

Talking to Strangers

Anxieties of Citizenship since *Brown v. Board of Education*

DANIELLE S. ALLEN

THE UNIVERSITY OF CHICAGO PRESS
CHICAGO AND LONDON





Little Rock, a New Beginning

ON SEPTEMBER 4, 1957, when Elizabeth Eckford set off for her first day at Central High School in Little Rock, Arkansas, as was her legal right, and when she was kept from entering the school by a mob of her fellow citizens who called out for her lynching and when, on top of this, photographs of her exclusion were blazoned across the nation (and the world) by the major news organs, the U.S. democracy was reconstituted. In the photo (fig. 1), we see her after she has been turned away from the school's entrance by the Arkansas National Guard and is on her way back to the bus stop to get away. But her real escape occurred elsewhere. Her bowed shoulders and quiet presence slipped past the psychic defenses—and into the hearts and minds—of citizens (in the North especially) and fired public opinion in favor of the civil rights struggle. Earlier that year Congress had passed its first civil rights legislation since 1875. But only her suffering—intense, contained, and quiet, under Hazel Bryan's curses in the public square during September's still warm early school days—forced a psychic transformation of the citizenry.

Why did U.S. citizens respond so powerfully to this image? What did their engaged imaginations discover in the photo, about their own democracy, about democratic citizenship, and about democracies in general? And what can we learn now about all this by scrutinizing the picture? Here begins an investigation into democratic practice and its difficulties, and also into the relationship between citizenship and trust. How U.S. citizens think about their citizenship has changed dramatically since 1957; tolerance, for instance, is an ethical



FIGURE 1. Elizabeth Eckford being cursed by Hazel Bryan in front of Central High School, Little Rock, Arkansas, September 4, 1957. Photo by Will Counts.

norm of ever-increasing authority. But if we are to understand the nature of citizenship since 1957, and its requirements, we need to analyze the moment of desegregation, when the polity was coming unstitched and being rewoven. Much as a violent wound reveals bone, sinew, blood, and muscle, the picture stripped away idealized conceptions of democratic life and directed the eyes of the citizenry to the ordinary habits that in 1957 constituted citizenship despite the standing law. As we shall see, habits of citizenship begin with how citizens imagine their political world. And what changed with the photographs? Exactly that: how citizens of the United States imagine their political world.

For decades, white Southern citizens had been accustomed to maintaining key public spaces as their exclusive possession; for the sake of preserving life and stability black Southern citizens had been accustomed to acquiescing to such norms and to the acts of violence that enforced them. Each set of customs, exclusionary on the one hand and on the other acquiescent, constituted the practical rules of democratic citizenship for a set of citizens; together the two sets of rules guided citizens into the diverse forms of behavior that secured stable

(though undemocratic) public spaces. In that one moment on September 4 caught in the photo, neither Hazel nor Elizabeth was acting unusually. Hazel was insisting on her habitual prerogatives (with power behind her to back up her demand), and Elizabeth was (realistically) acquiescing. But the photo had a new frame, thanks to the 1954 Supreme Court decision in *Brown v. Board of Education* outlawing legally enforced segregation in schools. The irony of the photo, what gives it its immediate aesthetic charge, is that the two etiquettes of citizenship—the one of dominance, the other of acquiescence—that were meant to police the boundaries of the public sphere as a “whites-only” space have instead become the highly scrutinized subject of the public sphere. At the same time, the new legal framework meant that old habits could no longer stabilize the public sphere; the photo therefore also promised that more was to come.

Here the function of the photograph becomes clear. It rendered visible democracy’s “public sphere,” as it existed in 1957. The mob encircles Elizabeth in the street; she and they meet to contest the value of a political decision (*Brown v. Board of Education*) before the public eye. In one quick instant, looking at photos of Elizabeth and Hazel, viewers saw, as we still do too, the skeletal structure of the public sphere, and also its disintegration. Once the citizenship of dominance and acquiescence was made public, citizens in the rest of the country had no choice but to reject or affirm it. The photo forced a choice on its U.S. viewers, and its power to engage the imagination lay in this. The picture simultaneously recorded a nightmarish version of a town meeting and, by presenting to a broad public the visible structure of segregation, elicited throughout the citizenry an epiphanic awareness of the inner workings of public life and made those mechanics the subject of debate. Even today, the photo provokes anxiety in its audience not merely about laws and institutions but more about how ordinary habits relate to citizenship. Like the German poet Rilke’s archaic torso of Apollo, the image of Hazel cursing Elizabeth raises the challenge of transformation not of laws but of ourselves: *Du mußt dein leben ändern*, wrote Rilke. Or, you must alter your way of life.

