

Promotion Without Progress

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Book Review: Otis Stanford, *From Boss Crump to King Willie: How Race Changed Memphis Politics* (Knoxville: The University of Tennessee Press, 2017).

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I. INTRODUCTION

Boss Crump, a faithful segregationist, was one of the most powerful politicians in the South from the turn of the 20th century until

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after World War II. He was thrice-elected mayor of Memphis, elected and served as county trustee, and later served two terms in Congress.¹ But, as we learn in Otis Sanford's new book, *From Boss Crump to King Willie*, Crump wielded most of his power from outside the confines of any one elective office.² Crump's tenure is one bookend to Sanford's tale.

The other is Willie Herenton. Herenton dominated Memphis politics from the end of the 20th century through the first decade of the 21st century. He was the spitfire from inner-city Memphis who would rise to become the city's first elected African-American mayor and serve in that capacity for nearly two decades.

Sanford's first book is ambitious. The author chronicles more than 100 years of Memphis history, urban history, and American history. It is a book about the growth, change, and civil rights movement in a remarkable American city.

In the main text, Sanford's book chronicles the political leadership of these two former Memphis mayors, Mayor E.H. Crump (first elected in 1910)³ and Mayor Willie Herenton (first elected in 1991).⁴ Memphis is a large southern metropolis, with a long, complex racial history, situated on the mighty Mississippi River, a gateway for African-Americans migrating from Mississippi to all points North. E.H. Crump and Willie Herenton would both dominate Memphis politics for years, longer than anyone else in the city's history.⁵ Herenton was the longest-serving mayor in Memphis's history, serving in the top job in City Hall for nearly eighteen years.⁶ As for Crump, he was not Mayor for long before his ouster by state officials for his

1. Crump's political career started in 1905, when he ran on the ticket of then Memphis mayoral candidate James Malone. See PRESTON LAUTERBACH, BEALE STREET DYNASTY: SEX, SONG, AND THE STRUGGLE FOR THE SOUL OF MEMPHIS 150 (2015). With Malone at the top of the ticket, Crump secured himself a seat on the local legislative body, known as the public works board. *Id.* at 161. He went on to win his next election, prior to running for mayor, in 1907. *Id.* It was another local legislative seat, this time on the board of fire and police commissioners. *Id.*

2. OTIS SANFORD, FROM BOSS CRUMP TO KING WILLIE: HOW RACE CHANGED MEMPHIS POLITICS (2017).

3. ELIZABETH GRITTER, RIVER OF HOPE: BLACK POLITICS AND THE MEMPHIS FREEDOM MOVEMENT, 1865–1954, at 6 (2014).

4. SANFORD, *supra* note 2, at 2.

5. *Id.* at 243–44.

6. *Id.* at 243.

refusal to enforce prohibition in Memphis.⁷ Yet Crump exercised power in Memphis for four decades.⁸ All observers agree that Crump dominated Memphis politics from behind the throne until his death in 1954, many decades after he was forced from the formal office of the Mayor in 1915.⁹

Between the lines, Sanford's book raises some uncomfortable questions. By the time Sanford's narrative is fully spun, African-Americans had largely won the struggle for electoral success. Today, for instance, African-Americans occupy more than 10,000 elected offices.¹⁰ Yet, the vast majority of African-Americans—the ones not elected—have seen little material change in condition.¹¹ In fact, in a handful of areas, electoral success for some African-American leaders coincided with worsening conditions for large communities of African-Americans.¹² Thus, one tough question that goes unanswered is whether the median African-American family saw any improvements from these electoral victories. Even tougher still is this question: if African-Americans have not seen any gains, who deserves blame? Part II of this Review introduces the reader to the leaders of Memphis that animate much of the book—Boss Crump and Willie Herenton. Part III recounts the major themes of the book. Part IV juxtaposes the book's accomplishments against a few of its shortcomings. Part V concludes by analyzing how the history recounted here squares with the current condition of African-American political and social progress.

7. *Id.* at 26.

8. *See generally id.* at 27–33 (describing the development of Crump's political career).

9. *See, e.g.,* GRITTER, *supra* note 3, at 6 (noting that Crump “dominated Memphis politics from 1910 until his death in 1954.”).

10. JOINT CTR. FOR POLITICAL & ECON. STUDIES, 50 YEARS OF THE VOTING RIGHTS ACT: THE STATE OF RACE IN POLITICS 29 (2015); *see also id.* at 22 (finding that African-Americans have served as mayor in most major American cities).

11. *See* Part V.

12. *See* text accompanying notes 151–156.

II. TWO EPOCHS, TWO EPIC LEADERS

The author begins with the birth of Boss Crump in 1874.¹³ Sanford continues through the election of Willie Herenton, the first black Mayor of Memphis, elected in 1991.¹⁴ Although they led in entirely different eras, Herenton and Crump are, the author finds, kindred spirits.

A. *Built for Leadership*

Both were tall, hard-boiled men. They cut outsized figures and owned every room they entered.¹⁵ They both had sharp minds and stinging tongues.¹⁶ Herenton was well over six feet tall and slim, signaling his early years training as a boxer, a career he would give up for a career in teaching, politics, and government.¹⁷ He was well-educated—a Ph.D.—and not afraid to let you know it.¹⁸

Crump was a redhead and dominated Memphis politics through flattery and cruelty.¹⁹ He charmed the African-American community with promises of public parks, zoo days, and other public amenities (even though these public places would continue to be segregated if Crump had a say in the matter).²⁰ He treated his enemies as such. If he thought he had to, Crump was known to use the instruments of

13. SANFORD, *supra* note 2, at 11.

14. *Id.* at 2.

15. *Id.* at 36; *see also* LAUTERBACH, *supra* note 1, at 218 (describing Crump's flashy presence of "wide hats, thick dark-rimmed specs, a gold-headed cane for gesturing, colorful suits . . . two-tone shoes, and always a fresh boutonniere" as "epitomiz[ing] ancient plantation authority").

16. One author notes that Crump, when referring to the skill of John Mitchell in his 1948 race for U.S. Senate, summed up the candidate this way: "[I]t may be [Mitchell] is doing all he is capable to do—going around and making no impression." G. WAYNE DOWDY, *CRUSADES FOR FREEDOM: MEMPHIS AND THE POLITICAL TRANSFORMATION OF THE AMERICAN SOUTH* 9–10 (2010); *see also id.* at 11 (noting that Crump was at war with the editor of the Memphis daily newspaper, Edward Meeman, and at one point wrote to Meeman, saying, "Your nature is so steeped in suspicion, disappointment, vanity, hate, envy and lust for power, you are a deadly enemy to fair play, charity and truth.>").

