gender, religion, sexuality, and personal beliefs rumble through the state's history. Yesterday and today Hoosiers face tough questions about the meaning of democracy, not just in school textbooks, but in everyday issues concerning justice, equality, and freedom. These issues are often at the heart of legislative discussions and election battles—in Indiana and in America.

# 11.1

## Robert Kennedy and the 1968 Indiana Primary

*“Indiana is a terribly important state. If we can win in Indiana, we can win in every other state, and win when we go to convention in August.”*

— Robert F. Kennedy on the steps of the Indiana Statehouse, March 28, 1968

### The Indiana Challenge

Of the three candidates in Indiana’s 1968 Democratic presidential primary, Robert F. Kennedy seemed to face the greatest disadvantage. Kennedy entered the contest late, after his opponents had already gained a leg up. Roger D. Branigin, Indiana’s popular governor, ran as a stand-in for President Lyndon B. Johnson and then, after Johnson withdrew from the race, Branigin remained. Many believed he did so in support of Vice President Hubert H. Humphrey. Minnesota Senator Eugene McCarthy had almost defeated Johnson in the New Hampshire primary earlier that spring and was popular with young voters because of his stance against American involvement in Vietnam.

All three primary candidates faced another huge challenge: Hoosiers. Kennedy’s adviser, John Bartlow Martin, who was from Indianapolis, warned his candidate that Hoosiers were “skeptical, hard to move, with a ‘show me’ attitude.” Kennedy’s domestic policies, which championed the poor and disadvantaged, white and African American alike, were hard to sell to many Indiana voters, who remained focused on the virtues of hard work and limited government.

While not a southern state, Indiana was slow to implement and embrace its laws promoting racial equality. In the 1964 Democratic presidential primary, Alabama’s pro-segregation governor, George Wallace, had done surprisingly well in the state, particularly in the northern industrial cities. Nonetheless, Hoosiers of all races advocated for civil rights. In the 1960s,

lunch counter sit-ins and other non-violent protests were bringing Martin Luther King Jr.’s dream of equality very slowly to Indiana.

### April 4, 1968

*“If I can win here in Indiana, I could go on to win the Democratic presidential nomination and turn this country around with your help.”*

— Robert F. Kennedy, to a crowd in South Bend, April 4, 1968

Kennedy’s first day of campaigning in Indiana was a busy one. Like his brother, President John F. Kennedy, before him, he was particularly popular with Catholic voters, and he chose to stop first in South Bend, where a crowd of about five thousand gathered to hear him speak in the geodesic-domed Stepan Center at the University of Notre Dame. After squeezing in a visit to a home for the elderly, he traveled to Muncie, where he addressed an estimated crowd of twelve thousand at Ball State University’s Men’s Gym. The day was scheduled to end with two stops in Indianapolis, first at the



### Primary Election Cartoon

This cartoon from the 1968 primary campaign season in the *Indianapolis Star* depicts Robert Kennedy (middle) and Eugene McCarthy (left) as unwelcome guests in the state as they try to charm a disturbed Mrs. Indiana. Governor Roger Branigin looks on disapprovingly from the right.

## Robert F. Kennedy

A few days before the May 1968 primary election, Robert F. Kennedy made a campaign stop in Indianapolis where he reached out to African American audiences who comprised some of his main supporters. A month earlier, he had inspired many in the city with his speech given in response to Martin Luther King Jr.'s assassination.



opening of “Indiana Kennedy for President” headquarters at 36 Washington Street, and then at a rally at the Broadway Christian Center at 17th and Broadway, in the city’s predominantly African American near north side.

It was around the time Kennedy addressed the crowd at Ball State that one of the nation’s great tragedies took place: Martin Luther King Jr. was shot in Memphis, Tennessee. Kennedy heard the news while heading to Delaware County Airport for his flight to Indianapolis; when he reached Indianapolis’s airport, he learned that King had died. The day’s meticulous planning became instantly irrelevant. Concerned for the candidate’s safety because of the possibility of riots erupting, Indianapolis Mayor Richard G. Lugar, the police, and other city officials urged Kennedy to cancel his Broadway Christian Center appearance. When Kennedy decided to follow through, they told him that he would proceed at his own risk.

### Kennedy’s Speech: Breaking the News and Defusing the Bomb

Kennedy canceled his visit to the downtown campaign headquarters and went directly to Broadway Christian Center. There, a large, primarily African American crowd awaited him. His staff had no idea how he would handle the situation. Kennedy’s speechwriters had provided him with a few suggestions for what to say, but standing on the back of a flatbed truck he discarded any prepared remarks and instead looked directly into the upturned faces before him. Those near the front appeared eager with anticipation. Others on the periphery of the crowd were becoming agitated; some had heard the dreadful news.

Kennedy dispensed with the usual opening formalities, telling the crowd directly, “I have bad news for you, for all of our fellow citizens and people who love peace all over the world, and that is that Martin Luther King was shot and killed tonight.” The screams and

## Robert F. Kennedy's Speech in Indianapolis, April 4, 1968

*Ladies and gentlemen, I'm only going to talk to you just for a minute or so this evening, because I have some very sad news for all of you. Could you lower those signs, please? I have some very sad news for all of you, and, I think, sad news for all of our fellow citizens, and people who love peace all over the world; and that is that Martin Luther King was shot and was killed tonight in Memphis, Tennessee.*

*Martin Luther King dedicated his life to love and to justice between fellow human beings. He died in the cause of that effort.*

*In this difficult day, in this difficult time for the United States, it's perhaps well to ask what kind of nation we are and what direction we want to move in. For those of you who are black—considering the evidence evidently is that there were white people who were responsible—you can be filled with bitterness, and with hatred, and a desire for revenge.*

*We can move in that direction as a country, in greater polarization—black people amongst blacks, and whites amongst whites, filled with hatred toward one another. Or we can make an effort, as Martin Luther King did, to understand, and to comprehend, and replace that violence, that stain of bloodshed that has spread across our land, with an effort to understand, compassion and love.*

*For those of you who are black and are tempted to fill with—be filled with hatred and mistrust of the injustice of such an act, against all white people, I would only say that I can also feel in my own heart the same kind of feeling. I had a member of my family killed, but he was killed by a white man.*

*But we have to make an effort in the United States. We have to make an effort to understand, to get beyond, or go beyond these rather difficult times. My favorite poem, my—my favorite poet was Aeschylus. And he once wrote:*

*Even in our sleep, pain which cannot forget falls drop by drop upon the heart, until, in our own despair, against our will, comes wisdom through the awful grace of God.*

*What we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence and lawlessness, but is love, and wisdom, and compassion toward one another, and a feeling of justice toward those who still suffer within our country, whether they be white or whether they be black.*

*So I ask you tonight to return home, to say a prayer for the family of Martin Luther King—yeah, it's true—but more importantly to say a prayer for our own country, which all of us love—a prayer for understanding and that compassion of which I spoke.*

