

NATIONAL HISTORIC LANDMARK NOMINATION

NPS Form 10-900

USDI/NPS NRHP Registration Form (Rev. 8-86)

OMB No. 1024-0018

ANDREW RANKIN MEMORIAL CHAPEL, FREDERICK DOUGLASS  
MEMORIAL HALL, AND FOUNDERS LIBRARY

United States Department of the Interior, National Park Service

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National Register of Historic Places Registration Form

1. NAME OF PROPERTY

Historic Name: Andrew Rankin Memorial Chapel  
Frederick Douglass Memorial Hall  
Founders Library

Other Name/Site Number:

2. LOCATION

Street & Number: 2441 6<sup>th</sup> Street, NW; 500 Howard Place, NW; and  
2365 6<sup>th</sup> Street, NW

Not for publication: N/A

City/Town: Washington

Vicinity: N/A

State: DC County: DC Code: 001

Zip Code: 20059

3. CLASSIFICATION

Ownership of Property

Private: X  
Public-Local:      
Public-State:      
Public-Federal:    

Category of Property

Building(s):      
District: X  
Site:      
Structure:      
Object:    

Number of Resources within Property

Contributing

4  
1  
     
     
5

Noncontributing

    buildings  
    sites  
    structures  
    objects  
    Total

Number of Contributing Resources Previously Listed in the National Register: 1

Name of Related Multiple Property Listing:

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**4. STATE/FEDERAL AGENCY CERTIFICATION**

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this \_\_\_\_ nomination \_\_\_\_ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property \_\_\_\_ meets \_\_\_\_ does not meet the National Register Criteria.

\_\_\_\_\_  
Signature of Certifying Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
State or Federal Agency and Bureau

In my opinion, the property \_\_\_\_ meets \_\_\_\_ does not meet the National Register criteria.

\_\_\_\_\_  
Signature of Commenting or Other Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
State or Federal Agency and Bureau

**5. NATIONAL PARK SERVICE CERTIFICATION**

I hereby certify that this property is:

- Entered in the National Register
- Determined eligible for the National Register
- Determined not eligible for the National Register
- Removed from the National Register
- Other (explain): \_\_\_\_\_

\_\_\_\_\_  
Signature of Keeper

\_\_\_\_\_  
Date of Action

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**6. FUNCTION OR USE**

Historic: Education  
Religion

Sub: College, Library  
Religious Facility

Current: Education  
Religion

Sub: College, Library  
Religious Facility

**7. DESCRIPTION**

Architectural Classification: English Gothic Revival, Beaux Arts, Colonial Revival, and Classical Revival

Materials:

Foundation: brick, stone

Walls: brownstone, limestone, brick

Roof: slate

Other:

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National Register of Historic Places Registration Form**Describe Present and Historic Physical Appearance.**

Andrew Rankin Memorial Chapel, Founders Library, and Frederick Douglass Memorial Hall, as well as one contributing site, are located on the main campus of Howard University in Northwest Washington, DC. The three buildings all face the main yard ("The Yard" or upper quadrangle) of the university, an open area with walkways that lead to the entrances of the nine buildings which surround it. Except for Andrew Rankin Memorial Chapel, the buildings were constructed under the university architect, famed African American architect Albert I. Cassell, from 1921 to 1948. The landscape surrounding these historic buildings was designed by landscape architect David A. Willinston. The property also contains the Carnegie Building, which contributes to the setting of the site.

**Founders Library (1939):** Located at 500 Howard Place, NW on the main campus of Howard University, construction of Founders Library began in 1937 under the design of Cassell and Willinston, and general contractors Irvin & Leighton. One of Albert Cassell's primary design architects during the early 1930s was Louis E. Fry, Sr. By the time the detailed plans for the Library were being prepared Fry had left to work at Tuskegee, where he continued to work for Cassell on the Library [ for \$1.50/hour plus expenses]. As an employee and then a consultant to Cassell, Fry had a significant hand in the design of the library. It was in fact Fry who, when asked of the building's resemblance to Philadelphia's Independence Hall, commented that "since the Library was dedicated to liberty, there was no more appropriate design for Howard University's major building to emulate."<sup>1</sup>

The rectangular-shaped Colonial Revival style building has a stone foundation, red brick walls, limestone trim, corner quoins, and a slate roof. The building has three stories plus a basement and a side-gabled roof on the central block of the building. Two-story wings flank the central block. A stone belt course encircles the building between the first and second floors. All windows are symmetrically balanced, multi-paned, double-hung sash, and are either rectangular or arched.

