

DEDICATION

JOHN A. HANNAH: “ONLY PEOPLE ARE IMPORTANT”

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INTRODUCTION

John Alfred Hannah (October 9, 1902–February 23, 1991) was appointed President of Michigan State College in 1941.¹ In 1955, the State of Michigan elevated the college to university status, and in 1964, the name Michigan State University (MSU) was adopted.² Hannah served as president for twenty-eight years (1941–1969), making him the longest serving of MSU’s presidents.³ He is credited with transforming the school from a little-known, regional agricultural college into a large national research institution.⁴ In many respects, his tenure as president helped “set the standard for a modern land-grant university [as he] guided [MSU] through its greatest period of growth.”⁵ After his resignation from the university in 1969, Hannah became head of the United States Agency for International Development, where he served for four years before retiring.⁶ This issue of the *Michigan State Law Review* is dedicated to President Hannah in recognition of his many accomplishments in the arenas of civil rights and education.

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1. John T. McQuiston, *John Hannah, 88, Who Headed Michigan State and Rights Panel*, N.Y. TIMES (Feb. 25, 1991), <http://www.nytimes.com/1991/02/25/obituaries/john-hannah-88-who-headed-michigan-state-and-rights-panel.html>.

2. See *MSU Facts*, MICH. ST. UNIV., <http://www.msu.edu/about/thisismsu/facts.html> (last visited Sept. 7, 2014).

3. *Id.*

4. McQuiston, *supra* note 1.

5. *Id.*

6. *Id.*

I. HANNAH'S APPOINTMENT TO THE CIVIL RIGHTS COMMISSION

Sixteen years into his service as president of MSU, the Civil Rights Act of 1957 was signed into law by President Dwight D. Eisenhower.⁷ The Act created the U.S. Civil Rights Commission.⁸ The duties of the commission were to

- (1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote . . . by reason of their color, race, religion, or national origin; . . .
- (2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and
- (3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.⁹

Soon after the passage of the 1957 Act, President Eisenhower appointed the six-member, bipartisan Commission, consisting of John A. Hannah, President of MSU, as Chair of the Commission; Robert Storey, Dean of the Southern Methodist University Law School; Father Theodore Hesburgh, President of the University of Notre Dame; John Stewart Battle, former Governor of Virginia;

7. David A. Nichols, Op-Ed., *Ike Liked Civil Rights*, N.Y. TIMES (Sept. 12, 2007), http://www.nytimes.com/2007/09/12/opinion/12nichols.html?_r=0.

8. Civil Rights Act of 1957, Pub. L. No. 85-315, § 101, 71 Stat. 634, 634 (1958).

9. *Id.* § 104. The foundation for this initiative began with President Truman's Executive Order 9808, issued on December 5, 1946, which established the President's Committee on Civil Rights. Exec. Order No. 9808, 11 Fed. Reg. 14,153, 14,153 (Dec. 5, 1946). That Committee subsequently issued a report in 1947 called *To Secure These Rights: The Report of the President's Committee on Civil Rights*. PRESIDENT'S COMM. ON CIVIL RIGHTS, *TO SECURE THESE RIGHTS: THE REPORT OF THE PRESIDENT'S COMMITTEE ON CIVIL RIGHTS*, at VII (1947). The 178-page report proposed improving existing civil rights laws. *See generally id.* The Committee was instructed to investigate the status of civil rights in the country and propose measures to strengthen and protect them. *Id.* at VII. After the Committee submitted a report of its findings to President Truman, it disbanded in December 1947. Exec. Order No. 9808, 11 Fed. Reg. at 14,153. Among other things, the report proposed:

A permanent Commission on Civil Rights should point all of its work towards regular reports which would include recommendations for action in the ensuing periods. It should lay plans for dealing with broad civil rights problems, such as those arising from the technological displacement and probable migration of southern Negroes to cities throughout the land. It should also investigate and make recommendations with respect to special civil rights problems, such as the status of Indians and their relationship to the federal government.

PRESIDENT'S COMM. ON CIVIL RIGHTS, *supra*, at 154.

J. Ernest Wilkins, a Department of Labor attorney; and Doyle E. Carlton, former Governor of Florida.¹⁰ These six men set out to accomplish quite an impressive record.