Nineteen fifty-seven forced citizens to confront the nature of their citizenship—that is, the basic habits of interaction in public spaces—and many were shamed into desiring a new order. The time had come for new conceptions of democratic life. With their epiphanic power,



FIGURE 1. Elizabeth Eckford being cursed by Hazel Bryan in front of Central High School, Little Rock, Arkansas, September 4, 1957. Photo by Will Counts.

norm of ever-increasing authority. But if we are to understand the nature of citizenship since 1957, and its requirements, we need to analyze the moment of desegregation, when the polity was coming unstitched and being rewoven. Much as a violent wound reveals bone, sinew, blood, and muscle, the picture stripped away idealized conceptions of democratic life and directed the eyes of the citizenry to the ordinary habits that in 1957 constituted citizenship despite the standing law. As we shall see, habits of citizenship begin with how citizens imagine their political world. And what changed with the photographs? Exactly that: how citizens of the United States imagine their political world.

For decades, white Southern citizens had been accustomed to maintaining key public spaces as their exclusive possession; for the sake of preserving life and stability black Southern citizens had been accustomed to acquiescing to such norms and to the acts of violence that enforced them. Each set of customs, exclusionary on the one hand and on the other acquiescent, constituted the practical rules of democratic citizenship for a set of citizens; together the two sets of rules guided citizens into the diverse forms of behavior that secured stable

(though undemocratic) public spaces. In that one moment on September 4 caught in the photo, neither Hazel nor Elizabeth was acting unusually. Hazel was insisting on her habitual prerogatives (with power behind her to back up her demand), and Elizabeth was (realistically) acquiescing. But the photo had a new frame, thanks to the 1954 Supreme Court decision in *Brown v. Board of Education* outlawing legally enforced segregation in schools. The irony of the photo, what gives it its immediate aesthetic charge, is that the two etiquettes of citizenship—the one of dominance, the other of acquiescence—that were meant to police the boundaries of the public sphere as a “whites-only” space have instead become the highly scrutinized subject of the public sphere. At the same time, the new legal framework meant that old habits could no longer stabilize the public sphere; the photo therefore also promised that more was to come.

Here the function of the photograph becomes clear. It rendered visible democracy’s “public sphere,” as it existed in 1957. The mob encircles Elizabeth in the street; she and they meet to contest the value of a political decision (*Brown v. Board of Education*) before the public eye. In one quick instant, looking at photos of Elizabeth and Hazel, viewers saw, as we still do too, the skeletal structure of the public sphere, and also its disintegration. Once the citizenship of dominance and acquiescence was made public, citizens in the rest of the country had no choice but to reject or affirm it. The photo forced a choice on its U.S. viewers, and its power to engage the imagination lay in this. The picture simultaneously recorded a nightmarish version of a town meeting and, by presenting to a broad public the visible structure of segregation, elicited throughout the citizenry an epiphanic awareness of the inner workings of public life and made those mechanics the subject of debate. Even today, the photo provokes anxiety in its audience not merely about laws and institutions but more about how ordinary habits relate to citizenship. Like the German poet Rilke’s archaic torso of Apollo, the image of Hazel cursing Elizabeth raises the challenge of transformation not of laws but of ourselves: *Du mußt dein leben ändern*, wrote Rilke. Or, you must alter your way of life.

Nineteen fifty-seven forced citizens to confront the nature of their citizenship—that is, the basic habits of interaction in public spaces—and many were shamed into desiring a new order. The time had come for new conceptions of democratic life. With their epiphanic power,

the photos achieved psychic pressure significant enough to make the demand for such new conceptions inescapable. The year therefore inaugurated a new constitution.

An overstatement? I don't think so.