The fifteen-bay façade (north) features a three-story central block with a bell tower and two-story wings. The central bay contains a double door entry with a fanlight and pilasters on the first floor, a Palladian window on the second floor, and two narrow windows flank a centered window on the third floor. The bell tower rises above the central bay in three distinct and progressively narrower sections. The first section is constructed of brick and contains one centered window. The second section is stone and contains an illuminated clock and a balustrade. The top domed bell section, which chimes the university alma mater at noon, 6 p.m., and midnight, has arched windows topped by a smaller dome and a pinnacle.

The bays flanking the entry are comprised of three floors of windows. First floor windows are rectangular and 15/15. Second floor windows are arched with a keystone. Third floor windows are rectangular 10/10. A dentiled cornice separates the second and third floors. A parapet wall is located between the central block and the two-story wings.

A pediment roof on the wings has a round window and garland decoration. First floor windows are identical to those in the central block and the second story windows are rectangular (rather than arched as in the central block) with lintels and keystones. The same window pattern extends across the nine-bay side of the west wing

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<sup>1</sup> Lange, Robie and Lebovich, Bill. "Louis E. Fry, Sr. : His Life and Architecture," unpublished, manuscript. n.d.

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and around to the rear elevation which is identical to the front façade. The side of the east wing has been partially obscured by the Undergraduate Library addition. A dentiled cornice is located along the roof edge.

The seventeen-bay central block of the rear elevation includes a five-bay centered extension with a pediment gable featuring a swag design. The first floor contains a central window with a curved pediment and pilasters, and two flanking 12/12 windows. A garland design is located below the central window. The second story contains five 12/12 windows with a brick lintel and keystone and a concrete rectangular panel above each window. This window pattern repeats in the adjoining six-bay central blocks which also have six dormer windows.

The library interior features arched ceilings. A 1981 addition that contains the Undergraduate Library on the east wing has not disturbed the original structure of Founders Library. The library was named for the original founders of the university and has been primarily used as its principal library. Founders Library also housed the law school and its library on the third floor from 1944 to 1955 and, today in addition to the main library, it houses the Department of African American Studies, and the Moorland-Spangarn Research Center.

**Frederick Douglass Memorial Hall (1935):** Located at 2441 6<sup>th</sup> Street, NW, this hall is named in honor of abolitionist, diplomat, and university trustee Frederick Douglass, and was completed under the direction of Cassell. The U-shaped Neoclassical building looks out upon the main yard of the university. Two-story wings flank a three-story central block. The building has a beige stone foundation, red brick walls trimmed in limestone and granite, and corner quoins. The roof has slate sheathing. Dentils and a frieze band are located in the cornice. All elevations have symmetrically balanced rectangular double-hung windows. First floor windows are 15/15 with keystone lintels, second floor windows are 8/8 with a single keystone, and the third floor windows are 8/8 with no keystones. A stone belt course runs beneath the third story windows.

The front façade features a thirteen-bay central block with wide stone steps fronting the dominant, full-height porch supported by classical columns with Corinthian capitals and topped with a classical pediment containing a swag design. A broken pediment is located over the centered glass double doors. The parapet side-gabled roof has a balustrade extending along a portion of the ridge line. A stone, dome-shaped bell tower, with balustrade and arched windows, rises above the roof line. The two-story, two-bay wings have hipped roofs.

The rear elevation of the central block contains ashlar masonry piers that separate the elevation into a pattern of 1-4-3-4-1 bays. The centered three-bay entrance has a three-paned double glass door and pedimented window above, all with limestone surrounds. Glass double doors at each end, near the wings, also have limestone surrounds. An arcaded parapet separates the central block from the wings which are ten bays in length. Centered, brick, projecting entrances on the side (north and south) elevations of the wings feature double glass doors, a keystone, and balustrade. One double glass door with a triangular pediment is located on the south side of the north wing.

During the period of significance the building was used for classrooms and housed the Departments of Education, History, and Psychology as well as the Deans of the College of Liberal Arts and the Graduate School. The Offices of University Registrar and the University Treasurer were in the basement. Presently, Douglass Hall is used for classroom instruction and contains the Departments of Political Science, Sociology and Anthropology, History and the R.O.T.C. Program.

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**Andrew Rankin Memorial Chapel (1894):** Located at 2365 6<sup>th</sup> St., NW, the building was dedicated in 1895 to Andrew Rankin (whose widow contributed \$5,000 to begin construction), the brother of Jeremiah C. Rankin, president of the university from 1890-1903. This two-story (auditorium and basement), red brick chapel is an asymmetrical eclectic building that is set into the side of a hill so that the building appears to be one-story on the north and east sides and two-story on the remaining sides. The steeply pitched, slate, side-gabled roof contains decorative half-timbering in the gables. Multiple groups of tall narrow windows contain multi-pane glazing. Thirty-three windows in the auditorium are stained glass, including a window depicting the landing of the Pilgrims in the apse of the Chapel.

