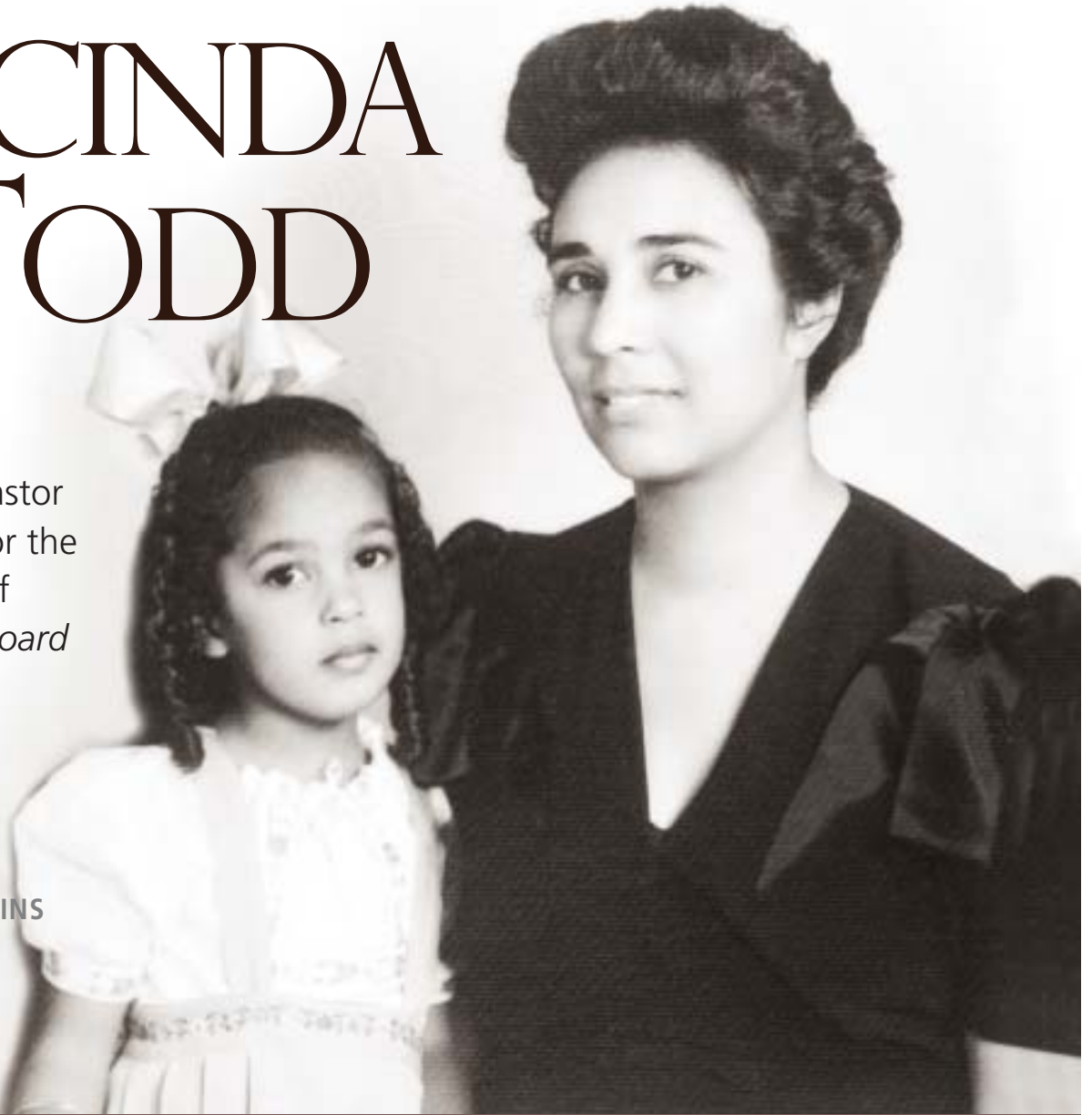


REMEMBERING LUCINDA TODD

A Covenant pastor gives thanks for the unsung hero of *Brown v. the Board of Education*.