17. SANFORD, *supra* note 2, at 203–04.

18. *Id.* at 204.

19. *Id.* at 36.

20. *Id.* at 29–30, 244.

government to threaten, surveil, and intimidate his opponents.²¹ If neither charm nor threats would work, he would order government forces to deliver physical blows.²²

Both men started from relatively modest means.²³ Boss Crump was born in a town near Holly Springs, Mississippi, to a single mother.²⁴ When he moved to Memphis in 1892, the Big City, one of the only jobs for which he was qualified was bookkeeper at a saddle and buggy company. However, he soon married into the wealthy McLean family.²⁵ With the marriage, the McLean family would finance his purchase of that buggy operation.²⁶ Crump would, in an instant, go from bookkeeper to boss. He renamed his company, Crump & Rehkopf.²⁷

Willie Herenton was born poor, also to a single mother, in South Memphis.²⁸ He would rise fast in life and in stature. He earned his Ph.D. and quickly climbed the professional ladder in the Memphis City Schools.²⁹ Herenton went from young teacher to young principal to the number-two person in the school system to a highly acclaimed superintendent of the Memphis City Schools, one of the largest school districts in the country.³⁰

21. See generally ROBERTA CHURCH & RONALD WALTER, NINETEENTH CENTURY MEMPHIS FAMILIES OF COLOR 1850–1900, at 22 (Charles W. Crawford ed., 1987) (noting the city administration’s surveillance and harassment of two African-American businessmen, which forced the two businessmen to close their business and flee to Chicago); see also GRITTER, *supra* note 3, at 148 (discussing Crump’s surveillance tactics).

22. See GRITTER, *supra* note 3, at 142–47 (noting that during Crump’s “reign of terror” political opponents were beat up by Crump thugs and Crump seized the property of Robert Church, Jr., a prominent Crump foe).

23. SANFORD, *supra* note 2, at 203.

24. See GRITTER, *supra* note 3, at 33 (noting that Crump’s father died when he was 4 years old, in 1878, from the yellow fever epidemic).

25. SANFORD, *supra* note 2, at 12 (noting Crump’s marriage to Bessie McLean, daughter of a wealthy businessman).

26. *Id.*

27. *Id.* at 19.

28. See *id.* at 203.

29. See *id.* at 204.

30. See *id.* at 204–06, 213. See also NAT’L CTR. FOR EDUC. STATS., ENROLLMENT, POVERTY, AND FEDERAL FUNDS FOR THE 100 LARGEST SCHOOL DISTRICTS, BY ENROLLMENT SIZE IN 2010: FALL 2010, 2009–10, AND FEDERAL FISCAL YEAR 2012 (2013), https://nces.ed.gov/programs/digest/d12/tables/dt12_104.asp

Both won their first election for mayor by wafer-thin margins. Crump took City Hall in 1909 by 79 votes.³¹ Herenton won it by 142 votes in 1991.³² After that first election, though, both went on to crush their political opponents at the polls.³³

Both these leaders were risk-takers who wanted to leave their mark. They did. Crump left Holly Springs, Mississippi, for Memphis with little money or reputation. Once in elective office, he ushered an overhaul in the structure of city government, with mayors serving four years (instead of two), and established a legislative commission, which would ultimately be the progenitor of today's City Council.³⁴ He pushed out the private utility company, which later made way for the creation of the publicly owned utility company of today, Memphis Light Gas and Water.³⁵ Herenton gave up a successful career as a highly paid and highly sought school superintendent to run for mayor in a city that had never elected an African-American mayor, despite many previous attempts.³⁶ He ushered in a new downtown, a revitalization that still has momentum today, many years after he left office.

B. Tools of Leadership

The men borrowed their tools and tactics from the same armory. They both used race to their advantage. By the time he was up for reelection to City Hall, Crump had realized the importance of developing

(listing Memphis City Schools as the 22nd largest school district by enrollment in the United States).

31. SANFORD, *supra* note 2, at 19.

32. When the election results were announced, Herenton was the winner by 172 votes. *Id.* at 240. However, by the time the results were reviewed and certified several days later, his small lead had shrunk. *Id.* at 242.

33. *See, e.g., id.* at 49 (noting that in the 1939 city election Crump received one of the highest vote totals in a mayor's race); *id.* at 50 (noting that Watkins Overton expressed his bitterness over his confrontation with Crump and said, "I became next on [Crump's] list of those to be destroyed."); *id.* at 243 (describing Herenton's success as Mayor of Memphis and noting that Herenton was Memphis's longest serving mayor).

34. *See id.* at 20.

35. *Id.* at 27.

36. *Id.* at 227.

allies in the black community, and he had a plan to do it.³⁷ He used black faith to his advantage and cultivated relationships with prominent black preachers. Crump's staunchest, most important ally was Blair Hunt, pastor of Mississippi Boulevard Christian Church, which even today is one of Memphis's largest and most important African-American congregations.³⁸

Even though he was a steadfast segregationist, Crump was willing to ply the black community with goodies to win their support.³⁹ He built the first park for African-American Memphians, Douglas Park, even though the location was so remote that it would be impossible for black Memphians to reach it.⁴⁰ He followed that by pushing the Memphis Zoo for a one-day-a-week policy when African-Americans would be welcome.⁴¹ He pushed the idea of a hospital for ill blacks.⁴² Sometimes the goodies were small, Sanford finds. For instance, Crump would sometimes reward black voters "with watermelons."⁴³ In return, the black community delivered their votes for his campaigns and his various candidates.

Herenton also learned to use race as a prop for campaign success. In his first run for Mayor, he and other leaders convened an unofficial convention, the People's Convention, for African-Americans to select the most viable candidate from the African-American community.⁴⁴ The goal was to get the entire African-American community behind a single candidate and, to be frank, organize a vote that was largely along racial lines.⁴⁵ It worked.

37. Early in his political career, Crump didn't realize the value of a broad coalition of voters, including African-Americans. For instance, he campaigned in 1909 against what he thought of as "low-life whites and unscrupulous blacks." *Id.* at 18; see also LAUTERBACH, *supra* note 1, at 169 (noting that in his first election for mayor, Crump used as a political attack accusations that his opponent consorted with African-Americans).

38. SANFORD, *supra* note 2, at 27–28 (noting Crump's relationship with Reverend Blair Hunt of Mississippi Boulevard).

39. See, e.g., GRITTER, *supra* note 3, at 6 (noting that Crump believed in "second-class citizenship" status for African-Americans).