A cross gable and square tower dominate the east façade. The tower, at the south end of the façade, next to the entry, has a spire. First story paired, rectangular windows on the tower have leaded glass and flat lintels with voussoirs and a keystone. Second story paired windows have an arched voussoir lintels. The spire has four louvered windows with steeple roofs. Rock-faced stone in the pointed arch entry is engraved with the words "Memorial AER Chapel" (AER denotes Andrew Evarts Rankin). A narrow rectangular louvered window is located above the arch. The entry through the archway is a double glass door with a triple window to the right. Windows separated by buttresses extend north beyond the entry along the façade.

The north side of the building (facing the street) is cross-gabled and features a half-timbered gable, fish scale shingles, and a three-light stained glass window topped with an arched leaded glass light. Entries include two simple wood doors. One door is located beneath the triple windows and the other is located to the right of this door on the side of the cross gable which features two narrow windows.

The west side of the building is seven bays wide with stepped buttresses. Double grouped windows on the first floor are plain glass and rectangular except for a single window and a square window that are paired with a glass door. Triple windows in the second floor are either leaded or stained glass.

The building's south side contains the same gable features as the north side of the building. A triple leaded glass window in the gable has a centered stain glass light. The first floor level has a centered triple leaded glass window flanked by paired leaded glass windows. A wood door on the first floor is covered by iron bars, with a plain glass window, covered with wire mesh, is located left of the door. Brick steps lead up to a landing and a half-glass door is located part way between the basement and first floor. Together, these two doors are centered under the triple window.

Inside, the chancel rises three feet above the main floor, which holds 900 people, and features a mahogany stained hammer-beam roof. A pipe organ, with 28 legitimate and nine borrowed steps, was added in 1934. Two carpeted aisles run between three sections of seating. The walls are mahogany stained wainscoting with plaster above. Original circular wrought iron lighting fixtures, which held gas light candles, were replaced with the existing six-sided hanging lights. The building has been and is currently used for religious activities, as an auditorium, and as an assembly place.

The boundary also includes the **Carnegie Building (1910)**, located along 6<sup>th</sup> Street between the Rankin Chapel and Douglass Hall facing the Main Yard. Until 1945 it housed the principal library and the School of Religion. It now serves as a classroom and office building. Designed by Henry Whitfield and built by E. J. Marshall, the two-story building has a beige stone foundation and red brick walls with terra cotta trim.

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**The Main Yard:** Also known simply as “The Yard” or the “upper quadrangle,” this area became the center of the campus as the university grew. In the University’s 133-year history, the area has been used for physical fitness activities and as a meeting place for students. It also continues to be the main artery by which students, faculty, and visitors negotiate the campus.

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National Register of Historic Places Registration Form**8. STATEMENT OF SIGNIFICANCE**

Certifying official has considered the significance of this property in relation to other properties:  
Nationally: X Statewide:    Locally:   

## Applicable National

Register Criteria: A X B X C D

## Criteria Considerations

(Exceptions): A B C D E F G X

NHL Criteria: Criteria 1 and 2

NHL Exception(s) 1 and 8

NHL Theme(s): Theme II--Creating Social Institutions and Movements  
Theme III--Expressing Cultural Values

Areas of Significance: Education, Social history, Ethnic Heritage, Law

Period(s) of Significance: 1929-1955

Significant Dates: 1929, 1954, 1955

Significant Person(s): Houston, Charles Hamilton  
Marshall, Thurgood

Cultural Affiliation: N/A

Architect/Builder: Cassell, Albert I.  
Willinston, David A.  
Whitfied, Henry D.Historic Contexts: XXXI. Social and Humanitarian Movements  
M. Civil Rights Movement



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A portion of the Howard University campus is nationally significant as the setting for the institution's role in the legal establishment of racially desegregated public education and for its association with two nationally recognized leaders of that fight: Charles Hamilton Houston and Thurgood Marshall. From 1929 and continuing to the present, Howard Law School, where the nation's first course in Civil Rights was established in 1936, became an educational training ground, through the vision of Charles Hamilton Houston, for the development of activist black lawyers dedicated to securing the civil rights of all people of color.<sup>2</sup> Howard University also provided preparation of the legal strategy presented by Thurgood Marshall and the National Association for the Advancement of Colored People's (NAACP) Legal Defense Fund and Educational Fund (LDF) leading to the historic decisions in *Brown v. Board of Education* (1954, 1955) ending segregation in public education.