*We can do well in this country. We will have difficult times. We've had difficult times in the past, but we—and we will have difficult times in the future. It is not the end of violence; it is not the end of lawlessness; and it's not the end of disorder.*

*But the majority of white people and the vast majority of black people in this country want to live together, want to improve the quality of our life, and want justice for all human beings that abide in our land.*

*And let's dedicate ourselves to what the Greeks wrote so many years ago: to tame the savageness of man and make a gentle life in this world. Let us dedicate ourselves to that, and say a prayer for our country and for our people. Thank you very much.*





### ***A Landmark for Peace***

Dr. Martin Luther King Jr. Park at 17th and Broadway, just north of downtown Indianapolis, is a typical city park in many ways, with a playground, basketball goals, and picnic tables. But it also includes an evocative sculpture commemorating Robert F. Kennedy’s speech at that site shortly after King’s assassination on April 4, 1968—a historical moment that left powerful memories for those who experienced it. The sculpture by Hoosier artist Greg Perry, *A Landmark for Peace*, commemorates the Civil Rights work of Martin Luther King Jr. and Robert F. Kennedy.

In *A Landmark for Peace*, figures on two panels face each other with outstretched arms. One of the figures is King, and the other is Kennedy. The figures are immobile metal rather than flesh-and-blood men; they can never touch. And yet, the statue brilliantly symbolizes their yearning to realize their shared dream of racial harmony.

wailing were heard blocks away. Mary Evans, a white high school student who was in the crowd, feared for her life. Later she remembered thinking, “Oh, my God, I’m going to be killed.” The situation was a potential powder keg.

During Kennedy’s speech, which lasted only around six minutes, he spoke from his heart and connected with his audience—most of them filled with shock, grief, and rage. Kennedy had not spoken publicly of his brother John’s assassination since 1963, but he chose to do so at this moment. He reminded the crowd that he understood how they felt—that a member of his own family had also been killed by an assassin’s bullet. Kennedy, who had found comfort in the words of ancient Greek poets and playwrights after John’s death, quoted Aeschylus from memory: “Even in our sleep, pain which cannot forget / falls drop by drop upon the heart / until, in our own despair, / against our will, / comes wisdom through the awful grace of God.”

Soothed by Kennedy’s words, the crowd dispersed peacefully. Later, some who were present described the experience in religious terms. Mary Evans remembered feeling as if Kennedy had “laid his hands upon the audience” and healed them, deflating the anger that coursed through the packed throng. Although other American cities, such as Washington, DC, Chicago, Illinois, and Baltimore, Maryland, erupted in riots that night, Indianapolis’s streets remained quiet.

### **Connecting with Hoosiers**

*“There was some fellow from Massachusetts that was here the other day that called it ‘Indian-er.’ That was my younger brother Teddy. He looks like me. But I call it Indiana-uh! And we’re going to elect a President of the United States that knows how to pronounce the name of this state!”*

— Robert F. Kennedy, speaking in Gary, April 1968

With Indiana primary voting just a month away, Kennedy and McCarthy attended Martin Luther King’s funeral and then resumed their campaigns. While a confident Branigin worked his Hoosier connections, Kennedy rolled up his sleeves and learned what made Hoosiers tick. On his campaign visits to Indiana

following King’s assassination, he followed John Bartlow Martin’s advice and spoke of Hoosier legends such as Abraham Lincoln and James Whitcomb Riley. He also visited the George Rogers Clark Memorial and Grouseland, William Henry Harrison’s home in Vincennes. Kennedy even chartered a train, dubbed the Wabash Cannonball, to take him on an old-fashioned political tour of Indiana’s small towns and cities. Before visiting a town, Kennedy relied on Martin’s background briefings about key places along the route, telling him what to expect. In his stump speeches, Kennedy spoke less about new social programs and concentrated on practical issues that mattered to Hoosiers.

In the campaign’s last month, McCarthy’s Indiana team began to lose steam. Plagued by financial problems and disorganization, the Minnesotan’s campaign lost the edge it had enjoyed before Kennedy entered the race. Kennedy began to attract some of the young Hoosier voters—a demographic that was one of McCarthy’s strongest supporters. In the end, the Kennedy campaign viewed Branigin as the larger threat to winning Indiana in the primary.

## Hoosiers Decide

*“He came across as authentic, direct, and straightforward—a person in whom people could have confidence. And that’s what, I think, brought Indiana around.”*

— John Douglas, aide to Kennedy for Indiana Campaign, June 1969

On May 6, the day before Hoosiers went to the polls, Kennedy made his final push through northwest Indiana. Riding in his Gary motorcade were two local heroes, Gary Mayor Richard G. Hatcher, the state’s

first African American mayor, and Tony Zale, the middleweight-champion boxer known as “The Man of Steel.” Members of Kennedy’s family traveled the state on Election Day to reinforce his message and show family solidarity, a value important to Hoosiers. Kennedy himself felt he had forged a bond with people in Indiana. The day before the election he said, “The people here are not so neurotic and hypocritical as in Washington or New York. They’re more direct.”

Kennedy’s well-organized grassroots campaign mobilized block captains in Indianapolis, South Bend, and Evansville to reach out to Hoosier voters. Shortly before the election, one of his aides reported, “We could have the public support of over 10,000 teachers.” Kennedy’s team lacked the name of a single prominent business leader, but in the end that did not matter. When the votes were tallied, Kennedy had won 42.3 percent of the 776,000 votes cast. Governor Branigin finished second with 30.7 percent, and McCarthy came in third at 27 percent. Kennedy won nine of Indiana’s eleven congressional districts and captured fifty-six of the state’s sixty-three delegates to the Democratic National Convention. His team left Indiana in high spirits, convinced of his viability as a national candidate and ready to move on to the Nebraska primary.

Robert Kennedy was never to run in the 1968 general election, though. He was assassinated—only two months after King—on June 5, 1968, in Los Angeles, after winning the California primary. His death left the Democratic Party in disarray. It did not recover in time for the general election in November. Vice President Hubert Humphrey secured the party nomination, but Republican Richard Nixon won the presidential election.



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### **Civil Rights Poster**

In this poster, ca. 1965, the Gary Freedom Movement urged a boycott against businesses that opposed Civil Rights legislation in Gary, Indiana. The Gary Freedom Movement was one of many groups in Indiana that actively demonstrated for Civil Rights.

# 11.2

## The Struggle for School Desegregation in Indiana

*The trustee or trustees of such township, town, or city may organize the colored children into separate schools . . . having all the rights, privileges, and advantages of all other schools . . . Provided, That in case there may not be provided separate schools for the colored children, then such colored children shall be allowed to attend the public schools with white children.*

— *Indiana law regarding schools and schoolhouses, Article VII, Section 4496, March 5, 1877*

Into the twentieth century, African Americans accounted for less than 5 percent of the state’s population. For many Hoosiers, racial equality was not a priority. As in so many states, education often highlighted for Hoosiers the continuing disparities of opportunity that awaited black and white Americans long after the end of slavery.