A constitution is more than paper; it is a plan for constituting political rights and organizing citizenship, for determining who has access to the powers of collective decision making that are used to negotiate a community's economic and social relations. Indeed, a constitution need not even be written out. It may, as in Britain, rest on laws and customs that accrete over time to establish a particular distribution of political power through institutions. Or it may, as in ancient Athens, consist of laws and customs that determine who has access to the instruments of political power. As it happens, in the United States the Constitution of 1788–89 by no means even then contained the whole plan for determining political rights and powers. It left the regulation of voting rights to the states. One can't claim to understand the Constitution of the United States without looking beyond the document, which bears that title, to the state laws and the customary habits of citizenship—unspoken norms for interaction that constrain who can speak where in public and how—that helped route the basic circuitry of political power.¹

If one takes "constitution" in this broad sense, the United States has had several foundings. What we're used to calling the Constitution took years to settle into place as states decided how much property white men needed in order to vote. Some Eastern states retained property requirements even as late as 1860.² But the plan of 1789 was eventually superseded, thanks to the Civil War, after which constitutional amendments began to federalize control over voting rights. That refounding, the Reconstruction, incorporated much of the plan devised in 1789 but finally established universal white male suffrage, prohibited slavery and, in designating newly freed African Americans as citizens with full voting rights, connected citizenship for native inhabitants to place of birth rather than to blood. This plan was itself made moot in 1876 when the Hayes-Tilden Agreement led to the withdrawal of federal troops from the South and gave white Southerners free rein to employ extralegal violence to redraw the basic parameters of political and civil rights. Also, in this period literacy requirements in both North and South restricted the voting rights not

only of African Americans but also of poor whites and immigrants. This step away from universal suffrage was confirmed at the end of the nineteenth century when the United States acquired Puerto Rico in the Spanish American war and determined that the U.S. Constitution would not be binding there. Now there was federal sanction for maintaining different types of citizenship in different parts of the polity. Puerto Ricans still may not vote in national elections, and citizenship has since then had an imperial cast.

Nineteen twenty reconstituted U.S. citizenship again—with a turn back toward universal suffrage; women acquired the right to vote through a constitutional amendment. Then in the 1950s the fight over race, and its political significance, was joined once more. Over the course of a single decade, between 1954, when the Supreme Court invalidated legally enforced segregation in schools, and 1965, when the Voting Rights Act was passed to supplement the 1964 Civil Rights Act, the citizens of the United States once again reorganized their basic plan for assigning and protecting political rights and powers, this time to protect the rights of minorities. Now it was not state but federal laws that supplemented the text of the Constitution to organize the circuitry of political power.

Let me take note of one last major refounding. In 1971 a constitutional amendment lowered the voting age from 21 to 18, in response to arguments that men old enough to die for the country were also old enough to vote in it. The amendment recast the generational struggle of the late 1960s, and no doubt contributed to sapping the vigor of the protest movements following 1968, by redirecting (at least to a degree) the political energy of the young into official channels. With each set of constitutive legal changes, whether at the level of federal or state law, basic habits for the interaction among citizens also changed. But the amendment of 1971 came about only after young men were dying apace in Vietnam and their age cohort had taken to the street, abandoning parental norms. Shifts in basic habits for interaction can themselves rise to the level of constitutional change, preceding and necessitating changes in the law.

Of all the refoundings, that from 1954 to 1965 is my concern here. It is not the only epochal shift in the country's history, but it does remain still undigested. When in December 2002 Senator Trent Lott, newly elected Republican majority leader, praised Strom Thurmond's

1948 presidential campaign on a segregationist platform at a birthday party for the old senator, it was unclear what political consequences would follow from his nostalgia for the pre-civil rights era. Several weeks of widespread conversation in the media and on the street preceded Lott's decision to resign the leadership post. Until the last few days of the furor it was unclear whether he would have to. Citizens in the United States have not yet fully come to grips with what has changed for them since the 1950s, at the basic level of how they interact with strangers, despite the fact that the political restructuring of the civil rights movement drew so much of its initial energy precisely from challenges posed to ordinary habits, as with the photo of Elizabeth Eckford. We have not yet hammered out all the provisions of the new constitution that, in 1957, "took," or "quickened" in the womb of the old. Yet the epiphanies the photo of Elizabeth provoked then (and still provokes now) destabilized old understandings of citizenship thus making room for and requiring something new. After that moment there could be no turning back. The road from 1957 to the present in the United States has been a rocky one of, among other things, trying to articulate new accounts of democratic citizenship. The photographs of Elizabeth Eckford have made this project inescapable. In this regard 1957 inaugurated a new constitution.