These Howard University properties are eligible for designation as a National Historic Landmark under Criterion 1--association with national events--and Criterion 2--association with nationally significant persons and are being nominated as part of the Racial Desegregation in Public Education Theme Study. The university represents the role that institutions of higher learning played in bringing about racial desegregation in education through the production of civil rights leaders and of academic research supporting the unconstitutionality of segregation. Howard University wholly contributed to and most perfectly represents: (1) the education of civil rights attorneys dedicated to legally securing desegregation, (2) the academic research supporting the unconstitutionality of segregation, and (3) the community outreach needed to challenge and define the interpretation of the United States Constitution in American society. No other university provided the same level of support to the desegregation fight.

**Historic Background**Desegregation Overview

The fight for equality before the law and in society is a long-standing struggle in the history of the United States, embodied by the 20<sup>th</sup> century Civil Rights Movement. It has created conflict and cooperation between groups of people that have challenged and forced society to define the very foundations of American life. The belief that education is the key to the advancement of civil rights is a dearly held conviction in United States society. Minority groups have fought for quality education for their children despite legal, social, and economic obstacles, winning the right to educational equity and empowerment through the dismantling of racially segregated education. The landmark Supreme Court decisions in *Brown v. Board of Education I and II* (1954, 1955), overturned the "separate but equal" doctrine founded in *Plessy v. Ferguson* (1896), which established the constitutionality of racial segregation in the United States.

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<sup>2</sup> Jack Greenberg, *Crusaders in the Courts: How a Dedicated Band of Lawyers Fought for the Civil Rights Revolution* (New York: Basic Books, 1994), 39.

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*Brown v. Board of Education I* (1954) was a watershed case, consolidating four other cases under its title: *Briggs v. Elliot*, which originated in South Carolina; *Davis v. County School Board* from Virginia; and *Belton v. Gebhart* and *Bulah v. Gebhart*, both from Delaware.<sup>3</sup> The landmark Supreme Court decision, handed down on May 17, 1954 states:

Segregation of white and Negro children in the public schools of a State solely on the basis of race, pursuant to state laws permitting or requiring such segregation, denies to Negro children the equal protection of the laws guaranteed by the Fourteenth Amendment—even though the physical facilities and other "tangible" factors of white and Negro schools may be equal.<sup>4</sup>

The courts decided that the only way that segregation was constitutional was to declare blacks as being inherently inferior to whites, an idea that the courts rejected. Decided on the same day, the case *Bolling v. Sharpe* (1954) declared segregation in the District of Columbia unconstitutional.<sup>5</sup> The case began as members of an African American community organization, Consolidated Parents Group, Inc., lead by Gardner Bishop, protested the denial of Spottswood Bolling and several other African American children entrance to the new, all-white John Philip Sousa Junior High School. Because the Fourteenth Amendment applied to states, not to the federal government or Congress, which passed laws to establish segregation in the district, the Supreme Court cited violation of due process of the law guaranteed by the Fifth Amendment. The Court concluded that the due process clause did not permit racial discrimination in the same manner as the equal protection clause of the Fourteenth Amendment.<sup>6</sup>

The impact of *Brown I* on the social and political landscape of America can not be overstated. Despite the difficulty that followed in rooting out de facto (in effect) educational segregation and in securing compliance with de jure (by law) desegregation, the victory in *Brown I* became an opening salvo in the Civil Rights Movement. The decision heralded a new era in relations between the races in America, signifying that each citizen was entitled to and would receive equal protection under the law. Howard University provided invaluable support in securing *Brown I* and in heralding this new era in the United States.

In 1896, the U. S. Supreme Court decided in *Plessy v. Ferguson* that segregation of the races was legal under the equal protection clause of the Fourteenth Amendment as long as the facilities for both were "equal".<sup>7</sup> This decision gave the constitutional stamp to state and local Jim Crow laws throughout the United States, especially in the South, mandating segregated facilities for whites and non-whites--

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<sup>3</sup> *Brown v. Board of Education*, 347 U.S. 483 (1954). *Briggs v. Elliott*, 132 F. Supp. 776 (1955). *Davis v. Prince Edward County School Board*, 103 F. Supp. 337 (1952). *Belton v. Gebhart*, 91 A.2d 137 (1953). *Bulah v. Gebhart*, 91 A.2d 137 (1953).

<sup>4</sup> *Brown v. Board of Education*, 347 U.S. 483 (1954).

<sup>5</sup> *Bolling v. Sharpe*, 347 U.S. 497 (1954).

<sup>6</sup> Jeffrey Raffel, *A Historical Dictionary of School Segregation and Desegregation: The American Experience*. (Westport, CT: Greenwood Press, 1998), 26-7.

<sup>7</sup> *Plessy v. Ferguson*, 163 U.S. 537 (1896).