As African Americans moved from the South to Indiana in the 1920s, white leaders, many affiliated with the Ku Klux Klan, insisted on building segregated high schools. As late as World War II, although school segregation was common in northern states, Indiana was one of the few states that legally allowed it. Then, in 1949—five years ahead of the U.S. Supreme Court desegregation decision in *Brown v. Board of Education*—the Indiana General Assembly passed the Indiana School Desegregation Act. While the law represented an obvious step forward for equal rights in the state, legislators chose not to impose any penalty on school corporations that failed to desegregate. Therefore, many Indiana schools remained racially segregated long after 1949. But a growing national movement for civil rights would soon push for an end to the “separate but equal” philosophy that existed in education and other institutions.

## Crispus Attucks Evens the Score

*Membership in the Association shall be open beginning August 15, 1942, to all public, private, parochial, colored and institutional high schools of the state offering and maintaining three or four years of high school work provided they meet the requirements of the Association and also subscribe to its rules and regulations.*

— *Handbook of the Indiana High School Athletic Association, December 20, 1941*

One of the most visible symbols of segregation was the Indiana high school basketball court. Teams at all-black Roosevelt High School in Gary, Lincoln High School in Evansville, and Crispus Attucks High School in Indianapolis played quite well, but the Indiana High School Athletic Association (IHSAA) refused to allow them to enter the annual state tournament until World War II.

Named for the legendary African American patriot who was shot by British troops in the 1770 Boston Massacre, Crispus Attucks High School opened in 1927 as Indianapolis’s first all-black high school—thus reserving all other Indianapolis high schools for white students. While the new school became a source of great neighborhood pride, its size was inadequate from day one. The school had a capacity of 1,000, but more than 1,300 students enrolled the first year, and the number climbed in subsequent years.

One of the many places where Attucks proved itself far more than adequate was on the basketball court. According to one sportswriter, “From 1950 to 1957, the Crispus Attucks Tigers were the most invincible team this basketball-crazed state had seen.” In spite of their talents, Attucks’s players and students were the objects of curiosity, prejudice, and racial threats as they traveled around the city and state. A former Crispus Attucks student recalled, “It was like we were from outer space. I mean, I would hear their comments to each other: ‘Look at that one, he’s really black. And that one, she’s as light as my mother’s coffee.’ Some just gawked open mouthed. But, hell, I was sort of surprised that they weren’t chewing on a piece of straw.”

September 28, 1948

THE NEGRO TAXPAYERS AND CITIZENS POSITION ON THE  
INDIANAPOLIS PUBLIC SCHOOL SYSTEM AND BLUE PRINT OF INTEGRATION

By  
HENRY J. RICHARDSON, JR., ATTORNEY

The Negro taxpayers and citizens will not be placated and will not be compromised by wishful thinking, the scare of displaced teachers or the old adage of "the time is not ripe." We, of school district #43, are definite that the present school policy is a waste of more than one hundred thousand dollars per year (\$100,000.00) and is illegal and detrimental to-wit:

I A. The present school pattern of discrimination based solely on race is

1. Unchristian
2. Undemocratic
3. Increases race tensions because of misunderstanding
4. Equally detrimental to white and Negro pupils.

II Present school Board Policy is unnecessary waste of taxpayers money on a fuel school system, when maintenance and additional building are direly needed.

III The present School Board Policy of segregation and discrimination based on race fails to provide equal educational facilities for Negro pupils as compared with those of white pupils, and attempts to stigmatize them as inferior.

A. Children in this district who formerly attended P S #42 out of their district, were arbitrarily shifted to P S #67, still out of their district, when P S #43 in their district could have accommodated them equally as well if not better.

B. Segregation and discrimination of children based on race are vexing, hazardous and work an undue hardship on Negro children - for example:

a. When 1 B's go to school half days, parents must go for them - a distance of more than 2 miles or the children must wait until 3:00 P.M. when the regular bus returns for them.

b. The bus has no definite schedule. (During the three weeks of this school year, the bus has arrived at Bernard Street on Rockwood from 7:45 to 8:15). In inclement weather, children are exposed unduly to rain and cold. Bus drivers

## Desegregation Position Paper

African American attorney Henry J. Richardson pushed for a school desegregation law and served as a spokesman for civil rights. Wanting to send his children to an Indianapolis school in his neighborhood that was designated for white students, he wrote this 1948 position paper, outlining the discrimination and extra expenses caused by segregated schools.

Coached by Ray Crowe, the Crispus Attucks team won six regional championships, four semi-state championships, back-to-back state titles between 1950 and 1957, and the state championship in 1959 under Coach Bill Garrett. In 1955, led by future National Basketball Association (NBA) legend and Hall of Famer Oscar Robertson, the Tigers beat Gary's Roosevelt High School, 97–74, and became the nation's first all-black basketball team to win a state championship. Not only did Attucks win the state championship the following year, defeating Lafayette Jefferson High School, 79–57, the team also was the first in Indiana high school history to be undefeated for an entire season.

Despite their remarkable achievement, the Tigers did not receive statewide acclaim as did Milan, the tiny, white rural high school that won the championship in 1954 and inspired the 1986 film *Hoosiers*. Robertson remembered: “When Milan won the state championship they got a ride around all the squares in Indy—all through downtown. But when it was an all-black school . . . city officials thought that all these black people would terrorize the city. ‘We can’t have

them congregating around our Circle monument,’ they probably said. ‘We will take them back to their neighborhood.’ And the police escorted us there.”

Sports historians, players, and true basketball fans give credit where credit is due. Bobby Plump, the Milan guard who made the championship-winning shot in 1954, had this to say about the Crispus Attucks Tigers: “What they were able to accomplish is as significant as anything that’s ever been done in this state’s illustrious basketball history. There’s nothing that I can say, there’s nothing you will hear, there’s nothing you can write that can possibly get to the depth of what they had to go through to accomplish everything they did.” The team’s wins also brought some positive changes to race relations in Indianapolis, as they gained the support of whites in the community who began to cheer on the Crispus Attucks team in the championships.