40. SANFORD, *supra* note 2, at 21–22.

41. See *id.* at 29–30.

42. *Id.* at 30.

43. *Id.* at 24.

44. See *id.* at 224.

45. See *id.*

Herenton was selected by convention participants and went on to win more than 90% of the African-American vote and win his race for mayor.⁴⁶

III. MAJOR THEMES OF THE BOOK

A. *Memphis's First African-American Mayor*

Sanford's book sweeps broadly. More than anything else, the book is a tale about the various efforts to elect African-Americans to positions in local government in the City of Memphis. The formal efforts started in the 1950s. For instance, in 1951, Joseph Walker, the president of Universal Life Insurance and Tri-State Bank, ran for school board, becoming the first African-American to run for office in the 20th century.⁴⁷ In 1954, other African-American candidates ran for office, including the late great Benjamin Hooks.⁴⁸ Even more notably, as Sanford recounts, Russell Sugarmon put together the unsuccessful Volunteer Ticket in 1959, a slate of five black candidates for local office that ultimately received an endorsement from no less than Dr. Martin Luther King.⁴⁹ Although unsuccessful in the 1950s, those early efforts would create a springboard for future success.

Finally, in 1964, two black lawyers, Archie Willis and H.T. Lockard, were elected to office.⁵⁰ Willis won a seat in the state house.⁵¹ Lockard was elected to the Shelby County Quarterly Court,

46. *See id.* at 226–27, 241.

47. *See* GRITTER, *supra* note 3, at 192–95 (chronicling the Walker campaign and noting that while it was ultimately unsuccessful it drove African-Americans to register to vote in unprecedented numbers).

48. Hooks did not win this first race but later became a judge in Memphis, the President of the NAACP, and a legacy as one of Memphis' civil rights legends. *Id.* at 208 (noting that Hooks, Bill Weathers, and T.L. Spencer, all ran as Republicans); *see also id.* at 215 (making note of Hooks' political appointment to the bench by Governor Frank Clement).

49. SANFORD, *supra* note 2, at 80–81, 83 (noting *The Commercial Appeal's* front-page headline that read "Negros fail in bid for city posts").

50. *Id.* at 95 (noting that Willis won by 2,705 votes and Lockard won by a mere 189 votes).

51. Willis ran in tandem with Russell Sugarmon, who was seeking a seat in the Tennessee Senate—interestingly enough, the seat the author currently holds. While Willis ran and won, Sugarmon lost by three thousand votes. *See* DOWDY, *supra*

the predecessor body to today's county commission.⁵² A few years later, three blacks—Fred Davis, James Netters, and J.O. Patterson Jr.—were elected to the Memphis City Council.⁵³ All those efforts, beginning in the 1950s, would ultimately culminate with the razor-thin, but successful, election of W.W. Herenton in 1991.⁵⁴

Meanwhile, the effort to get an African-American mayor was the definition of the often-clichéd long struggle, as it was an effort that spanned at least four decades. It was an effort that proceeded in fits and starts.⁵⁵

A.W. Willis Jr. was the first serious black candidate for Memphis Mayor in the late 1960s.⁵⁶ He lost badly, unable to convince the African-American voting community to coalesce behind his candidacy.⁵⁷ That was only the start. In 1975, Otis Higgs, a criminal court judge, ran and lost.⁵⁸ This time, however, the African-American candidate placed second.⁵⁹ Emboldened by that success, Sanford tells his audience that Otis Higgs would run and lose two more times—1979 and 1983.⁶⁰ In 1982, J.O. Patterson, a member of the Memphis City Council, ran for mayor in a special election.⁶¹ *The Commercial Appeal*, the main daily newspaper in Memphis, endorsed Patterson,

note 16, at 102–03 (noting that Willis defeated three other candidates, but that Sugarmon lost his bid for the state senate).

52. SANFORD, *supra* note 2, at 95.

53. *Id.* at 109.

54. *Id.* at 240–41.

55. But there were partial successes on the quest to make it to the seventh floor of City Hall. For instance, blacks, under Hackett, were finally appointed to major positions in City Hall, including police director (James Ivy), city attorney (Monice Haggler Tate), and the top non-elected job in city government, chief administrative officer (Greg Duckett). *Id.* at 202.

56. *Id.* at 109; *see also id.* at 103–04 (noting Willis' mayoral campaign announcement).

57. *See id.* at 106–07 (noting that Ingram received “virtually all of the black vote” in the 1967 mayoral election and Loeb got almost all the white vote). From all appearances, Ingram's campaign was effective in suggesting that Willis was only in the race as a spoiler to make sure that the black vote was split and Ingram would be defeated. *See* DOWDY, *supra* note 16, at 119 (noting that Ingram campaign supporters distributed a flyer that suggested that Willis was a puppet of the Crump machine).

58. SANFORD, *supra* note 2, at 159.

59. *Id.* at 160.

60. *Id.* at 195–96.

61. *Id.*

who had just served as chair of the Memphis City Council.⁶² But he also lost badly; this time, though, he made it into a run-off.⁶³ Sanford argues that these attempts to get electoral representation were marked by repeated failures and bickering among the emerging black political elites.⁶⁴

Finally, 1991 was the election year when Herenton made the scene.⁶⁵ Like always, Higgs went public that he wanted to run for Mayor again.⁶⁶ If he did it, it would have been Higgs's fourth attempt at City Hall.⁶⁷ This time, however, even he could not deny Herenton a clean shot.⁶⁸ Higgs ultimately withdrew from the contest, clearing the way for Herenton, the perfect candidate.⁶⁹ Herenton was well known from having served in the top job for the school district and being the kind of fighter to whom regular people could hitch their dreams.⁷⁰

B. Memphis's Civil Rights Movement

Also, the book is about race. Its subtitle, "How Race Changed Memphis Politics," makes the point before you reach page one. Significantly, for example, Sanford introduces us to Henry Loeb, the notorious racist who was mayor during the King assassination.⁷¹ Sanford notes that Loeb won his first election to Memphis mayor by default when his opponent, the incumbent, Mayor Orgill, became ill and dropped out of the race.⁷² In his political career, Loeb almost

62. *Id.* at 183, 187.

63. *Id.* at 186–87.

64. *Id.*

65. *Id.* at 224.

66. *Id.* at 226.

67. *Id.*

68. *Id.*

69. *Id.* at 229.