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including schools. From the end of the 19<sup>th</sup> century until the 1930s, the Supreme Court refused to revisit the issue of educational segregation, citing that the establishment and maintenance of schools were within state jurisdiction. Federal intervention was not warranted without "...a clear and unmistakable disregard of rights secured by the supreme law of the land."<sup>8</sup> Racially segregated public schools continued throughout the United States.

It wasn't until the late 1930s that headway was made toward dismantling segregation in education. The National Association for the Advancement of Colored People (NAACP), established in 1908, began its campaign to legally overturn all laws that blocked the attainment of civil rights by minorities. Desegregation in education comprised a major component of this goal. The NAACP established its Legal Defense Fund (LDF) in 1935 and began its litigation by attacking segregation in graduate and professional schools. The NAACP would see its first successes in *Pearson v. Murray* (1936) and *Missouri ex rel. Gaines v. Canada* (1938). *Pearson*, argued in the Maryland state courts, ended segregation at the University of Maryland Law School. The ruling was based on evidence showing the segregated system under which the school operated was unequal, and that establishment of a separate law school for blacks was an unavailable alternative. With those two circumstances, the black plaintiff was entitled to the relief of attending the all-white state law school.<sup>9</sup> In *Gaines*, the first Supreme Court case regarding segregation of higher education, the Court ruled that the segregationist alternative of providing black students with out-of-state tuition to black colleges instead of granting admittance to white, in-state public institutions did not satisfy the "equal" tenet of the "separate but equal" doctrine. The Court ordered the admittance of Lloyd Gaines, the plaintiff, to the University of Missouri.<sup>10</sup> Unfortunately, Gaines disappeared before he could attend the university.

The LDF continued its attack on segregation in graduate and professional schools through 1950, gaining three major victories, two of which would provide the basis for overturning *Plessy*. The success of these three cases owed much to the changing social climate of the United States brought about by the encroachment of communism and the emergence of the Cold War after World War II. The hypocrisy of the United States defense of democracy abroad and its refusal to extend that democracy to all segments of American society at home left the United States vulnerable to attacks by communists and deeply embarrassed the United States government internationally. The Committee on Civil Rights, appointed by President Harry S. Truman in 1946, released a 1947 report, *To Secure These Rights*, which called for the "elimination of segregation from American life."<sup>11</sup> The President's Commission on Higher Education, assigned the task of defining the "responsibilities of colleges and universities in American

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<sup>8</sup> *Cumming v. Richmond County Board of Education*, 175 U.S. 528 at 545 (1899) and *Berea College v. Commonwealth of Kentucky*, 211 U. S. 45 (1908). In both cases the Supreme Court upheld the power of the local and state school boards to regulate public educational facilities on the basis of race.

<sup>9</sup> *Pearson v. Murray*, 182 A. 590 (Md. 1936).

<sup>10</sup> *Missouri ex rel. Gaines v. Canada*, 305 U. S. 337 (1938).

<sup>11</sup> President's Committee on Civil Rights, *To Secure These Rights* (Washington, DC: U.S. Printing Office, 1947), 166.

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democracy and in international affairs,” also recommended the dismantling of segregation in education.<sup>12</sup> The support of the U.S. government gave impetus to the Supreme Court to rule in the favor of desegregation. It was in this atmosphere that the NAACP filed *Sipuel v. Oklahoma State Board of Regents* (1948).

In *Sipuel*, the NAACP would introduce psychological evidence of the detrimental effects of segregation. A victory was gained with the Supreme Court order to provide plaintiff Ada Lois Sipuel with an equal education guaranteed by the Fourteenth Amendment “as soon as it does for applicants of any other group.”<sup>13</sup> The high court of Oklahoma offered two solutions based on the mandates of the Supreme Court: admit Sipuel to the all-white University of Oklahoma Law School or create a separate law school for black students. The Oklahoma Board of Regents hastily created a “law school” taught by three professors in a roped off section of the state capital. Sipuel went back to court to protest this law school in February 1948. Although previously ruling for Sipuel, the Supreme Court rejected the NAACP LDF argument that segregation of Sipuel into a black law school violated the Fourteenth Amendment by not providing intellectual growth gained through interaction with other students. The case was returned to the Oklahoma state courts where the roped-off “law school” was declared equal to the all-white University of Oklahoma Law School.<sup>14</sup>