John A. Hannah, who served on the Commission from 1957-1969,¹¹ was a somewhat unlikely candidate to head a civil rights group. He was born in the conservative community of Grand Rapids, Michigan in 1902.¹² His family made a living growing vegetables, planting flowers, and raising Orpington chickens.¹³ "[I]n high school, he served as secretary of the West Michigan Poultry Association," and he showed off his chickens at county fairs.¹⁴ Many of the people in Hannah's youth were white, dedicated to farming, and most had little interest in worldly social issues.¹⁵

With respect to Hannah's appointment as Chair of the Civil Rights Commission, Richard O. Niehoff, a Hannah biographer and MSU professor, observed that "Eisenhower was well acquainted with Hannah's ability to work successfully [with] varied educational and governmental organizations," by virtue of the fact that he had already served in government before being invited to serve as Chairman of the Civil Rights Commission.¹⁶ In the early 1950s, Hannah took a leave from the college presidency to serve as Assistant Secretary of Defense for Manpower and Personnel (February 11, 1953–July 31, 1954).¹⁷ In that capacity, during the closing months of the Korean War, Hannah dealt with integration in the armed services.¹⁸ As early as 1953, in a radio address, Hannah called for integration in all of the U.S. armed forces:

The obligations to defend our country and our beliefs are borne equally by our citizens without regard to race or color or religion. . . . We believe in the essential dignity of every human being, and that within certain limits necessary to maintain an orderly society, each individual should have an

10. See RICHARD O. NIEHOFF, JOHN A. HANNAH: VERSATILE ADMINISTRATOR AND DISTINGUISHED PUBLIC SERVANT 47-48 (1989).

11. See McQuiston, *supra* note 1.

12. *Id.*

13. DAVID A. THOMAS, MICHIGAN STATE COLLEGE: JOHN HANNAH AND THE CREATION OF A WORLD UNIVERSITY, 1926-1969, at 9 (2008).

14. *Id.*

15. See *id.* at 8-10.

16. NIEHOFF, *supra* note 10, at 45.

17. See McQuiston, *supra* note 1.

18. See *id.* In 1948, President Truman issued Executive Order 9981, directing the U.S. Armed Forces to desegregate as quickly as possible. Exec. Order No. 9981, 13 Fed. Reg. 4311, 4313 (July 26, 1948). By the end of the Korean War in July of 1953, the U.S. military was well on its way to being desegregated. JOHN A. HANNAH, A MEMOIR 8-9 (1980). One can say Hannah stepped in to finish the job.

opportunity to determine the course and of his existence. . . . In spite all predictions to the contrary I have yet to find a field commander in any service that has anything but commendation for complete racial integration. . . . We are demonstrating in action as well as words that we really believe in social justice, economic justice and political justice for all people for all races and colors.¹⁹

A statement included in Hannah's own *A Memoir* emphasized his strong belief in how problems were to be addressed and resolved:

I came to believe that not much of lasting importance is likely to be settled on battlefields. The only real hope for the human race, I am convinced, is to find a way for the peoples of all colors, all races, and all religions to agree, not necessarily on politics or economic philosophies, but on how to get on with peaceful efforts at solving the most important basic human problems.²⁰

II. PRACTICAL EXPERIENCES THAT HELPED PREPARE HANNAH FOR SUCCESS ON THE COMMISSION

Interestingly, it may have been intercollegiate football that sparked Hannah's interest in civil rights. Longtime MSU athletic trainer Jack Heppinstall remembered, "Hannah 'started coming to all the football games at Michigan State and too many practices, where he became acquainted with the coaches, the players, and others connected with the team.'"²¹ "The team came to hold an important place in Hannah's heart" ²² Years later, I remember seeing a gray-haired man standing in a group of black players, looking like a favorite coach. He was shaking hands with all of them, and they were slapping him on his back. As the players returned to practice, the man walked back to his car with a slight grin on his face. It was John Hannah.

During the first half of the twentieth century, many schools refused to recruit black football players. In fact, the Michigan State Spartans fielded predominantly white teams until the Biggie Munn–Duffy Daugherty era,²³ from 1947 to 1972.²⁴ It was not until the

19. *Dr. Hannah, Assistant Secretary of Defense, 75th National Guard Conference* (U.S. Armed Forces Radio Service radio broadcast Oct. 21, 1953).

20. HANNAH, *supra* note 18, at 24.

21. THOMAS, *supra* note 13, at 11.

22. *Id.* at 12.