MICHAEL F. BLEVINS



We often wonder if our lives have meaning and impact in the world. I knew a person who beautifully demonstrated that the answer is yes.

Lucinda Wilson Todd (1903-1996) was my fifth-grade teacher in the 1964-1965 school term at Central Park Elementary School in Topeka, Kansas. I remember her as a stunningly graceful, wise, and winsome lady—a warm, loving, disciplined teacher, who loved

books and brilliantly instilled in her students a passion for reading and all things cultural. Mrs. Todd was a dedicated member of that too-little-appreciated cadre of world changers—the public-school teacher.

Mrs. Todd was a devoted wife, mother, and community person—a woman of deep and broad faith. She believed God was a force of hope, love, and justice. She was a lifetime active member of St. John's AME Church in Topeka. Her love for her daughter

Nancy was the cause for her inadvertently stepping into legal and cultural history.

Historians such as Richard Kluger (*Simple Justice*, 1977) uniformly acknowledge that Oliver Brown was not the initiating plaintiff in the case that bears his name: *Brown et. al. v. Board of Education of Topeka et. al.* In fact, his daughter Cheryl Brown Henderson, executive director of the Brown Foundation, told me that Lucinda Todd initiated the decision to file suit after years



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of stonewalling by the Board of Education. Henderson, whose older sister Linda was named in the petition, has written about the case in the *Washburn Law Journal* and other publications.

For several years, especially from 1948 through 1950, Topeka NAACP President McKinley Burnett led the effort to confront the inequities of segregation in local schools. He had gone before school superintendent Kenneth McFarland and the Topeka school board repeatedly to seek integration of the elementary schools (the secondary schools were not formally segregated by this time)—each time to no avail. The board routinely insulted the NAACP representatives.

However, it wasn't until Mrs. Todd watched her fourth-grade daughter Nancy nearly get struck and killed by her school bus that she got motivated enough, angry enough, to demand no

more waiting. The time had come to take the battle public and file suit. One wintry morning in 1950, Mrs. Todd looked out and saw that as Nancy tried to catch up with the bus that would take her a few miles to her all-black grade school (when the nearest white elementary school was less than three blocks away), she very nearly was run over.

This was the last straw for Lucinda Todd. The frustration and anger of that incident, compounded the ire she felt that her daughter could not participate in the public-school music programs, which were for white students only. Mrs. Todd was livid ("red hot," in her words), and consequently marched "kicking and fussing" to see Burnett, insisting that busing to enforce segregation was no longer acceptable. Waiting was no longer an option. A tipping point had been reached.

The Topeka NAACP chapter decided to allow the local African American law firm of Scott and Scott to prepare litigation, with the assistance from the national NAACP. Mrs. Todd, secretary of the local chapter, wrote an important letter on August 25, 1950, to Walter White of the New York office, asking for their commitment. When White came to Topeka, he stayed with Mrs. Todd and her husband, Alvin.

Strategic planning meetings for the groundbreaking lawsuit occurred in Mrs. Todd's home on Jewell Street in Topeka, around her modest dining room table. Attorneys such as Robert Carter, Jack Greenberg, and Thurgood Marshall were guests in her home. Elisha Scott, his son Charles Sheldon Scott, and Charles Bledsoe—all grad-

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uates of Topeka's Washburn Law School—were the local attorneys for the plaintiffs.

The legal team of Elisha, Charles and John Scott, and Charles Bledsoe with the assistance of Robert Carter and Jack Greenberg, drafted a lawsuit averring that racially separate education was inherently unequal and therefore violated the Fourteenth Amendment's Equal Protection Clause. They filed the case in the U.S. Courthouse at 5th and Kansas in Topeka on February 28, 1951. Mrs. Todd doubted that the suit would be successful, but believed it was the right thing to do.