According to Thurgood Marshall, *Sweatt v. Painter* (1950) and *McLaurin v. Oklahoma State Regents for Higher Education* (1950) provided a “direct attack on the validity of segregation statutes insofar as they applied to public education at the graduate and professional school level” and became the precedents on which the Court’s decision in *Brown I* was decided. The rulings, issued on the same day, June 5, 1950, answered two constitutional questions that together declared “separate but equal” unachievable in higher education. In *Sweatt*, the Supreme Court for the first time declared education provided by a black school to be inferior to that provided in an all-white school by comparing the intangible factors of education such as prestige, alumni achievement, and faculty reputation.<sup>15</sup> In *McLaurin*, the Supreme Court answered the question of “whether a state may, after admitting a student to graduate instruction in its state university, afford him different treatment from other students solely because of his race.” The ruling found that McLaurin, because of his segregation within the University of Oklahoma, was handicapped by his inability to “intellectually [commingle]” with other students.<sup>16</sup> Both the *Sweatt* and *McLaurin* cases were cited in *Brown I* as “...the basis of the separate but equal doctrine because of the

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<sup>12</sup> President’s Commission on Higher Education, *Higher Education for American Democracy* (New York: Harper & Brothers Publishers, 1947), 1.

<sup>13</sup> *Sipuel v. Oklahoma State Board of Regents*, 332 U. S. 631 (1948).

<sup>14</sup> *Ibid.*, Kluger, *Simple Justice*, 259-60. Raffel, Jeffrey A., *Historical Dictionary of School Segregation and Desegregation: The American Experience* (Westport, Conn.: Greenwood Press, 1998), 240-1.

<sup>15</sup> *Sweatt v. Painter*, 399 U.S. 629 (1950). Raffel, *Historical Dictionary*, 250-51.

<sup>16</sup> *George McLaurin v. Oklahoma State Regents for Higher Education, Board of Regents of University of Oklahoma*, 339 U. S. 637 (1950).

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role of intangibles in education.”<sup>17</sup> With these legal precedents under its belt, the LDF was ready to challenge segregation at all educational levels.

### Howard University

Founded in 1867, Howard University was incorporated by Congress on March 2<sup>nd</sup> as a multi-racial college to educate free men, especially enslaved African Americans newly freed by the end of the Civil War. Conceived by 30 members of the First Congregational Society—one of whom was General Oliver Otis Howard, Commissioner of the Bureau of Refugees, Freedmen, and Abandoned Lands (Freedmen’s Bureau) and university namesake--the University was to provide education for “preachers with a view to service among the freedmen.”<sup>18</sup> According to the November 20, 1866 proposal for the university, its original name was to be Howard Theological Seminary, which evolved on January 8, 1867 to the present-day Howard University. The charter enacted by Congress provided for “a University for the instruction of youth in the liberal arts and sciences ... to consist of a normal, collegiate, theological, law, medical, and agricultural departments.”<sup>19</sup>

The broadening of the university’s educational goals, indicated by the name and charter of the university, reflects the shifting paradigm during the late 19<sup>th</sup> century in American education, especially in regards to the capacity of black people to learn. Racist ideology touting the inherent inferiority of the Negro held that black people were unable to be taught above a basic level and so should not be educated in any areas outside the industrial arts (i.e. manual labor). This prejudice also comprised a key justification of the white demand for racially segregated schools, reasoning that the presence of black children, who were intellectually inferior, would disrupt the education of white students. The majority of predominantly black schools focused on a curriculum of industrial arts, such as Hampton Normal and Industrial Institute in Virginia and Tuskegee Institute in Alabama. The emergence of more successful, classically-educated African Americans refuting these beliefs, and the conviction of the First Congregational Society in the right of African Americans to obtain extensive education, culminated in the establishment of Howard University as one of the only liberal arts colleges and universities primarily serving black students during this period.<sup>20</sup>

In 1867, the university consisted of 150 acres, and 7 schools, teaching a combination of secondary- and university-level curriculum. Financial woes especially after the Panic of 1873 necessitated the sale of plots of the land. Congress began appropriations in 1928 under the Morrill Act of 1890, effectively giving the university the status of a land grant college. The university continued to grow throughout the late 1800s and the early 1900s, adding new departments and buildings in which to accommodate the growing numbers of programs and students at the university.

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<sup>17</sup> *Raffel, Historical Dictionary*, 159.

<sup>18</sup> Rayford W. Logan, *Howard University: The First Hundred Years, 1867-1967* (New York: New York University Press in association with Howard University, 1969), 3.

<sup>19</sup> *Ibid.*, 21-2.

<sup>20</sup> The shifting paradigm in African American education and its impact on Howard University is discussed extensively in Logan, *Howard University*, 3-12.