23. *See id.* at 320-23. One notable exception to that practice was when Gideon Smith joined the MSU football team in 1913 and played offensive tackle; he was part of that team that defeated the University of Michigan for the first time. Joe Rexrode, *Spartans' First Black Player, Gideon Smith, Helped M.A.C Beat Michigan for First Time in 1913*, DETROIT FREE PRESS (Nov. 1, 2013),

1960s—during Hannah’s presidency—that black players began to make national headlines.²⁵ Names such as Bubba Smith, Clinton Jones, George Webster, and Gene Washington became household names to most football fans.²⁶ When racial incidents arose, the administration and coaches were quick to take corrective action. “[Coach] Daugherty one night came into the post-practice dining room to see whites sitting with whites and blacks sitting by themselves at dinner. He exploded. “You play together, dammit, you eat together.” It was the last time tables were segregated.”²⁷

Basketball also played a prominent role in race relations at Michigan State. *The Lansing State Journal* recounted the story of the “Game of Change” in an article honoring Black History Month.²⁸ The game was between Loyola and Mississippi State, played in East Lansing in the 1963 NCAA Tournament.²⁹ Mississippi State had been prohibited from participating in the tournament on three prior occasions because teams from Mississippi were not allowed to play integrated opponents at that time.³⁰ This time, however, Mississippi State was able to sneak out of state to face an integrated Loyola team on the campus of Michigan State University.³¹ Loyola won 61-51.³² All of this was made possible with the approval and to the credit of then-President John Hannah.

It wasn’t just black football players and integrated sporting events that were making a positive impact on the MSU college campus. During Hannah’s presidency, black faculty members were also becoming visible. David Dickson, for example, joined the

<http://www.freep.com/article/20131101/SPORTS07/311010023/>. Smith is currently a member of the Michigan State Athletics Hall of Fame. *Id.*

24. *Subject—Coaches*, MICH. ST. UNIV. SPORTS HISTORY, <http://sports.history.msu.edu/exhibit.php?kid=5-14-4> (last visited Sept. 27, 2014).

25. See THOMAS, *supra* note 13, at 322.

26. See *id.* at 323.

27. *Id.* at 322 (quoting LYNN HENNING, SPARTAN SEASONS: THE TRIUMPHS AND TURMOIL OF MICHIGAN STATE SPORTS 13 (2003)).

28. Graham Couch, *At the Center of Change: 1963 Game at Jenison Field House “a Defining Moment” for Integration in Sports*, LANSING ST. J. (Dec. 9, 2012),

<http://www.lansingstatejournal.com/article/20121209/NEWS01/312090093/jenison-1963-game-loyola-miss>.

29. *Id.*

30. *Id.*

31. *Id.*

32. *Id.*

English Department in 1948,³³ arriving from Harvard with a master's and doctorate.³⁴ William Pipes arrived in 1957 after a stint as president of Alcorn College in Alabama.³⁵ And in 1965, Dozier Thornton came with a doctorate in psychology.³⁶ "I felt respected and highly regarded by my white colleagues," he remembered.³⁷ "I still feel welcome and comfortable as a black professor at MSU."³⁸ Thornton's main interest was not leading civil rights marches or cheering on black athletes but helping them achieve academic success.³⁹

When Robert Green joined the MSU faculty as an education professor,⁴⁰ Hannah made a phone call to East Lansing Mayor

33. *Historic Firsts*, MICH. ST. UNIV. ARCHIVES & HIST. COLLECTIONS, http://www.archives.msu.edu/collections/african_presence_firsts.php (last visited Sept. 7, 2014).

34. Wolfgang Saxon, *David W. D. Dickson, 84, Scholar and College Leader*, N.Y. TIMES (Dec. 22, 2003), <http://www.nytimes.com/2003/12/22/nyregion/david-w-d-dickson-84-scholar-and-college-leader.html>.

35. *Historic Firsts*, *supra* note 33.

36. *Professor Dozier W. Thornton Retires*, PSYCHOL. ALUMNI NEWSL. (Mich. State Univ. Dep't of Psychology, E. Lansing, Mich.), Spring 2004, at 6, available at <http://psychology.msu.edu/Alumni/newsletters/NLSpring2004.pdf>.

37. Interview with Dozier Thornton, Professor, Mich. State Univ., in E. Lansing, Mich. (Aug. 26, 2003).

38. *Id.*

39. *Id.* One student, Robert Clark, a 1959 graduate, became the first African-American elected to the Mississippi legislature since the Reconstruction. *Id.*; see also GEORGE A. SEWELL & MARGARET L. DWIGHT, MISSISSIPPI BLACK HISTORY MAKERS 80-81 (1984). Another, Larry Davis, became Dean of the School of Social Work at the University of Pittsburgh. Interview with Dozier Thornton, *supra* note 37; see also *Larry E. Davis: Dean, Donald M. Henderson Professor, and Director, Center on Race and Social Problems*, U. PITT., <http://www.socialwork.pitt.edu/person/larry-e-davis> (last visited Sept. 7, 2014). And a third, James Jackson, became a psychology professor at the University of Michigan and director for its Program for Research on Black Americans. Interview with Dozier Thornton, *supra* note 37; see also Susan Rosegrant, *James Jackson*, U. MICH. INST. FOR SOC. RES. (April 2009), <http://home.isr.umich.edu/research/researcher-profiles/james-jackson/>.