There were thirteen named plaintiffs (and twenty children) in the suit. The legal team wanted to have broad support with a diversity of African American plaintiffs. Oliver Brown and his daughter Linda Brown were named first, most likely because Brown was a man and a minister, and the legal team wanted to limit the cultural battles they were going to have to fight.

Oliver Brown was by all accounts a humble, hard-working, and deeply devoted AME minister (at St. Mark's), who did not actually participate in the litigation other than by bravely signing his name to the petition and testifying briefly at trial. All the plaintiffs were courageous to step into the limelight of this intense legal and cultural battle.

It was Mrs. Todd who volunteered first, and convinced the other parents (mothers chiefly) to join the suit as plaintiffs against the school board. It was Mrs. Todd who led the door-to-door campaign on foot (she did not drive) to obtain 1,500 petition signatures (the NAACP required this as a show of sufficient support). It was Mrs. Todd who took the brunt of the heat for "rocking the boat"—from both the white and black communities. The NAACP did not have the support of most Topeka blacks because of fears of recrimination and loss of status quo. It was Mrs. Todd who took the lead in keeping other participants motivated

through the completion of the case—clear through to the United States Supreme Court.

On May 17 we will celebrate the fiftieth anniversary of the court's historic decision in *Brown v. the Board of Education*, holding that public schools must be desegregated because separate is indeed inherently, on its face, unequal, and therefore unconstitutional. By all rights, the suit should be known as *Todd v. the Board of Education*. As Cheryl Brown Henderson put it, Mrs. Todd was the "guiding figure" in the Brown case.

Mrs. Todd, who died in 1996 in Topeka at the age of ninety-three, is an American hero whose story should be widely told and emulated. She did not want attention. She did not seek to make history—but with the help of others she did anyway. She was a woman of faith who did the right thing at the right time with courage, against the odds, and in the process changed our world for the better. The case she made sure was filed is widely regard-

ed as the most important constitutional case in United States history. African Americans felt real hope for the first time that the days of Jim Crow were numbered. And white supremacy felt its first real fear.

I am grateful to have known this wonderful woman who did not let racism, sexism, or cynicism deter her. Her faith-filled life is one reason I urge all of us to support public education and to join the ranks of those calling for ever-vigilant affirmative action, and for a truth and justice reconciliation process, with consideration of restorative justice options, to address the continuing legacies of this American version of apartheid. Confronting systemic injustice is a crucial calling for our time.

Thank you Mrs. Todd. Thank you to all the plaintiffs and all those who stepped forward with you with courage. Thank you for everything. As we stand on your shoulders, I find myself still tugging, Mrs. Todd, at your wise, kind sleeves. □

WHAT WOULD JESUS DO ABOUT SEGREGATION

Since 1997, the phrase "What Would Jesus Do?" has become a pop cultural phenomenon in North America, with sales of millions of bracelets, t-shirts, jewelry, hats, books, and CDs bearing the WWJD logo.

But it also has a connection to the early days of the civil rights movement, especially the famed 1954 *Brown v. Board of Education* decision.

The phrase "What Would Jesus Do?" comes from *In His Steps*, a 1896 novel by Charles Sheldon, a Congregational minister in Topeka, Kansas. In the novel, a minister and his congregation decide to use that question to guide their everyday decisions. In doing so, the church transforms its fictional community—cleaning up slums, closing down the local bar, and demonstrating God's love in action.

Sheldon also lived out that motto in the real world. His church started two kindergartens in "exoduster" communities around Topeka, which had been settled by former slaves.

One of the students in Sheldon's school was Elisha Scott, who eventually studied at Topeka's Washburn Law School, with the financial help from Sheldon. Scott, along with his son, Charles Sheldon Scott, and colleague Charles Bledsoe, filed the famed *Brown v. Board of Education* lawsuit against school segregation. In 1954, the Supreme Court ruled that "separate but equal" education for black students was unconstitutional.

It was a real-life lesson of the remarkable power of people living out "What Would Jesus Do?" □