70. As the author puts the feeling at the time: "Doc was without question the most popular nonelected public official in Memphis. He was intelligent, forceful, and decisive. Plus, he was not reluctant to stand up to powerful white folks. Herenton was someone the black community could be proud of and respect, no matter what." *Id.* at 214.

71. *Id.* at 115–17.

72. There may be some dispute over why the incumbent, Edmund Orgill, dropped out of the 1959 Memphis mayoral race. Most authors, like Sanford, argue

singularly focused on repressing black Memphians.⁷³ Thus, Loeb's election as Mayor—and Orgill's untimely illness—had a profound effect on Memphis's trajectory. Sanford sets the stage:

Meanwhile, by early 1959, interest was starting to build toward a municipal election that would be a defining moment in the black-white relationship in Memphis—a relationship that was growing more strained by the day. Commissioner Henry Loeb tapped into white hostility simmering across the city over continuing demands for racial equality—and Orgill's reluctance to take a firm stand one way or the other. By spring, Loeb announced he would oppose Orgill for mayor in the August 1959 city election. With the Crump machine, which once tried to derail his political ambitions, all but obliterated, Loeb was convinced the time was right to mount a campaign based mostly on white resistance to civil rights.⁷⁴

A few weeks after Loeb's election, Memphis's sanitation workers launched their famous strike, a strike that would ultimately bring King to Memphis in support.⁷⁵ Mayor Loeb was recalcitrant and refused to negotiate with the workers.⁷⁶ When King was shot and killed in Memphis on a trip to rally those sanitation workers, the assassination and the riots that followed set Memphis on an almost unchangeable course.⁷⁷ As a result, probably more so than Atlanta, Dallas, Charlotte, and other cities, Memphis grapples today with issues of segregation,

that the incumbent dropped out because of an illness. See SANFORD, *supra* note 2, at 79–80 (noting that Orgill dropped out because he became ill); DOWDY, *supra* note 16, at 70 (noting that Orgill dropped out of the race because he developed a blood clot from shaking too many hands). Others, however, explain that the illness was merely a pretext, a convenient way for Orgill to cede the race to Loeb. See, e.g., LAURIE B. GREEN, *BATTLING THE PLANTATION MENTALITY: MEMPHIS AND THE BLACK FREEDOM STRUGGLE* 208 (2007) (noting that Orgill dropped out of the mayor's race because his support was shrinking and he knew he couldn't win).

73. SANFORD, *supra* note 2, at 79.

74. *Id.*

75. *Id.* at 110.

76. *Id.*

77. DOWDY, *supra* note 16, at 131 (noting that the King assassination created a negative national image for the City of Memphis and giving examples of coverage of Memphis from *Time* magazine and the *Wall Street Journal*).

inequality, and racial discord that echoes both what happened fifty years earlier and King's assassination.⁷⁸

Sanford makes another keen observation about this pivotal point in Memphis's history. Sanford notes that, up until that moment, the civil rights movement had been led by relatively well-to-do blacks—attorneys, like Russell Sugarmon and A.W. Willis. He writes:

For the first time in modern Memphis history, a demand for racial equality didn't spring from the black upper crust, the black clergy, or the NAACP. The uprising this time came from the invisible public servants who had always done what they were told by their white bosses—for meager pay.⁷⁹

Thus, according to Sanford, one of the things that made the sanitation workers' strike such notable history was that it was led by the working-class men and women.⁸⁰

C. National Civil Rights Movement

Furthermore, the quest by black Memphians for civil rights gives Sanford the room to sculpt an even larger project about the national civil rights movement. Examples abound. For instance, in 1972, the federal courts approved a busing plan for Memphis City Schools, which led to rapid white flight out of the core of the city.⁸¹ The author notes that school integration and white flight were happening not just in Memphis, but all over the United States.⁸² In 1974, the changing racial make-up of the city of Memphis led to the election of the city's first black member of Congress, Harold Ford Sr.⁸³

78. *Id.* (arguing that the assassination left a "cloak of guilt" over the city that lasted for decades, leaving Memphis behind "as much of the rest of the South was transformed into the vibrant 'Sunbelt'").

79. SANFORD, *supra* note 2, at 110.

80. *Id.* at 116.

81. *Id.* at 151 (noting that in two years, from 1972 to 1974, the black voting population in the City of Memphis went from 29% to 45%).

82. *Compare id.* at 89 (noting the first school kids in Memphis to attend previously segregated schools), *with id.* at 126–27 (summarizing efforts to integrate schools and the backlash in other U.S. cities).

83. *Id.* at 145–46.

The same pattern played out throughout the U.S., as the Congressional Black Caucus increased from a handful of members to nearly fifty members today.⁸⁴

It's easy to go on, as the author skillfully toggles back and forth between what's happening in Memphis on one hand, and what's happening nationally on the other. For example, the author notes that the year Crump wins his first mayoral race is the same year that the national NAACP is organized.⁸⁵ Sanford also talks about the sit-in effort at lunch counters in downtown Memphis and around the country.⁸⁶

The book gives the reader a fascinating glimpse of the migration of African-Americans from small towns and farms in the South in search of opportunity and protection from lynching and vagrancy laws. At the end of the 19th century, when Boss Crump moved out of Holly Springs, Mississippi, so too, were hundreds and hundreds of African-American families.⁸⁷ They were moving from former slave plantations in Mississippi and on to the bigger city life in Chicago, Baltimore, New York and, yes, Memphis.⁸⁸

Along the same lines, the book gives the reader a time-place perspective on the shift of African-Americans from the Republican Party to the Democratic Party. After Lincoln ended slavery, newly enfranchised African-Americans naturally flocked to the Republican Party.⁸⁹ Famous African-American political activists, like Memphian Robert Church Jr., founded Republican political clubs—like the Black and Tan club—and backed candidates.⁹⁰ The Republican Party

84. See HISTORY, ART, & ARCHIVES: U.S. HOUSE OF REPRESENTATIVES, CREATION AND EVOLUTION OF THE CONGRESSIONAL BLACK CAUCUS (last visited Mar. 5, 2018), <http://history.house.gov/Exhibitions-and-Publications/BAIC/Historical-Essays/Permanent-Interest/Congressional-Black-Caucus/>.

85. SANFORD, *supra* note 2, at 20.

86. *Id.* at 85–86.

87. *Id.* at 14.

88. *Id.*

89. “[I]n the words of Frederick Douglass, the party of Lincoln was the ship and all else the sea.” LAUTERBACH, *supra* note 1, at 265.