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On June 30, 1926, Howard University received its first African American president, Mordecai Wyatt Johnson, and the development of the university changed. When President Johnson received charge of the university, the 25-acre campus consisted of ten schools, with only two accredited, and 22 buildings. Fired by a determination to fulfill the goal of Howard University as an institute of higher learning, Johnson vigorously reorganized the university by raising academic standards, admissions requirements and faculty salaries, and discontinuing all secondary level curricula. He began a building program to develop the physical environment of the university. President Johnson also instituted programs that demanded the immediate accreditation of all schools in the university, especially the law school.<sup>21</sup>

Howard Law School opened on January 6, 1869, with John Mercer Langston as dean. Until the presidency of Johnson, the school, which did not maintain day classes, consisted of a part-time faculty of predominantly white professors, a library lacking in books and other resources, and a large enrollment of over 100 students. Motivated by Supreme Court Justice Louis Brandeis' comment that he could "tell most of the time when reading a brief by a Negro attorney," Johnson searched for a new dean of the law school that would elevate the training of its students.<sup>22</sup> He found that person in Charles Hamilton Houston.

### Charles Hamilton Houston's Social Engineering

Charles Hamilton Houston, described as "the chief engineer and first major architect of the twentieth century civil rights legal scene,"<sup>23</sup> was a native Washingtonian who attended the prestigious M Street School. The school contained students from the most prominent African American families in the city. With the majority of students going on to pursue university-level education, the list of graduates from the M Street School would comprise a veritable who's who of African American leaders in the 20<sup>th</sup> century including renowned artist and sculptor Elizabeth Catlett, former U.S. Senator Edward W. Brooke, famed jazz musician and band leader James Reese Europe and Sadie T. Mossell Alexander, the first black woman to receive a Ph.D.<sup>24</sup>

Houston went on to graduate from Amherst College as a member of Phi Beta Kappa, and after serving in World War I, graduated from Harvard Law School. Ranked in the top 5 percent of his class, he was the first black person elected to the prestigious *Harvard Law Review*. Houston went on to study comparative law at the University of Madrid as a Sheldon Traveling Fellow and returned to Washington, DC in 1924 to work with his father in the law firm, Houston and Houston. In that year, he also began teaching part-time at Howard Law School.

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<sup>21</sup> As noted in Harry G. Robinson and Hazel Ruth Edwards, *The Long Walk: The Placemaking Legacy of Howard University*, p. 23, all of the schools and colleges of the University were accredited by the end of Johnson's presidency in 1960.

<sup>22</sup> As quoted in Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* (New York: Vintage Books, 1975), 125.

<sup>23</sup> Judge A. Leon Higginbotham, "Foreword" to Genna Rae McNeil, *Groundwork: Charles Hamilton Houston and the Struggle for Civil Rights* (Philadelphia: University of Pennsylvania Press, 1983), xv.

<sup>24</sup> R. Sims-Wood, Ph.D. in history. Telephone Interview with Maya Catherine Harris. July 3, 2001. Howard University, Moorland-Springarn Research Center.

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Charles H. Houston's major importance rested in his determination to educate young, black lawyers dedicated to the civil rights cause. His "greatest contribution lay in conceiving a grand strategic framework and in educating his students at Howard University Law School to do battle for racial equality, and in his continuing guidance of his protégés."<sup>25</sup> Appointed Vice Dean of the law school in 1929, Charles Hamilton Houston envisioned a program that trained black lawyers to be "social engineers." He wanted to teach the students how the Constitution had been applied to deprive black people of equal protection under the law and how to use this constitutional knowledge to elevate the legal status of African Americans and their community. "As [Houston] explained to his students, discrimination, injustice, and the denial of full citizenship rights and opportunities on the basis of race and a background of slavery could be challenged within the context of the Constitution if it were creatively, innovatively interpreted and used."<sup>26</sup>

Houston raised academic standards by making the school full-time, adding day classes and reducing night courses. He also strengthened admissions standards, cutting enrollment to the law school by nearly half. Houston fired many of the part-time, under-qualified professors in the department and hired more enthusiastic faculty, including more African Americans, to replace them. Among these distinguished educators were William H. Hastie and James Nabrit, Jr. James Nabrit, Jr., who would argue *Bolling v. Sharpe* (1954) before the Supreme Court and become president of the University in 1961, organized the first civil rights course in an American law school at Howard University in 1936.<sup>27</sup> Both the Association of American Law Schools and the American Bar Association rewarded Houston's efforts in 1931 when the law school earned accreditation, becoming the only historically black college or university to have a law program so recognized.<sup>28</sup> According to former LDF lawyer, Jack Greenberg, Charles Hamilton Houston, "in six energy-filled years transformed [Howard Law School] from a law school with a part-time faculty and student body into an accredited institution that became a West Point of civil rights, producing an annual crop of lawyers rigorously trained to do battle for equal justice."<sup>29</sup> By 1960, ninety-six percent of all African American attorneys in the United States were trained at Howard Law School.<sup>30</sup>

In 1935, Charles Hamilton Houston became the first special counsel for the NAACP in its attack against Jim Crow laws. Houston, from 1935 to 1938, constructed the legal strategy of the NAACP, gaining two legal victories against segregation in graduate and professional schools. As stated above, these victories

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<sup>25</sup> Greenberg, *Crusaders in the Courts*, 4.

