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William Rehnquist's racist record revealed

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“I realize that it is an unpopular and unhumanitarian position for which I have been excoriated by ‘liberal’ colleagues, but I think Plessy v Ferguson was right and should be reaffirmed.”

For those unfamiliar with American legal history, Plessy v Ferguson was a landmark case in the Supreme Court in 1896 that gave consent to legalized segregation in the southern United States. The aforementioned quote is taken from a memo written by a young law clerk named William Rehnquist to Justice Robert Jackson in the mid-1950’s. The memo went on to read: “it’s about time the Supreme Court faced the fact that the white people of the South don’t like the colored people.” While they are overtly racist, these statements become even more shocking when one realizes that they were written by the future Chief Justice of the Supreme Court and the keynote speaker at Calvin College’s 2001 commencement.

Some might say that Rehnquist’s comments simply show that his viewpoint was a product of its time – it wasn’t uncommon during the 1950’s to find white men in positions of power holding racist attitudes. Therefore, it would be undue and unfair to criticize a man based on things he said forty-five years ago; after all, his opinion on such matters might have changed entirely.

Others may say that Rehnquist’s beliefs are representative of a young man whose ignorance was a result of a lack of experience and education concerning matters of racial equality. Sadly, the past 50 years of Rehnquist’s professional career illustrate that his views may not have changed at all since the days of segregation.



Given Rehnquist's racial record, it is puzzling why he was chosen as the commencement speaker.

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During elections from 1958 to 1962, Rehnquist was the director for the Republican Party's "Operation Eagle Eye" program in Arizona. Leading teams of lawyers to various polling stations in Arizona, members of Operation Eagle Eye (dubbed "ballot security") attempted to use legal methods to dissuade black voters. Before the passage of the Voting Rights Act, Rehnquist and his colleagues were often quite successful at using legal methods to rig ballots, thereby creating an undemocratic election.

The house in which Rehnquist lived during this time had a deed stating that the home could not be sold to any person not of the Caucasian race. Upon moving in 1974 Rehnquist bought a home in Vermont that contained a covenant prohibiting the sale of the property to "any member of the Hebrew race."

In 1980, Rehnquist made his thoughts on the case of United States v Sioux Nations known to the press: "We conquered them, why should we pay for their land?"

Since becoming Chief Justice in 1986, Rehnquist has hired 82 aides, 81 of which were white. Not a single one of his aides over the past 15 years has been African-American, and when asked why this is the case, he answered: "wait for the demographics to change. There is no need for a wider net the system is working just fine."

Perhaps the most recent incident that shows Rehnquist's racial prejudice occurred in 1999 at the Fourth Circuit judicial conference. Rehnquist joined others at the conference in a rousing sing-along to "Dixie," the national anthem from the defunct Confederate States of America. Today this musical relic from the Civil War has come to represent the brutality of slavery and Jim Crow laws to many people, not just minorities.

As Chief Justice of the Supreme Court, Rehnquist is called to be fair and impartial to all Americans. By singing "Dixie," he displayed a partiality and insensitivity that is not becoming of a man who supposedly has the best interests of everyone in mind.

The issue of Rehnquist's myopic racial convictions bears a special significance at Calvin because he has been selected to give the commencement address this year.

For a school that prides itself on multicultural acceptance and promotion, it seems odd that a man with such a sordidly racist past would be chosen to speak here. I won't assume any motives

for his selection, aside from the fact that he is a prominent figure in a respected public office. Perhaps the person(s) who selected him merely overlooked his offensive racial record. My purpose for writing this article is not to attack those at Calvin who selected Rehnquist. Rather, it is to make the Calvin community aware of his true colors (an appropriate cliché).

While I'm sure that Rehnquist's commencement speech will not contain any of the hateful rhetoric of his past utterances, it remains a perfect opportunity for us as members of the Calvin community to let our views become known. Pass the word around, hold up a sign, or walk out of the auditorium in protest immediately before his speech. Whatever you do, make it known that the Calvin community does not tolerate those who are intolerant.

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