90. SANFORD, *supra* note 2, at 17, 24; see also GRITTER, *supra* note 3, at 69 (noting that Robert Church helped found the Lincoln League of America and, given his political work, was positioned to make recommendations for federal appointments from Tennessee when a Republican presidential candidate won office). Interestingly

embraced this newly enfranchised electorate for decades after the Civil War.⁹¹ Up through the middle of the 20th century, the conservative party's platform included overtures to the African-American community, including calls to abolish poll taxes, integrate federal jobs, and make lynching a federal crime.⁹²

But by the 1960s—if not even a bit earlier⁹³—when then-President Lyndon Johnson signed the Civil Rights Act and outlawed desegregation in all public places, African-Americans had completed a shift in allegiance from the Republican Party, the party of the great emancipator, to the Democratic Party.⁹⁴ While blacks flocked to the Democratic Party *en masse*, southern whites were fleeing it.⁹⁵

Finally, the author makes note of how various episodes in Memphis and national trends intersect. For instance, the reader will be fascinated to learn that U.S. Senator Strom Thurmond, the arch-segregationist from South Carolina, and his colleague in the Senate, James Eastland of Mississippi, had their first planning meeting to contest integration in the grand Peabody Hotel in downtown Memphis.⁹⁶ Moreover, of course, the high-water mark in the quest for

enough, Church would also be one of the founders of the local chapter of the NAACP. See LAUTERBACH, *supra* note 1, at 210.

91. See DOWDY, *supra* note 16, at 9.

92. *Id.* (noting that the 1948 GOP platform included several items for African-Americans).

93. The shift from the Republican Party to the Democratic Party likely started with the presidency of Franklin Roosevelt and his New Deal initiatives, which were attractive to a broad coalition of voters, including African-Americans. See, e.g., GRITTER, *supra* note 3, at 8, 110–14 (noting shift of African-Americans voters to Democratic Party). Meanwhile, Republican incumbent, Herbert Hoover, was, at best, indifferent to African-American interests and in seeing to expanded civil rights, an end to segregation, and to the approval of anti-lynching legislation. See *id.* at 109. In fact, some evidence suggests that Hoover worked against African-American interests. See *id.* (noting that Hoover required the segregation of Gold Star parents).

94. SANFORD, *supra* note 2, at 91–92; see also GRITTER, *supra* note 3, at 214 (making note of the significance of the Civil Rights Act of 1964). The civil rights legislation was the brainchild of Kennedy. When he ran against Nixon in 1960, Memphis saw the first concrete, undeniable signs of a shift. African-Americans in Shelby County and Memphis largely supported Kennedy, while whites in Shelby County began to favor the Republican candidate, Nixon. See generally DOWDY, *supra* note 16, at 77.

95. SANFORD, *supra* note 2, at 92, 95.

96. *Id.* at 70.

civil rights was King's assassination in 1968 in Memphis.⁹⁷ Interestingly, that happened just a few months after African-Americans had finally broken one glass ceiling and won offices in city government.⁹⁸ The King assassination sparked protests and some rioting in Memphis and more than forty other cities across the county.⁹⁹ In short, the hundred or so years covered by Sanford were important not just for African-Americans in Memphis: Memphis was part of a larger movement for civil rights by African-Americans across the U.S.

D. The Newspaper Business

What's more, Sanford's background and professional experience drive a significant aspect of his narrative. Sanford is a professor of journalism at the University of Memphis and, before that, spent a career at Memphis's main daily paper, *The Commercial Appeal*.¹⁰⁰ He still writes a weekly column for the newspaper. This background means that many of Sanford's source materials are drawn from newspaper articles written at the time. Also, it means that the book inevitably becomes a window into the historical changes in the newspaper business during the last century.

The author gives most of the book's attention to Memphis's main daily paper, *The Commercial Appeal*. Sanford's history of the newspaper business was at times heartening, but it was mostly depressing.¹⁰¹ For instance, Sanford introduces the reader to Charles Mooney, the proud racist and managing editor of *The Commercial Appeal* during Crump's early years in office.¹⁰² Under his leadership,

97. *Id.* at 116–17.

98. *See id.* at 110 (noting that at the end of 1967, three African-Americans were elected to the Memphis City Council: Fred Davis, James Netters, and J.O. Patterson).

99. *Id.* at 116.

100. Dep't of Journalism and Strategic Media, *Prof. Otis Sanford*, THE U. OF MEM., http://www.memphis.edu/jrsm/people/otis_sanford.php (last updated February 20, 2018).

101. *See, e.g.*, GRITTER, *supra* note 3, at 22–23 (noting that at the turn of the 20th century, the *Commercial Appeal* published editorials that argued that African-Americans were genetically inferior to whites); *see also* LAUTERBACH, *supra* note 1, at 160 (detailing stereotypes of black criminality appearing in Memphis newspapers at the turn of the 20th century).

102. SANFORD, *supra* note 2, at 38.

racism coursed through the paper like its lifeblood. They published editorials that called black Memphians “coons” and worse.¹⁰³ The paper published a racist cartoon strip called *Hambone’s Meditations* that demeaned and ridiculed blacks, which ran for more than fifty years.¹⁰⁴

Meanwhile, the African-American press was extremely active during the turn of the 20th century through the 1960s. Sanford informs the reader of the challenges that African-American journalists faced during this period, sometimes with the imprimatur of lawful authority. When the editor of the *Tri-State Defender*—an African-American newspaper in Memphis that still exists today—dared to speak to students participating in a sit-in in the 1960s, a judge named Beverly Bouche fined the paper \$51.¹⁰⁵ The fine was nearly twice as much as that for the white college students, at whom the judge supposedly threw the proverbial book; supposedly it was the journalists who incited mob violence.¹⁰⁶

E. The Bluff City

Finally, the book is also about Memphis. The city once had the potential of Atlanta, which is known today as the most successful city at recruiting and sustaining a black middle class.¹⁰⁷ At the close of the 19th century, Memphis was in many ways the center of the black universe.¹⁰⁸ Since then, racial strife, poverty, and crime have plagued Memphis.¹⁰⁹ Nevertheless, it’s a city the author and I both love. Sanford comes across as someone who genuinely admires and respects many of the boldfaced names from Memphis past and recent history,

103. *Id.* at 40.

104. *See id.* at 118 (noting the end of the racist cartoon strip, soon after the King assassination and the race riots in Memphis and around the country).

105. *Id.* at 87.