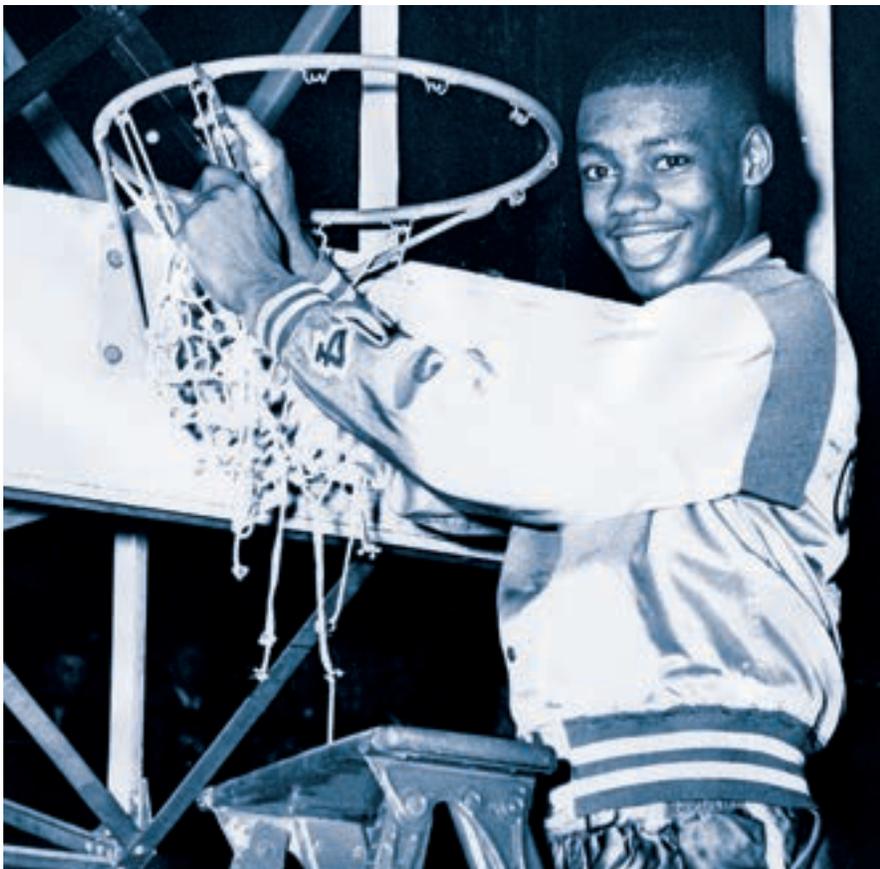
### Busing and Other Would-be Solutions

Even with new civil rights laws and basketball victories, school segregation continued due, in large part, to strong racial divisions between white and black

neighborhoods and school transfers. Whites would transfer out of schools with large black populations; and blacks would transfer out of schools where blacks were a small minority. It soon became clear in Indiana and many other states that neither state law nor the 1954 Supreme Court decision in *Brown v. Board of Education* would produce integrated schools.

### Oscar Robertson

Oscar Robertson cuts down the net after winning the 1955 Indiana State High School Basketball championship with Indianapolis’s Crispus Attucks Tigers. Robertson went on to a successful career with the NBA and was inducted into the Basketball Hall of Fame, although he remained unhappy about the racism he faced both on and off the court.



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### **Crispus Attucks Basketball Team Wins State Championship!**

The Crispus Attucks Basketball Team members celebrate their state championship win in 1956 on the court of Butler University's Fieldhouse and in a police-escorted ride from the fieldhouse to their neighborhood.



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However, several of Indiana’s northern cities had integrated their schools by the early 1950s. Black migrants from the South made up a large percentage of the total population in Gary during the first half of the twentieth century. Like most school systems in Indiana, Gary’s school system was segregated prior to 1947. By that year, however, Gary’s civic and school leaders had forged a way to work toward ending school segregation by redrawing school districts and through new policies, such as not allowing students to transfer out of their neighborhood school district. East Chicago, Elkhart, and other northern cities followed Gary’s lead. By the 1950s Indianapolis and Evansville were among the few large American cities outside of the South with segregated school systems, despite the anti-segregation act Indiana passed in 1949.

Indianapolis presented one of the hardest challenges to desegregation. Historian Richard B. Pierce of Notre Dame University commented that the city of Indianapolis “fought school desegregation with a ferocity rarely matched by any other northern city.” Some saw the 1969 creation of Unigov, which consolidated many of Indianapolis’s and Marion County’s governmental functions—with the exception of schools—as a means of maintaining white suburban schools. In a 1971 ruling for a suit put forth by the NAACP and initiated by the U.S. Department of Justice, federal judge S. Hugh Dillin wrote that the Indianapolis School Board, “through the years, has consistently employed policies and practices causing and maintaining racial segregation.” Dillin ordered desegregation of Indianapolis schools in a plan that included busing black



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### IPS Picket

Protestors from the Congress of Racial Equality march outside of Indianapolis School #17, ca. 1960. They called for better integration and the redistricting of Indianapolis schools, many of which were segregated because of housing patterns.

students to Marion County suburban schools. Heated controversy ensued, but in 1973 the first buses began carrying black students to schools away from their inner-city neighborhoods. No white students were bused the other way.

Few people were happy with the results. Many black parents were upset over the loss of their neighborhood schools and the fact that only their children were to be bused far away from their homes. Neither did they accept the idea that white schools were better for their children. On the other side, many white parents and their children were angered to have black students forced upon them. Some white suburbanites moved to more remote suburbs, while, at the same time, Indianapolis Public Schools in downtown Indianapolis experienced a decreasing enrollment.

Although even in the 1990s controversy still clouded Indianapolis's busing situation, integration

was starting very slowly. By the second decade of the twenty-first century, Indianapolis's suburban neighborhoods were becoming integrated—perhaps as an outcome of the forced busing of a couple of generations of black children to white suburban schools.

### “By Littles”

*Wells adroitly walked the tightrope between relentless pressure from blacks to be fully included in the life of IU and demands by whites that Negroes be kept away from them. He did this balancing act for fifteen years before university dormitories were fully desegregated in 1952, three years before I arrived on campus.*

— Janet Cheatham Bell, *The Time and Place That Gave Me Life* (2007)

Abraham Lincoln used the phrase “by littles” to describe his education. The phrase could also apply to the long, slow journey to school desegregation in In-



### Mayor Richard Hatcher with Robert F. Kennedy

Richard Hatcher, Mayor of Gary, on the left, supported Robert Kennedy, middle, during Kennedy's campaign for the presidential nomination in 1968.

COLLECTIONS OF THE CALUMET REGIONAL ARCHIVES, INDIANA UNIVERSITY, NORTHWEST

diana. Some pushed hard to achieve it; others pushed back with equal force. As a result, progress came in small increments over a long period of time, but it did come—thanks to victories by people, black and white, who bucked the status quo and refused to quit.

The struggle was not unique to the public schools. Recalling her arrival at Indiana University in 1955, Indianapolis native Janet Cheatham Bell thought that “the *racial* climate in Bloomington felt more threatening than in Indianapolis.” Although African American students were allowed to study at IU during the early twentieth century, dormitories and the student union were segregated. IU President Herman B Wells garnered praise for desegregating the campus in the 1940s and 1950s. Nevertheless, in the year that Bell arrived, only 350 of the university’s 12,000 students were black.

