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Affirmative image



Ada Sipuel, foreground, Thurgood Marshall and an unidentified man are captured in this 1947 photograph that accompanied a magazine article on Sipuel's efforts to be fully admitted into the law school at the University of Oklahoma.

Photo captures fight for the right to dream

By BENJAMIN DAVIS
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SPECIAL TO THE STAR-TELEGRAM

A U.S. stamp issued earlier this year honoring Thurgood Marshall, the late Supreme Court justice and civil rights lawyer, gave us pause to recall a photograph.

Our father, Griff Davis, took that picture in 1947 when he was a roving photographer for *Ebony* magazine. It was published along with an article about a young woman's efforts to be admitted to the University of Oklahoma law school.

The university had decided to provide Ada Sipuel with the same professors who were teaching the white students ("equal") but to have her sit alone in the state Capitol ("separate") to receive the instruction.

Sipuel challenged this treatment. Her case ultimately went to the Supreme Court as one of a long line of cases in the struggle to overturn separate but equal treatment of black people.

In the background of our father's picture of this young woman are two men. Over Sipuel's right shoulder is a white

HISTORY A photograph from a 1947 civil rights case has something to say about a 2003 affirmative action case.

man whose name has been lost to memory. He is conferring with a black man to his right: Thurgood Marshall. This is a rare photograph of Marshall in a 1940s courtroom.

Our father took the picture during a break in the case in the Oklahoma state court.

It had always struck and disturbed us that Sipuel seemed so insouciant; staring off into space like that in a courtroom where her future was at stake and, by extension, the futures of so many others. It seemed as though she was completely oblivious to her surroundings.

It also seemed curious that our father, a careful man, had taken the picture that way. We thought that perhaps it was to get a picture of Marshall and that this was the best way for a black photographer in an Oklahoma courtroom in the 1940s to get that picture.

Our father had always wanted to uplift

people and was meticulous about the composition of his photographs. To us, this picture seemed incongruous but understandable, given the constraints under which he was working.

But prodded by that stamp, and nearly 10 years after our father's death, we now understand what our parent was trying to do.

Sipuel sits at the court table, looking off into space. She is in reverie — she looks like she is dreaming. What our father tried to portray was her dreaming about the goal of that courtroom battle — becoming a lawyer through the University of Oklahoma law school.

For our father, we are sure that having her dream be the center of the photo was the key.

He was telling all African-Americans reading *Ebony* that they could dream of doing great things. The dream shines on her face and in her eyes. He captured her dreaming her dream.

But our father was a very complex man. And his photographs have an iconic quality that requires deciphering at

More on HISTORY on 6E

HISTORY

Amelia M. Williams

several levels — much like the man. This is how we came to understand why Marshall and the unknown white man were also captured — but in the background.

Sipuel's dream could only become reality through the decision in that courtroom and, if not there, in higher courts. For her dream to be realized, she needed a lawyer to fight for her, and that is why we see Marshall in the background.

Marshall took the case as part of his role in the NAACP Legal Defense Fund. His presence shows that Sipuel's right to dream had to be fought for, and Marshall was there to fight for her. So our father, rather than simply focusing on the dream, was focused on the *right* for her to dream and — through Marshall — helps us see that Marshall is fighting for her right to dream.

But what about the unidentified white man with whom Marshall is conferring?

He was also sitting in a 1940s Oklahoma courtroom and consorting with Negroes in a racially explosive case. He appears to be conferring easily — in equality — with Marshall about some aspect of the case. The equality of their discussion — sitting side by side — is much like what might happen between two law students.

This easy discourse mirrored the easy discourse that Sipuel was seeking to have with other law students at the University of Oklahoma — discourse of which the state was attempting to deprive her. So through Marshall and the unknown white man, our father captured the central issue of the fight going on in that courtroom.

It makes us wonder if Marshall, as part of his trial strategy, wanted his conversations with the white man to occur so that everyone in that courtroom could see the kind of exchange of ideas that a black man and a white man could have in a civil and useful manner without the world coming to an end.

In short, our father was showing segregation's anachronism for Sipuel through Marshall and the unknown white man.

But again, our father was more complex than that — for even though the white man is unknown to us, he was known to our father, Marshall and all the others in that courtroom. We do not know who he is, so we can only speculate about him. But if we look at the photograph as two men in the back of a courtroom looking like lawyers in the 1940s, we see racial barriers being transcended.

We believe that, through this white man, our father was acknowledging

We believe that, through this white man, our father was acknowledging those other whites of good faith who — standing with blacks — were willing to defend the right of this black woman to dream.

He is a reminder of those who — whatever their race, color or creed — relinquish positions of privilege to defend and protect the dreams of the downtrodden. And in this sense, our father enshrines a humanist tradition through this photograph.

So our father captured all these fighters in the background in their battle for a black woman's right to dream in 1940s America — indeed, the effort to fight for any woman's right to dream.

For surely Sipuel dreaming then, as a second-class citizen in terms of color and gender, is a picture of a woman dreaming great things that all women can relate to today.

So our father's picture speaks to the dreams of many, and maybe Sipuel speaks to us across the years as an important image of the need to fight for all who otherwise would be deprived of the right to dream, wherever they are in the world.

We wonder if, in some small sense, this picture served to inspire our father's dream of going to graduate school.

Soon after taking that picture, he went to Columbia University's School of Journalism as the only black in his class. He went on to assist in the development of Liberia and eventually retired as a senior foreign service officer in 1985.

In 1993, his alma mater, Morehouse College, acknowledged him with the Benjamin E. Mays Trailblazer Award.

Now, 10 years after his death, and nearly 60 years since that picture was taken, he reminds us of the importance of fighting for the right to dream.

This is the central issue of the affirmative action case argued last week before the Supreme Court.

Will today's Ada Sipeles continue to be allowed the right to dream? And for that matter, will our father's 13-year-old granddaughter be allowed the right to her dream of becoming a lawyer?

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