106. *Id.*

107. Dan A. Black et al., *The Economic Progress of African-Americans in Urban Areas; A Tale of 14 Cities*, 2010 FED. RES. BANK OF ST. LOUIS REV. 353, 361–70 (noting the diversity of industry in Atlanta and its ability to generate black middle-class migration).

108. *See generally* LAUTERBACH, *supra* note 1, at 45 (arguing that Memphis was the place to be for African-Americans).

109. *See infra* text accompanying notes 147–150.

many of whom would become national figures—Memphians like Ben Hooks, Ida B. Wells, Bill Adkins, Lucius Burch, Mike Cody, Charlie Newman, Watkins Overton, Danny Thomas, Kemmons Wilson, A.C. Wharton, Ernest Withers, Del Gill, Barbara Cooper, and Charlie and Alma Morris.

Sanford captures the choicest quotes and juiciest moments from their intertwined and overlapping careers. Jackson Baker, today Memphis's most famous political reporter, is the street kid hawking newspapers with headlines that blared the death of Memphis's most famous politician, Boss Crump.¹¹⁰ Lucius Burch, founder of one of the most famous liberally leaning law firms in Memphis today, was the civil rights attorney who helped defend Dr. Martin Luther King. Sanford notes that Burch was a colorful figure, who handed Mike Cody—who would later become a state attorney general—a gun on his first day of work at his law firm.¹¹¹ He captured the enmity felt for Crump's political adversaries. When Watkins Overton, the namesake of Memphis's most treasured park, loses a mayoral race to the Crump machine, Sanford records Overton as saying:

The dictator and his army await greedily the first of the year when I go out of office. I say now to the author and his poison pen: I will never bow my knee to any tyrant. I will never raise my hand in the Nazi salute to a dictator. I still believe in democracy.¹¹²

IV. CHEERS AND A FEW JEERS

A. Cheers

As to the book's substance and the author's style, there is plenty to cheer about in this book. For instance, towards the end of the book, in Chapter 14, we're introduced to Willie Herenton, the first black mayor of Memphis.¹¹³ By that time, the reader has gone through nearly 100 years of Memphis and civil rights history. Nevertheless, the writing, content, and style are still interesting, crisp, and exhaustive.

110. SANFORD, *supra* note 2, at 37.

111. *Id.* at 51.

112. *Id.* at 50.

113. *Id.* at 203.

Sanford cares about detail. No fact is left buried, no person forgotten. The audience is introduced to Otis Higgs, who announces a run for mayor at least four times, but to no avail.¹¹⁴ We learn from the author that Higgs's devotion to the effort ran so deep that he kept a pillow around his house with the word "Mayor" stenciled on it.¹¹⁵ Consider, again, the very first time Sanford introduces us to Willie Herenton, the first black mayor of Memphis. The reader immediately learns that Herenton grew up poor in South Memphis and a stone's throw from the street that would one day be called Crump Boulevard.¹¹⁶ This is one of the many ways the author skillfully ties together two men from different eras who never met. The author's style is engrossing.

B. A Few Jeers

The book is landmark for anyone concerned about civil rights, urban elections, Memphis, or the South. However, as with any work, there is always room to raise a small quibble about this-or-that choice by the author.

1. Black Voters

For instance, at times, Sanford seems to lose faith. The reader might be struck when he suggests, for example, that blacks got behind one underdog candidate for Memphis mayor in the 1960s, William Ingram, a city court judge, because he treated blacks fairly when they were arrested for crimes. Sanford writes:

Ingram attracted black voters for one primary reason. Blacks who came into his courtroom were treated fairly. Unlike other Memphis judges, including Beverly Bouche, Ingram would not automatically side with police who made arresting blacks for the pettiest of crimes a local pastime.¹¹⁷

114. *Id.* at 226.

115. *Id.*

116. *Id.* at 203.

117. *Id.* at 90.

Sanford may be right that the interaction that some African-Americans had with Ingram in his courtroom may have played a part in their decision to vote for him. Still, Sanford's confident conclusion about black voters seems a bit too generalized and over-reliant on a retrograde idea about African-American criminality.¹¹⁸ In my view, it would have been better to present a more nuanced explanation of African-American support for Ingram, without resorting to an easy stereotype about black criminality. For instance, the author notes that Ingram's main opponent, William Farris, was associated with Henry Loeb, who had been the highest profile opponent of black civil rights gains in a hundred years.¹¹⁹ Perhaps that was one of the most significant reasons for African-Americans supporting Ingram.

His analysis of black women voters might also come off as too easy and without necessary nuance. When he explained what motivated black women voters to flock to the polls to elect Harold Ford, Sr. in 1974, Memphis's first African-American member of Congress post-Reconstruction, Sanford seems to conclude that what did the trick was singer Isaac Hayes telling women to go vote for Ford in Hayes's "deepest, sexiest voice."¹²⁰ In relevant part, he writes:

In a brilliant, last-minute campaign move, the [Ford] organization recruited soul singer Isaac Hayes to cut a radio commercial for Ford. The ad was played only on election morning on black radio stations, including WDIA. In the spot, Hayes uses his deepest, sexiest voice to ask black women to get up, get dressed, and get to the polls to vote for Harold. It worked beautifully. Black women flocked to the polls.¹²¹

Thus, Sanford seems to argue that black women went to the polls for Ford because the women were overtaken with emotion, after hearing a radio ad for the Ford campaign that used Isaac Hayes's voice. Although Sanford may not be the first person to tell this yarn about

118. It is worth noting, however, that in other places in the book, Sanford's historical research does acknowledge the nuance and complexity of African-American voting. See, e.g., *id.* at 96 (noting that blacks voted against Goldwater in 1964 for a myriad of reasons, not just the fight for civil rights).

119. *Id.* at 83.

120. *Id.* at 153.

121. *Id.* at 152–53.

how the Fords win elections in Memphis, it doesn't mean these ideas should go unchallenged. For instance, black female voters could have had any number of reasons for supporting Ford in 1974, including Ford's qualifications—having served briefly in the state legislature¹²²—or the changing racial demographics—white Memphians were fleeing Memphis for the suburbs¹²³—or in support of the momentousness of the occasion—Ford would be the first African-American congressman from Memphis.¹²⁴

2. Women Leaders

In addition, conspicuously absent from the book is a sustained discussion of the political triumphs and challenges of female African-American politicians in Memphis or elsewhere. Surely, across nearly a hundred years, women contributed a great deal to African-American political accomplishments.¹²⁵ To his credit, the author does make note of Ida Wells, perhaps one of the most famous female activists with a Memphis connection.¹²⁶ But when it comes to many other African-American women and their political accomplishments—Minerva Johnican's election to the county commission; Maxine Smith's leadership of the NAACP and election as the first black woman to a city-wide position in 1971;¹²⁷ Janet Hooks's election to the City Council; or Miriam DeCosta Willis's Black Monday protests to desegregate the school system, all come to mind—Sanford only gives passing treatment.¹²⁸

122. *Id.* at 147.

