

*The
Making of
Modern
Austin*

POWER MONEY & the people



Anthony M. Orum

Resource Publications
an imprint of Wipf and Stock Publishers
199 West 8th Avenue, Suite 3
Eugene, Oregon 97401

Power, Money and the People
The Making of Modern Austin
By Orum, Anthony M.
©1987 Orum, Anthony M.
ISBN: 1-59244-077-0
Publication date: October, 2002
Previously published by Texas Monthly Press / Gulf Publishing Co., 1987.

1960s, completely shut down its restaurant.²⁴ Old Dixie was not dead yet.

At just about this very moment, the strongest attack yet on segregation in Austin emerged in other quarters. In March, the Citizens' Committee for a Human Relations Ordinance, comprised of a number of black Austin residents, decided to confront segregation head-on.²⁵ The members of the group concluded that it would be a good idea to develop a human relations commission in Austin, one that would seek to implement desegregation in the full gamut of Austin's public facilities, even its businesses. Obviously they were willing to tread on very dangerous, even sacred, territory. The group asked Professor Joseph Witherspoon, of the University of Texas Law School, to help draft a design for such a commission as well as an ordinance that would outlaw segregation.²⁶ Witherspoon had been through a couple of interesting civil rights cases in Austin. In the late 1940s, he had been a member of the group that successfully halted the practice of restrictive covenants designed to keep Jewish residents from living in Rollingwood, a suburb of Austin.²⁷ Witherspoon soon helped the Citizens' Committee to develop a plan to implement an ordinance similar to one recently passed in El Paso, Texas.²⁸ This ordinance imposed criminal penalties on any business that practiced segregation. Witherspoon believed the criminal penalties were too severe, thus incapable of enforcement through the court system. Instead he urged some kind of civil devices, and argued for an adjudicative process of persuasion and negotiation.

Witherspoon, the Citizens' Committee, and other people also held a series of public meetings at which they sought to hammer out the purposes and designs of their plans. The whole thing was a long, drawn-out affair, one that sought the opinions of many residents. Several workshop meetings were held with members of the City Council. The Citizens' Committee hoped to reach some kind of agreement with the council on a responsible and feasible ordinance. The council members listened closely to the concerns of the black residents. They heard the plans for an ordinance, and the advisability of seeking legal means to implement desegregation in Austin. But they also balked at the proposals. Their counterarguments were more or less the standard repertoire.

Some council members—but not Emma Long—argued that the problem of racial discrimination was a moral, not a legal, one. Therefore, it could only be solved as the moral enlightenment of the com-