As with high schools, basketball played a role in bringing racial equality to universities. Shelbyville’s Bill Garrett broke the color barrier on IU’s basketball court in 1947. The first African American to play Big Ten college basketball, Garrett became one of the greatest players IU ever had. Garrett went on to be the third black player drafted by the NBA. A year after he graduated there were six African Americans on Big Ten college basketball teams.

## “The Times They Are A-Changin’”

Gary, a leader in school integration, achieved another distinction in 1967 when it became one of the nation’s first two major cities (alongside Cleveland, Ohio) to elect an African American mayor. Mayor Richard Hatcher was a young attorney who had attended Indiana University in the 1950s and had gone on to a successful career in the Lake County Prosecutor’s Office and the Gary City Council. Some observers saw his victory as a win not only for civil rights but for good government in a city whose corrupt politics had several years earlier been under intense scrutiny from a Justice Department headed by Attorney General Robert F. Kennedy. Hatcher prioritized building more moderate income housing, severely lacking in Gary, and providing more job training for the city’s unemployed and underemployed. A year after his election, Hatcher was riding through the streets of Gary with Kennedy, now a candidate for the presidency who would win the Indiana primary thanks in part to the help he received from civil rights advocates in Lake County and elsewhere. Hoosiers, known for clinging to their traditions, were ready for change.

## May Wright Sewall

As one of Indiana's leading suffragists May Wright Sewall, pictured here ca. 1890, championed women's rights and education at home and nationally.



# 11.3

## Equal Rights for Hoosier Women

*Much has been said about the need of the ballot to protect the industrial interests of men, but is it not as un gallant as it is illogical that they should have the ballot for their protection while women, pressed by the same necessities, should be denied it?*

— May Wright Sewall, *National [Women’s] Suffrage Convention, February 1886*

Hoosier suffragist and educator May Wright Sewall (1844–1920) dedicated her life to creating opportunities for women and championing their equal rights. She died in July 1920, less than one month before the ratification of the Nineteenth Amendment to the U.S. Constitution gave women the right to vote.

Since the 1850s, some female and male Hoosiers had, like Sewall, joined in the national movement to secure equal rights for women. New Harmony’s Robert Dale Owen made a valiant effort to include a provision in Indiana’s 1851 Constitution giving married women the right to own property in their own names, rather than in their husbands’ names. However, most of the other delegates voted down the idea.

Sewall acted upon her theories of women’s rights in her Girls’ Classical School in Indianapolis, which opened in 1882. She instituted a curriculum equal to

that of a boys’ school that her husband directed and advocated for physical education and wearing less restrictive clothing. At the same time Sewall became a leader in the suffragist movement, eventually speaking before international audiences of suffrage advocates.

Suffragists fought for the vote and also for other rights. Unequal property rights remained encoded in law during the nineteenth century, despite the efforts of many women to change the law and some gains from legislation in 1879 and 1881. In 1896 the Indiana Supreme Court held that a “valid marriage made the husband and wife one person in law. The legal existence of the woman was suspended, or merged in that of the husband. . . . The husband, by virtue of the marriage, was entitled to all the personal property . . . of his wife, which, when reduced to possession, became his absolute property, and was also entitled to the exclusive possession, use, and control of her real estate during their joint lives.”

### The Equal Rights Amendment (ERA)

*Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.*

— ERA, *Proposed Twentieth Amendment to the United States Constitution, 1943 revision*

New Jersey-born suffragist Alice Paul drafted the original Equal Rights Amendment (ERA) in 1923 only three years after the Nineteenth Amendment passed.



### NOW Rally

Members of the National Organization for Women (NOW) demonstrate in Indianapolis, ca. 1970. NOW was founded in 1966 in Washington, DC, to promote gender equality in employment, education, and politics. Four years later, Indiana’s first NOW chapter was established in Muncie.



AP PHOTO; COURTESY OF ALLEN COUNTY PUBLIC LIBRARY'S COMMUNITY ALBUM, FORT WAYNE, INDIANA

### Birch Bayh with Lobbyists

In 1978 Indiana Senator Birch Bayh met with Hoosiers who shared his strong support for the Equal Rights Amendment. A year earlier Indiana had been the last state to ratify the ERA. Three more states needed to ratify the amendment before 1979 for it to become part of the U.S. Constitution. These supporters lobbied politicians in Washington, DC, to extend the ratification deadline to 1982. Even with the extension, however, Indiana remained the last state to ratify the ERA. Supporters continue to introduce the bill into Congress every year.



COLLECTIONS OF THE INDIANA HISTORICAL SOCIETY

Button in favor of the Equal Rights Amendment, ca. 1977

The proposed Twentieth Amendment came before the U.S. Congress each session from 1923 to 1970—without success.

The persistent drive to pass the ERA reflected the changing times in which Americans lived during the twentieth century. The Civil Rights Movement, which picked up steam after the end of World War II, raised Americans' awareness of what democracy meant—not just in relation to skin color but also in other areas, such as gender equality. Judges and legislators faced growing calls to address questions about equality for women, who faced discrimination in education, the workplace, sports, and other areas. An increasingly well-organized women's rights movement developed

in the 1960s and 1970s alongside the Civil Rights and Anti-Vietnam War Movements. Yet the issues associated with gender rights conjured up uniquely powerful emotions on both sides.

The ERA enjoyed broad political support nationally, uniting public figures as diverse as Democratic First Lady Eleanor Roosevelt and Republican President Dwight D. Eisenhower. In Indiana most Democrats and some Republicans in the general assembly supported the ERA. The state's chapters of the League of Women Voters, the National Organization for Women, the Indiana Women's Caucus, and others worked at a grassroots level to pass the ERA in the state. Indiana Senator Birch Bayh led the Senate fight for the amendment

in 1972. That year Congress approved the amendment, which then passed to the states for ratification.

The amendment's opponents acted with equal fervor. Senator Joan Gubbins of Indianapolis was one of the most outspoken among them. At the University of Alabama on November 13, 1975, Gubbins stated, "What the 'women's libbers' desire is not to free women but to take away their choices in life." She and her supporters believed that the ERA not only violated states' rights, but would force all schoolchildren to use the same public restrooms, draft women into combat, erode the family, lead to legalized abortion, and advance the agenda of "homosexual and socialist organizations." Another legislator, Charles E. Bosma, claimed that the ERA "would deal a severe blow to the time-honored relationship between husbands and wives."

ERA advocates dismissed the claims of those opposed to the ERA as scare tactics and asked why constitutional rights should apply only to men. The battle seemed as if it had come to its conclusion in 1977 when Indiana became the thirty-fifth state to ratify the ERA. The pro-ERA victory proved to be temporary, though. Indiana was the last state to approve the measure. Since the bill failed to pass in the thirty-eight states necessary to ratify it, it failed.

To ERA proponents, the amendment remains "unfinished business." While it continues to be introduced annually into Congress, it is still not part of the U.S. Constitution.