40. Casey Holland, *Retired MSU Dean Honored by MSU Black Alumni Association*, STATE NEWS (Oct. 13, 2013, 10:28 PM), <http://statenews.com/article/2013/10/retired-msu-dean-honored-by-msu-black-alumni-association>. Dean Green would later serve as the education director for the Southern Christian Leadership Conference under Dr. Martin Luther King Jr. *Id.* Hannah approved Dean Green for the one-year leave of absence from Michigan State to pursue this opportunity. Email from George White, Commc'ns Dir., Robert L. Green & Assocs., to Kristi Bowman, Professor, Mich. State Univ. Coll. of Law (July 10, 2014, 2:40 PM) (on file with the *Michigan State Law Review*).

Gordon Thomas. He told Thomas he wanted him to have Green and his wife over to dinner.⁴¹ Hannah told Thomas that they were going to do lots of things to make Green feel welcome at MSU: We want you to make him feel welcome to East Lansing. Mayor Thomas had the dinner.⁴²

On campus, Hannah was not outwardly aggressive in the field of civil rights, nor did he seek publicity for the positive things he did for African-Americans. But, he was well aware of most things that happened on his campus. Some things were small but nonetheless significant. MSU Humanities Professor Maurice Crane tells the story of a black student unable to get a haircut at the barbershop at the MSU Student Union.⁴³ "Come with me," Hannah said to the student.⁴⁴ The two walked over to the barbershop, and Hannah told the barber that the two of them would like haircuts.⁴⁵ They got them, and the barbershop was integrated.⁴⁶ The case of Ernest "Ernie" Green is yet another example. Green became famous for being a member of the Little Rock Nine—a group of black students in Little Rock, Arkansas who risked their lives by walking through a hostile crowd to integrate Little Rock Central High School in 1957.⁴⁷ Green was the first African-American to graduate from the high school in 1958, and thereafter, he attended MSU, eventually graduating with a Bachelor of Arts in 1962 and a Master's degree in sociology in 1964.⁴⁸ When asked why he chose MSU, he responded, "During the school year at Central, I got a notice I received a scholarship to MSU. . . . 'I was unaware of who the donor was.'"⁴⁹ Later, he discovered it was John Hannah.⁵⁰

41. Email from George White, *supra* note 40.

42. This dinner occurred in the Author's house in East Lansing, when his father, Gordon Thomas, was mayor.

43. THOMAS, *supra* note 13, at 55.

44. *Id.*

45. *Id.*

46. *Id.*

47. *Ernest Green*, WASH. U. FILM & MEDIA ARCHIVES, <http://library.wustl.edu/units/spec/filmandmedia/collections/henry-hampton-collection/eyes1/green.htm> (last visited Sept. 7, 2014).

48. *See id.*

49. THOMAS, *supra* note 13, at 394.

50. *Id.*

III. HANNAH'S WORK ON THE CIVIL RIGHTS COMMISSION

Hannah and the other nominees were all eventually confirmed, and the work of the Commission began; but, the work was not always easy. In 1958, the Commission received a complaint about a denial of voting opportunities in the South.⁵¹ A hearing was scheduled for Montgomery, Alabama.⁵² But, a major problem arose related to housing for the African-Americans working for the Commission.⁵³ Father Hesburgh remembers how Hannah addressed the issue.⁵⁴

“Characteristically,” Hesburgh remembered, “John wrote all of the large hotels there requesting reservations and indicating that we had both a black on the Commission and blacks on our staff.”⁵⁵ However, every hotel in the area indicated they could not lodge a mixed group.⁵⁶ Hannah said, “‘not to worry,’ we’ll just stay at the Montgomery Air University,” as he was “well acquainted with the General in charge there.”⁵⁷ Unfortunately, Hannah’s request was denied because the Major in charge of public relations believed that a mixed group living at the base would not be accepted by the general public in the area.⁵⁸ “Again quite calmly, John said ‘not to worry, I’ll just take the request to the Secretary of the Air Force,’ who was a friend of his.”⁵⁹ Unfortunately, “[t]he Secretary of the Air Force replied that he had to follow the judgment of the base commander. Again, John was relaxed and said, ‘don’t worry, I’ll go to Charlie Wilson,’ (Engine Charlie, . . . former president of General Motors) who was a good friend of John’s”⁶⁰ Yet again, Hannah received a denial from Wilson, who was the current Secretary of Defense.⁶¹

At that point, John really got angry. He called up President Eisenhower directly and said, “Mr. President, you gave us a very tough job to do and when we begin to do it, we can’t find a place to live. Perhaps that’s typical of the problem we’re facing . . .” [sic] When he described the situation . . . Ike had one of his typical flairs of temper. President Eisenhower was not a

51. NIEHOFF, *supra* note 10, at 56.

52. *Id.*

53. *Id.*

54. *Id.*

55. *Id.*

56. *See id.* at 55.