123. *See generally id.* at 119–28 (discussing white flight and school desegregation).

124. *Id.* at 145.

125. Fortunately, other authors have filled in this gap. *See, e.g.,* GREEN, *supra* note 72, at 81–111 (detailing the various courageous acts of two rape victims in Memphis, assaulted and threatened by Memphis Police officers).

126. SANFORD, *supra* note 2, at 23–24.

127. *See* GRITTER, *supra* note 3, at 217 (noting that Smith served on the school board for more than 20 years). One author has referred to Maxine Smith as “the most visible civil rights leader” in Memphis in the years after the King assassination. DOWDY, *supra* note 16, at 140.

128. SANFORD, *supra* note 2, at 179 (noting in passing that Johnican was the first black woman to be elected to the Commission); SANFORD, *supra* note 2, at 120 (noting McFerren); *see also* GRITTER, *supra* note 3, at 213 (noting Smith's leadership

3. The Ford Family

Finally, it is at least interesting to note that the author paints Harold Ford and the Ford family, one of Tennessee's most famous political families, as the sometimes-spoiler to racial progress. Sanford notes that in the 1978 county mayor's race, John Ford, Harold Ford's brother, made a surprise (and perhaps calculated) withdrawal from the ballot at the last second, making it impossible to field a black candidate.¹²⁹ Sanford notes that in 1982, when J.O. Patterson seemed positioned to make a credible run for city mayor during a special election, Harold Ford took the matter to court to delay the special election and cause an unnecessary headache for the Patterson campaign.¹³⁰ Even in 1991, when Herenton seemed poised to become the first black mayor of the city, Sanford notes that there were those who believed the Fords might secretly conspire to stop him.¹³¹

To be sure, Sanford does marshal and present plenty of evidence in support of each claim.¹³² Still, his portrayal of that family, which surely had its flaws, stands out, given the author's near full-

of the Memphis NAACP, the largest chapter in the South, and her leadership of desegregation efforts); GRITTER, *supra* note 3, at 216 (making note of role in Black Monday protests of Miriam DeCosta-Willis, nee Laurie Sugarmon).

129. SANFORD, *supra* note 2, at 174–76 (describing several perspectives on John Ford's entry and ultimate withdrawal from the county mayor's race).

130. *Id.* at 183.

131. *Id.* at 240 (noting that O.C. Pleasant, the election administrator, confided that "Ford never really wanted Herenton or any other black candidate to win the mayor's seat."); *see also id.* (arguing that "[the Election Commission chairman] was convinced that Ford never really wanted Herenton or any black candidate to win the mayor's seat."). Additionally, Sanford notes that J.O. Patterson, when speaking about the Ford lawsuit, left no question that Ford was the villain to racial progress in Memphis. *Id.* at 183 (reporting that Patterson had said, "I'm just sorry that Congressman Ford sought to block the will of the people. . . . This is just another step to keep a black man from getting that office [of Mayor] other than a Ford.").

132. Furthermore, even today, it's not hard to find insiders of Memphis politics who share Sanford's opinion. *See* Larry Moore, Opinion, *Why Is Nashville Bigger Than Memphis? Leadership Matters.*, THE COMMERCIAL APPEAL, May 31, 2017 (noting that Nashville has overtaken Memphis in terms of success, in part, because of lackluster Memphis leadership, beginning with the election of Harold Ford, Sr.) ("Anyone active in politics during the '70s and '80s knew that . . . the key to winning Shelby County was no longer based upon what you could do for Memphis, but what you could do to get on the Ford ballot.").

throated reverence for Herenton, who had his own flaws and detractors. To the author, Herenton (along with Boss Crump) is the most significant political figure in the history of Memphis.¹³³

V. PROMOTION WITHOUT PROGRESS

Sanford ends this book with a bang of sorts. The successes in some areas for African-American leaders and a few others had been astounding. By the end of the book, Memphis had elected its first African-American mayor.¹³⁴ Since that time, Memphis's first African-American mayor has retired, and Memphis has elected another African-American leader.¹³⁵ Similarly, in cities around the country, African-Americans would ultimately come to hold the top job.¹³⁶ What is more, African-American leadership has grown significantly at the state and federal levels as well.¹³⁷ And, of course, in 2008 the first African-American president, Barack Obama, was elected. All told, in the last fifty years, blacks went from occupying around 1,000 elected offices in 1965 to occupying more than 10,000 elected offices today.¹³⁸ These astonishing African-American electoral successes in Memphis and around the U.S. could not have been anticipated at the turn of the 20th century, when Sanford's book begins.

Yet the discussion of electoral successes in the modern era of U.S. cities raises an important set of questions of how far the reach of change seeps. For instance, the reader will rightly wonder whether these electoral feats translated into any tangible progress for the (non-elected) African-American community in Memphis and elsewhere.

How far have average African-American Memphians progressed? During his campaign in 1991, Herenton made a slew of

133. SANFORD, *supra* note 2, at 244.

134. *See generally id.* at 231–42 (discussing the events leading up to and surrounding Herenton's mayoral election).

135. *Id.* at 245.

136. JOINT CTR. FOR POLITICAL & ECON. STUDIES, *supra* note 10, at 32 (finding that African-Americans have served as mayor in most major American cities).

137. *Id.* at 25 (noting that in 1965 there were five African-American members of Congress, compared to forty-six African-American members of Congress today); *Id.* at 26 (noting a three-fold increase in the number of African-Americans serving in elected office at the state level).

138. *Id.* at 29.

promises, according to Sanford—improved neighborhoods, more community policing, growing minority businesses, and more money invested in city schools.¹³⁹ Yet the reality is that, despite early hopes, black Memphis and African-Americans in many urban areas around the country still face challenges, like the ones that they have faced for the last 100 years and almost identical to the disparities that have been documented for at least the last fifty. In Memphis, the African-American community still struggles with issues of poverty, segregation, education, and employment.¹⁴⁰ Consider, for instance, that between 1848 to 1961 schools in Memphis were segregated by law.¹⁴¹ Nevertheless, in the early 1960s, Memphis City Schools were still almost completely segregated.¹⁴² By the 1970s, still not much had changed.¹⁴³ As most commentators have lamented, the difficulty of integration continued for decades after *Brown v. Board of Education* was decided.¹⁴⁴ Even today, the public school system is de facto segregated. Most students in Memphis attend schools that are almost entirely single-race.¹⁴⁵ Perhaps related to the de facto educational

139. SANFORD, *supra* note 2, at 235 (“Herenton promised that, if elected, he would build more single-family housing . . . in various neighborhoods. He also promised to create tax incentives for minority businesses and put more money into city schools.”).