## Leveling the Playing Field

*"We are all familiar with the stereotype of women as pretty things who go to college to find a husband, go on to graduate school because they want a more interesting husband, and finally marry, have children, and never work again. The desire of many schools not to waste a 'man's place' on a woman stems from such stereotyped notions. But the facts absolutely contradict these myths about the 'weaker sex' and it is time to change our operating assumptions."*

— Indiana Senator Birch Bayh, speaking of Title IX to the U.S. Senate, February 28, 1972

Despite the fate of the ERA, many changes in late-twentieth-century America did move women toward equality before the law. Hoosier women who

had helped win World War II by keeping the factories of Gary and Evansville at full production levels did not easily return to their kitchens when the men came home. In the 1970s laws and court decisions helped to ensure their daughters the right to work where they wanted and to be paid as much as their male co-workers. In 1977, for instance, the Indiana Supreme Court ruled it unconstitutional for the Indiana State Teachers' Retirement Fund to pay retired male teachers \$15 a month more than female retirees, when both had contributed equal amounts of money to the fund.

As women became an ever more active presence in the workplace, their daughters gained equal rights in the gym and on the playing field. Again, Hoosier Senator Birch Bayh was a trailblazer. On the heels of the ERA, Bayh authored Title IX of the Education Amendment of 1972, which guaranteed young women a previously unimaginable level of access to education and athletics. Title IX states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Unlike the ERA, which was a proposed *constitutional amendment*, Title IX was a proposed *law*. With very little fuss President Richard M. Nixon signed the bill into law on June 23, 1972. With Title IX, Bayh laid the legal groundwork for a revolution in women's rights.

In keeping with Title IX, the Indiana High School Athletic Association (IHSAA) added the first woman to its executive staff. A year later the IHSAA officially endorsed girls' sports. Empowered by improved funding and higher visibility, girls attained their own "Miss Basketball" Award alongside the long-lived boys' "Mr. Basketball" Award, and girls' teams built up dynasties that made their way into the record books alongside their male counterparts. By 2014, for example, Fort Wayne's Bishop Luers High School girls' basketball team had appeared in an unmatched nine state basketball finals, and Muncie Burriss's girls' volleyball team had won twenty-two state championships.

The women's movement succeeded in reshaping life in Indiana because of the persistence of its leaders and because of Hoosiers' willingness to accept gradual



### Girls' Basketball Game

In 1972 Title IX of the Education Amendment removed barriers for women in sports, paving the way for today's female athletes. Here the girls' basketball teams from Mooresville and Plainfield go head-to-head in the consolation game that determines third place at the 2009 City Securities Girls' Hall of Fame Classic.

JOE VITTI, COLLECTIONS OF THE INDIANAPOLIS STAR

and sensible change. Gender inequalities still remain, such as pay gaps and “glass ceilings,” or limits on how high women are allowed to achieve in their careers. Nevertheless, more women have entered law, medicine, and other professions, including politics. In 2013 women comprised 21 percent of the Indiana state

legislature, just below the national average of 24.2 percent. Although more work remains to attain gender equality, the Indiana of the early twenty-first century is a long way from the world that May Wright Sewall and her students knew in Indianapolis in the 1880s.

# 11.4

## The Messy Business of Democracy

*“I don’t know why Hoosiers have such a high tolerance for political mischief.”*

— *Indiana Director of Common Cause, Julia Vaughn, ca. 2005*

The drafters of Indiana’s 1851 constitution stated that the purpose of government was to ensure “that justice be established, public order maintained, and liberty perpetuated.” Subsequent generations of Hoosiers have found that carrying out those goals can be both noble and frustrating. Indiana’s political party organizations first appeared in the pioneer era and were in flux until the Civil War. A two-party system firmed up in the late nineteenth century, flourished into the mid-twentieth century, then went through fundamental transformations by the century’s end. According to a 1983 *Congressional Quarterly* survey of all fifty states, “The salient feature of Indiana politics is fierce partisanship, more pronounced here than almost anywhere else in the country.”

Into the second decade of the twenty-first century, Indiana’s government continued to function under the constitution of 1851. The governor remained a relatively weak executive whose veto could be overturned by a simple majority of the legislature. Unlike

the chief executives of most other states, Indiana’s was not given a line-item veto, allowing him or her to veto certain parts of a bill. A constitutional amendment approved in 1972 permitted governors to serve two consecutive terms; previously they were restricted to one term. The general assembly’s power also increased. Under a constitutional amendment ratified in 1970, the assembly shifted from holding sessions every other year to annual sessions. What started as a part-time citizens’ assembly has become a more professional entity. With its increased workload, the legislature has acquired salary increases and more support staff.

### Redistricting

In the late twentieth and early twenty-first centuries, the legislative reform that attracted the most attention was redistricting. The state constitution required that the general assembly redraw legislative districts every six years to ensure a roughly even number of citizens in each district. Legislators redrew the districts in 1921, but not in subsequent years. This resulted in underrepresentation for the urban areas, which were growing in population, and overrepresentation for the rural areas. Republicans, who depended on rural votes more than Democrats, were especially reluctant to redistrict.

In 1962 the U.S. Supreme Court determined in the landmark case *Baker v. Carr*, which was based on redistricting practices in Tennessee, that legislatures

### Indiana House of Representatives

Members of the 1975 session of the Indiana House of Representatives and principle officers and staff members are pictured here in their chamber.



COLLECTIONS OF THE INDIANA STATE ARCHIVES

Certificate Number \_\_\_\_\_

# Certificate of Employment As A Lobbyist

This certificate of employment as Legislative \_\_\_\_\_ AGENT \_\_\_\_\_  
is issued to \_\_\_\_\_ WILLIARD B. RANSOM \_\_\_\_\_, a representative  
of \_\_\_\_\_ NATIONAL ASSOCIATION FOR ADVANCEMENT OF COLORED PEOPLE \_\_\_\_\_ on the application  
of \_\_\_\_\_ INDIANAPOLIS, INDIANA \_\_\_\_\_, who has filed the  
prescribed statement and paid the prescribed fee.

Pursuant to "An act regulating lobbying; requiring the registration  
of legislative counsel and agents and regulating their activity; and  
prohibiting improper and corrupt lobbying."

Approved, February 4, 1915.

The period of employment covered by this certificate is \_\_\_\_\_ 80th SESSION OF LEGISLATURE \_\_\_\_\_  
and the subject matter is \_\_\_\_\_ EDUCATION; CIVIL RIGHTS; \_\_\_\_\_  
EMPLOYMENT LABOR; PUBLIC WELFARE; CHILD WELFARE; \_\_\_\_\_

Now, therefore, I, ~~Thomas R. Egan~~ CHARLES F. FLEMING, Secretary of State of the State of Indiana, by virtue of the  
powers vested in me, do hereby issue this certificate, subject, however, to all the provisions and penal-  
ties provided by the act as aforesaid.