57. *Id.* at 56.

58. *Id.*

59. *Id.*

60. *Id.* at 56-57.

61. *Id.* at 57.

flaming liberal, or an outspoken advocate of civil rights, but he knew basic injustice when he saw it. The upshot was that we were able to stay at the [base] simply because we had an executive order from the President of the United States.⁶²

That is perhaps the best indication of the state of civil rights in the South in 1958 and the best indication of how Hannah handled obstacles in his path.

During his tenure as Commission Chair, Eisenhower wrote to Hannah on September 23, 1959:

I want to tell you how much I appreciate the splendid work you are doing and have done as Chairman of the Commission on Civil Rights. The overwhelming vote in Congress in favor of the extension of the life of the Commission emphasizes the value of your effort. . . . I am more convinced than ever that if any agency of government can make a substantial contribution to advancing America toward a goal of equal opportunity for all, it is the Commission on Civil Rights. I hope very much that you will continue to serve as a member and as Chairman during the extended life of the Commission.⁶³

Back on campus, Hannah seemed to become more sensitive to and aware of local civil rights issues the more he involved himself in national civil rights problems. As university president, he seldom used a bully-pulpit role to settle a town-grown dispute, much preferring to work quietly behind the scenes.⁶⁴ Both East Lansing Mayor Gordon Thomas and City Manager Jack Patriarche noticed more interest from Hannah in city civil rights issues. From time to time he would call them expressing his views on racial matters. In 1968, the East Lansing City Council amended the housing ordinance to bring discrimination under the City's penal code. Both men believed Hannah was helpful in convincing the Council's more conservative members of accepting the change.⁶⁵

Overall, Hannah's tenure as chairman was a resounding success. One study of the early years of the Commission concluded,

For some eight years [the Commission] had conducted far-flung investigations into every phase of legal discrimination and issued a series of reports with specific recommendations for both congressional and executive action to remedy the infringements of equal rights so carefully documented by the staff's findings. In very considerable part as a result of

62. *Id.* (first alteration in original).

63. *Id.* at 97.

64. See Email from George White, *supra* note 40.

65. These conversations were relayed to the Author by his father, Mayor Gordon Thomas.

these findings and recommendations, Congress passed the Civil Rights Acts of 1960 and 1964, and the Voting Rights Act of 1965⁶⁶

While Hannah's respect as chairman of the Civil Rights Commission was lauded by Democrats and Republicans alike,⁶⁷ perhaps the kindest tribute came from John W. Macy in 1986. The former chairman of the U.S. Civil Service Commission and adviser to President Kennedy wrote to biographer Richard O. Niehoff, saying Hannah

was remarkably successful as Chairman of the Civil Rights Commission. His judgments were statesmanlike. He displayed compassion and understanding in evaluating the civil rights revolution that occurred during those times. An avowed Republican he worked in such a fashion that he gained the respect of the Kennedy and Johnson administration. He was looked upon as committed to justice and progress. Because of my own intensive involvement in equal employment opportunity matters I looked to him and his Commission for reinforcing support in guiding the civil service system onto the paths of true equal opportunity. He established a high standard of character and performance for that position and his standards were followed by his distinguished successor until there was a total change of outlook in the current administration.⁶⁸

CONCLUSION

When Hannah died in 1991, the *New York Times* published the perfect obituary. "John A. Hannah, the former president of Michigan State University who fought world hunger and served as the first chairman of the United States Commission on Civil Rights, died Saturday at a son's home in Kalamazoo, Mich. He was 88 years old."⁶⁹ It went on to quote the then-President of MSU John DiBiaggio: "'He showed us that . . . men and women throughout the globe are our brothers and sisters' 'John Hannah's guide to administration and to service was his often-stated view that only people are important.'"⁷⁰

66. FOSTER RHEA DULLES, *THE CIVIL RIGHTS COMMISSION: 1957-1965*, at 257 (1968).

67. See NIEHOFF, *supra* note 10, at 125-32.

68. *Id.* at 132.

69. McQuiston, *supra* note 1.

70. *Id.*