140. Today, even the *The Commercial Appeal*, which historically had a terrible record of fairness to African-Americans, still struggles to speak credibly for all Memphians, black and white. See, e.g., Mark Russell, *Arlington High Graduation Photo Sparks Charges of Insensitivity*, THE COMMERCIAL APPEAL, May 25, 2017.

141. See Michelle Wilde Anderson, *Making a Regional District: Memphis City Schools Dissolves into its Suburbs*, 112 COLUM. L. REV. SIDEBAR 47, 49 (2012) (briefly chronicling de jure segregation in Memphis City Schools).

142. See Daniel Kiel, *A Memphis Dilemma: A Half-Century of Public Education Reform in Memphis and Shelby County from Desegregation to Consolidation*, 41 U. MEM. L. REV. 787, 794 (2011) (finding that the Memphis City School system had only sent thirteen “African-American pioneers” into white schools out of a student population of 112,359 during the 1961–62 school year).

143. See Kiel, *supra* note 142, at 796 (finding that by 1970, 54 schools out of 155 were entirely single race and 131 schools were almost entirely single race); see also Anderson, *supra* note 141, at 57 (concluding that “white flight” away from communities in the core of the city of Memphis lead to de facto school segregation in Memphis).

144. *Brown v. Bd. of Educ.*, 347 U.S. 483 (1954).

145. See Kiel, *supra* note 142, at 801–02 (noting that 50 years after *Brown*, almost 70% of Memphis students attend schools that are 90% African-American).

experience many students endure today, African-American students in Memphis also end up lagging in terms of educational attainment.¹⁴⁶

Furthermore, African-Americans in Memphis still face challenges of poverty and joblessness. Black Memphians are today twice as likely to be poor as white Memphians,¹⁴⁷ more than twice as likely to be unemployed,¹⁴⁸ and have incomes about half that of whites.¹⁴⁹ Meanwhile, the childhood poverty rate for Memphis is one of the highest in the country.¹⁵⁰

These racial disparities persist in urban areas across the country, not just Memphis.¹⁵¹ In terms of wealth, African-Americans have

It's not just the public school system that is racially segregated today in Memphis. Other authors have made note of the dynamics of private schooling in Memphis. *See, e.g.,* Anderson, *supra* note 141, at 50–51 (noting that because many white parents in Memphis utilized private schools, the Memphis school system is today “the most racially segregated private system in the country”). Furthermore, school segregation is not limited to Memphis, but plays out in cities around the country. *See generally* Erwin Chemerinsky, *The Segregation and Re-segregation of American Public Education: The Court's Role*, 81 N.C. L. REV. 1597 (2003) (discussing the causes of de facto school desegregation and laying the blame, in part, on court decisions).

146. *See, e.g.,* Elena Delavega, *Quick Facts: Memphis, TN, in RACE, CLASS, AND SOCIAL JUSTICE IN MEMPHIS: A CALL TO BRIDGE THE GREAT DIVIDE* 4, 4–5 (2016), <http://www.memphis.edu/benhooks/programs/pdf/2016hookspolicypapers.pdf> (noting that African-Americans are falling behind in higher education credentials, like likelihood to receive a bachelor's degree).

147. *See id.* at 4 (noting that poverty rate in Memphis exceeds the average poverty rate); *see also* U.S. CENSUS BUREAU, POVERTY STATUS IN THE PAST 12 MONTHS, 2012–2016 AMERICAN COMMUNITY SURVEY 5-YEAR ESTIMATES (Memphis, TN), <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=C F> (last visited Mar. 7, 2018) [hereinafter ACS SURVEY] (finding that the black poverty rate was 32.6%, compared to a white poverty rate of 15.2%).

148. *See* Delavega, *supra* note 146, at 5 (finding that the black unemployment rate was 15.0%, compared to a white unemployment rate of 6.2%).

149. *Id.* (noting that the white median income in Memphis is \$58,584, compared to the African-American median income of \$30,464).

150. *See id.* at 4 (noting that, among communities with more than a million people, Memphis has the highest childhood poverty rate in the country); *see also* ACS SURVEY, *supra* note 147 (finding that the childhood poverty rate in Memphis was 44.4%).

151. PEW RES. CTR., ON VIEWS OF RACE AND INEQUALITY, BLACKS AND WHITES ARE WORLDS APART 8–9 (2016),

gained virtually no progress in the last fifty years.¹⁵² Even more troubling, many of the indicators of economic well-being have gotten worse for African-Americans over that period.¹⁵³ For instance, as manufacturing jobs have become scarcer in urban areas like Memphis, the number of African-American men employed has gone down, as has labor participation.¹⁵⁴ Meanwhile, unemployment among African-American men in cities has gone up.¹⁵⁵ De-industrialization and the absence of jobs in urban centers has meant that the gap between African-American income and white income has grown larger in the last 50 years.¹⁵⁶

Unfortunately, these kinds of questions are not going to be answered by any author right now, even one as thorough and comprehensive as Sanford. They linger long after Sanford's book closes. They linger long after Crump and Herenton have left City Hall.

http://www.pewsocialtrends.org/files/2016/06/ST_2016.06.27_Race-Inequality-Final.pdf (finding that African-Americans were more than twice as likely to live in poverty, have lower incomes, and less wealth).

152. See generally Paul F. Campos, *White Economic Privilege Is Alive and Well*, N.Y. TIMES (July 29, 2017), <https://www.nytimes.com/2017/07/29/opinion/sunday/black-income-white-privilege.html> (noting that, in economic terms, nothing has changed in the wage, income, and wealth gap between African-Americans and white Americans).

153. See, e.g., *id.* (noting that the income gap between blacks and whites has widened over the last fifty years in most income percentiles).

154. Black et al., *supra* note 107, at 353, 359 (2010) (presenting statistics of work force and unemployment for African-American men from 1970 to 2000).

155. *Id.* at 359.

156. PEW RES. CTR., *supra* note 151, at 8 (noting that the gap in household income between black and white households was \$20,000 in 1967 and was \$28,000 by 2014).