IN TESTIMONY WHEREOF, I have hereunto set my hand  
and affixed the seal of the State of Indiana, at Indianapolis,  
this \_\_\_\_\_ 8th \_\_\_\_\_ day of February \_\_\_\_\_, 19 \_\_\_\_\_ 15

*Charles F. Fleming*  
Secretary of State.



## Lobbyist Certificate

Willard B. Ransom graduated from Crispus Attucks High School in Indianapolis in 1932. By 1946 he was a lobbyist, representing the National Association for the Advancement of Colored People (NAACP) to the Indiana General Assembly. In this position, he helped to pass major civil rights legislation in the state over several decades. Besides this political action, he took on civil rights cases as an attorney in Indianapolis, managed the Madam C. J. Walker Manufacturing Company, and served five terms as chairman of the Indiana branch of the NAACP.

must redistrict regularly and fairly. Indiana complied by redistricting more regularly. This made more room for urban legislators, often including more women and more African Americans. Redistricting also became a partisan issue, with the majority party using sophisticated means to draw boundaries that worked in its favor, called gerrymandering. By the end of the century cleverly gerrymandered districts often left a strong majority candidate with little pressure from the opposition to compromise with the other party.

### Special Interest Groups and Lobbyists

In addition to gerrymandering, fulfilling the promise of the constitution has been further complicated by the increasingly common practice of interest groups

lobbying legislators for particular causes. By the 1960s there were a handful of powerful interest groups in the state among other less influential groups. Included among the more powerful groups were the Indiana AFL-CIO (American Federation of Labor and Congress of Industrial Organizations) and the Indiana State Teachers Association, which were very influential with Democratic legislators. The Indiana State Chamber of Commerce and the Indiana Farm Bureau held a lot of sway with Republican legislators. By the end of the twentieth century, lobbyists were spending \$20 million annually to enlist legislators' help to further their interest group's agenda. Labor unions gained strength and then declined as the state shifted away from its mid-twentieth-century manufacturing base. Other

### Voter Registration Campaign

People register to vote in Marion County in 1963 at a registration campaign organized by the All Citizens Voter Registration Committee, the Indianapolis Social Action Council, and the NAACP. The groups collaborated in order to register 35,000 African Americans in Indianapolis.



INDIANAPOLIS RECORDER COLLECTION, INDIANA HISTORICAL SOCIETY

## The Statehouse

The first statehouse in Indianapolis, built in the 1830s, looked like the Parthenon with a dome on top of it. By the late 1860s it was deteriorating; after the ceiling of the Representative Hall caved in, Hoosiers decided it was time to consider building a new, sturdier statehouse. The process was long and involved planning, budgeting, and a modest tax increase. Finally, in 1888 the Indiana General Assembly held its first meeting in the new magnificent Neo-Classical Revival building—a popular style for public buildings at the end of the nineteenth and early twentieth centuries. The new statehouse cost \$2 million.

The building where Hoosiers conduct their lawmaking could rival many palaces for its size and fine craftsmanship. Built in the shape of a cross, the four-story Indiana limestone structure features a stunning stained-glass inner dome that soars more than one hundred feet above the marble floor. Pillars of polished marble, eighty-one doors carved from white oak, and statues that stand for the ideals of democracy can be seen throughout the building.

The work of the three branches of Indiana's



The magnificent stained-glass enclosed dome in the Indiana Statehouse rises more than one hundred feet above the floor.

lobbying groups grew stronger, advocating proposals regarding education, health care, gambling, real estate, and abortion.

In the opening decades of the twenty-first century, most legislators depended on campaign contributions from special interest groups. They claimed that the money had no influence on the way they voted, but critics adamantly disputed these claims. Indiana ranked near the bottom among states known for effective campaign finance laws, but Hoosiers generally avoided the corruption scandals that sent legislators to jail in other states.

government is carried out inside the statehouse. Modeled on the federal government system, Indiana's branches are: the executive (governor), the legislative (general assembly), and the judicial (supreme court). The Governor's Office is on the main floor just south of the main entrance; this is where the governor reviews 100–300 legislative bills every year. The 150-member Indiana General Assembly, commonly called the legislature, has two houses—the House of Representatives and the Senate. The 100-member House of Representatives occupies the third and fourth floors in the east wing. The 50-member Senate occupies the third and fourth floors above the west entrance. Members of the House of Representatives serve two-year terms; senators hold office for four years. The Indiana Supreme Court resides on the third floor of the north wing. Here five to eight justices, elected to ten-year terms, interpret the Constitution of Indiana as it relates to various court cases or laws passed by the state legislature.

Although the statehouse is a grand building in which intricate matters are debated, one basic fact looms even higher than its magnificent dome: Hoosiers elect the legislators who work there. It is the people's house.

## Voting vs. Political Apathy

*A person must meet the following requirements to be a registered voter in Indiana: (1) be a citizen of the United States; (2) be at least eighteen (18) years of age on the day of the next general or municipal election; (3) live in a precinct continuously for at least thirty (30) days before the next election; and 4) not currently be in prison following conviction of a crime.*

—“Voter Qualifications,” 2012 Indiana Voter Registration Guidebook

Over two centuries, Indiana's government may have changed greatly, but Hoosiers still hold to many of the same traditions. They tend to be wary of government involvement in their everyday lives, just as the Hoosier pioneers had been. Hoosiers continue to be concerned over the government's power to tax and to restrict freedom. Some complain about government, but fail to vote or otherwise engage in their democratic rights and responsibilities as citizens.



The ornate interior of the Indiana Statehouse has undergone various renovations to modernize fixtures and meet the government's needs. Nevertheless, its beautiful brass chandeliers, marble columns, and wood paneling remain largely unchanged.

PHOTO BY ELENA RIPPEL

By the late twentieth century, many Hoosiers decided to opt out of voting. The state's election turnout percentage dropped below the national average. An increasing number of voters began going to the polls only when they wanted to vote on a particular issue. Many Hoosiers became independent voters, who did not vote on party lines, while others were only weakly affiliated with a party. A 2011 survey revealed that “nearly 45 percent of Hoosiers . . . do not discuss politics at all.” This can be attributed to a number of factors, including voter apathy—a lack of interest in or indifference to politics. Hoosiers may also avoid discussing politics because it is a very contentious topic.

Some Hoosiers have felt thwarted when they have tried to vote or register to vote. The state's 2005 voter ID law, which required voters to show government-issued photo identification, was among the strictest in the nation. While the law's defenders state that it minimizes the possibility of election fraud, critics argue that it unjustifiably burdens the old, the poor,

and minority groups who may not have access to transportation, a driver's license, or alternate forms of identification. In 2008, only weeks before the Indiana primary election, the U.S. Supreme Court upheld Indiana's voter identification law as constitutional, ruling that the state had a “valid interest” in both improving election procedures and deterring fraud.

Fortunately, in the twenty-first century Hoosiers are returning to the poll booth. One 2007 study revealed that the overall state voter turnout increased by around two percentage points after the photo ID law passed, and that there had, in fact, been an increased turnout in counties with a greater percentage of minorities or families in poverty. Senator Richard G. Lugar, the former Indianapolis mayor who represented Indiana in the U.S. Senate for more than three decades, admitted that sometimes “government doesn't work very well” and that those involved in it must work harder to invigorate young people's interest in politics.

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## Essential Questions

- 1 Why was Indiana slow to embrace and implement laws promoting racial equality? Give an example of the struggle to secure civil rights for African-American Hoosiers.\*
- 2 How did Robert F. Kennedy help to diffuse tension in Indiana the night of the assassination of Dr. Martin Luther King Jr.?
- 3 How was Robert F. Kennedy able to win the 1968 Democratic primary election in Indiana?
- 4 Why were the 1949 Indiana School Desegregation Act and the 1954 *Brown v. Board of Education* U.S. Supreme Court decision unsuccessful in producing integrated schools in Indiana?\*
- 5 What solution to school segregation did Judge S. Hugh Dillin put forth in a 1972 decision against the Indianapolis School Board? How successful was his plan and why?
- 6 What is the Equal Rights Amendment? When was it first proposed to the U.S. Congress?\*
- 7 For what reasons did some people oppose the ERA?\*
- 8 When did Indiana ratify the ERA? Did it then become an amendment to the U.S. Constitution? Why or why not?\*
- 9 What did Title IX of the Education Amendment of 1972 do? What Hoosier politician championed this provision?
- 10 What is redistricting and why is it necessary?
- 11 What is gerrymandering; who uses it; and why?
- 12 How do lobbyists participate in the political process?\*
- 13 Why was the 2005 Indiana Voter ID law controversial?
- 14 As a citizen, what responsibilities do you have to be involved in the political process?

\*See student activities related to this question.

## Hoosiers and the Promise of America

Chapter 11 focuses on the struggles to make the promise of democracy a reality for all Hoosiers. In particular, we read about female Hoosiers and African Americans' struggles to secure civil rights and equal protection under the law. The following Activities provide insight into the challenges these groups faced as they attempted and continue to attempt to secure the full benefits of democracy.

### Activity 1: The Equal Rights Amendment

**Introduction:** The photograph of the NOW rally in Indianapolis in Section 11.3 was taken around 1970 as a chapter of the National Organization for Women (NOW) rallied in Indianapolis in support of equality for women and to combat discrimination against women. The organization supported passage of the Equal Rights Amendment, which was originally drafted in 1923 by Alice Paul.

► The text of the proposed amendment reads as follows:

**Section 1:** *Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.*

**Section 2:** *The Congress shall have the power to enforce, by appropriate legislation, the provision of this article.*

**Section 3:** *This amendment shall take effect two years after the date of ratification.*

- 1 Restate the first section of the proposed amendment in everyday language.
- 2 When this photograph was taken, approximately fifty years had passed since the ERA was first proposed. However, it had not yet been ratified by enough states to pass. How are the women in the photo exercising their rights as U.S. citizens by promoting the passage of the ERA?
- 3 In what other ways might these NOW members have exercised their rights as citizens to promote Indiana's ratification of the ERA?
- 4 Where in the U.S. Constitution are the rights of citizens stated and guaranteed?

► In 1977 Indiana became the thirty-fifth state to ratify the ERA. A proposed amendment must be ratified by thirty-eight states to be added to the U.S. Constitution. To date, no additional states have ratified the amendment, and advocates continue to fight for its passage.

- 1 Based on your opinion of the status of equal rights for women in America, do you think that the Equal Rights Amendment is necessary today? Why or why not?
- 2 Imagine that you are rallying for or against the ERA. What would your protest sign say? Design a protest sign advocating for your position.

## Activity 2: The National Association for the Advancement of Colored People (NAACP)

**Introduction:** The NAACP was founded in 1909 and pursues the following mission:

The mission of the National Association for the Advancement of Colored People is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination.

The NAACP uses the avenues provided by the democratic process to achieve its mission. Its members advocate for legislation that protects the civil rights of African Americans; and they also work within the justice system to make sure that African Americans receive equal protection under the law.

► Willard B. Ransom was very active in the Civil Rights movement in Indianapolis. Ransom graduated from Crispus Attucks High School in 1932, Talladaga College in 1936, and Harvard Law School in 1939. He began practicing law the same year he graduated from Harvard. Ransom became active in the Indiana state chapter of the NAACP and ultimately served as the state chair of the organization for five terms. Ransom fought for civil rights for black Hoosiers in a number

of ways, from representing them in court to lobbying legislators to organizing protests. Examine Ransom's Lobbyist certificate in 11.4 and discuss answers for the following questions with your class:

- 1 Look up the definition of the term "lobbyist." What does a lobbyist do?
- 2 On behalf of what organization was Ransom lobbying?
- 3 How might Ransom have been particularly well-suited to work with the NAACP?
- 4 What subject matters does the certificate list as being of concern to Ransom?
- 5 What rights, guaranteed by the U.S. Constitution allow lobbyists to try to influence lawmakers?

► The NAACP and other groups also work among the citizenry at large. They hold voter registration drives to help African Americans and other minority groups, the elderly, and the poor exercise their right to vote. The NAACP also initiates legal suits when voting rights are denied to minorities. Examine the photograph titled "Voter Registration Campaign" and, with your class, discuss the following questions:

- 1 Explain how the right to vote can also be seen as a responsibility.
- 2 All Americans are indebted to the struggles of our forebears that have resulted in us having the right to vote. Whether that privilege was gained as a result of the American Revolution; the Fifteenth Amendment to the U.S. Constitution, which gave African American men the right to vote; the Nineteenth Amendment, which gave women the right to vote; or the Voting Rights Act of 1965, which prohibits voting discrimination, we are only able to reap the promise of democracy through the sacrifice of others. How might you express your appreciation for those sacrifices?

### Activity 3: Democracy and the Issue of Same-Sex Marriage

**Introduction:** Many would say that the struggle for equal rights and equal protections for all is far from over. One controversial issue today is that of gay marriage. A resolution was under consideration by the Indiana legislature in 2014 proposing an amendment to the Indiana State Constitution that would read:

Only marriage between one man and one woman shall be valid or recognized as a marriage in Indiana.

▶ **With your class, consider the following questions about the proposed amendment to the Indiana State Constitution as they relate to the context of this chapter:**

- 1 Using the historical examples discussed in this chapter, make an argument about whether or not a ban on same sex marriage would infringe upon civil rights guaranteed by the Indiana and U.S. constitutions.
- 2 Should the struggle for gay marriage be considered on par with previous struggles for equal rights, such as the Women’s Movement and the Civil Rights Movement? Explain your reasoning.
- 3 Should this issue be determined by the state legislature or should it come to the electorate for a popular vote? Defend your position.
- 4 How can you use your rights as a citizen to promote your view?

### Activity References

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