<sup>26</sup> Quote by James Nabrit, Jr. regarding a lecture given by Charles Hamilton Houston at Howard Law School. Printed in McNeil, *Groundwork*, 84.

<sup>27</sup> Charles Hamilton Houston Papers, Moorland-Spingarn Research Center. Manuscript Division. (Washington, DC: Howard University), Box 163-6 contains professor's notes and final exam used in the instruction of students taking the course. Also noted in Kluger, *Simple Justice*, 520, Greenberg, *Crusaders in the Courts*, p. 39 and Logan, *Howard University*, 560.

<sup>28</sup> McNeil, *Groundwork*, 75. According to Kluger's *Simple Justice*, p. 136, Howard and Meharry Medical College in Nashville were the only Black colleges to have graduate and professional schools at that time.

<sup>28</sup> Greenberg, *Crusaders in the Courts*, 5.

<sup>30</sup> Robinson, *The Long Walk*, 25.

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in *Pearson v. Murray* (1936) and *Missouri ex rel. Gaines v. Canada* (1938), with Houston as head attorney, would provide the first successful challenges to *Plessy*. Charles Hamilton Houston resigned as dean of the Law School in 1935 to become special counsel of the NAACP. However, he continued to play a part in the university, teaching part-time at the law school until his death in 1950. Houston was also the initial attorney for the Consolidated Parents Group, Inc., in the litigation that became *Bolling*.

#### Thurgood Marshall and Preparation of NAACP Litigation:

The graduates of Howard Law School, as well as Houston and other faculty, litigated many of the cases involving challenges to segregation in education.<sup>31</sup> In fact, nine of the ten lawyers who argued *Brown* were graduates of or professors at Howard Law School.<sup>32</sup> The best known graduate and special mentee to Charles Hamilton Houston was Thurgood Marshall, who would become the first African American appointed to the Supreme Court of the United States in 1967 by President Lyndon B. Johnson. After obtaining his undergraduate degree from Lincoln University, Marshall graduated Howard Law School in 1933 and immediately began his campaign against segregation, providing counsel in a host of civil rights cases. He also served as co-counsel with Houston on *Pearson*. When Marshall became director-counsel of the NAACP LDF in 1938 after the resignation of Houston, he directed the legal attack on segregation at all educational levels, arguing successfully in *Sipuel v. Oklahoma State Board of Regents* (1948), *McLaurin v. Oklahoma State Regents for Higher Education* (1950), and *Sweatt v. Painter* (1950).<sup>33</sup> Marshall served as lead attorney on *Brown I and II*, capitalizing on his previous desegregation successes.

In addition to producing a cadre of civil rights attorneys through the law school, the university contributed to the preparation and presentation of the NAACP LDF strategy. Graduates of the university arguing in groundbreaking litigation looked to their alma mater to provide research, expert testimony, and legal critiques of their litigation efforts. The University unhesitatingly supplied all three. Several Howard University faculty members testified in key segregation cases argued by the LDF using research collected at the University. Thurgood Marshall, in *Sipuel*, *Sweatt*, and *McLaurin*, relied on the resources of the University to help his litigation, successfully challenging the disparities between the application of the “separate but equal” doctrine at the graduate and professional levels. Dr. John Hope Franklin, professor of history at Howard from 1947 to 1956, and Dr. Ambrose Carter, guest lecturer during the 1940s and 50s, gathered evidence for *Sweatt* and *McLaurin*. Dr. Charles H. Thompson, the first editor

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<sup>31</sup> The most well known faculty members who participated in desegregation cases of the 1930s-60s were: James Nabrit, Jr., William H. Hastie, William Robert Ming, Jr. Some of the more well-known graduates of the law school were: George E. C. Hayes (1918), Oliver W. Hill (1933), Conrad O. Pearson (1933), Cecil McCoy (1933), Robert L. Carter (1941), Spottswood W. Robinson, III.

<sup>32</sup> Richard I. McKinney, *Mordecai, the Man and His Message: the Story of Mordecai Wyatt Johnson* (Washington, DC: Howard University Press, 1997), 70-2.

<sup>33</sup> *Sipuel v. Oklahoma State Board of Regents*, 332 U.S. 631 (1948), *Sweatt v. Painter*, 339 U.S. 629 (1950), and *George W. McLaurin v. Oklahoma State Regents for Higher Education, Board of Regents of University of Oklahoma*, 339 U.S. 637 (1950).



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of the *Journal of Negro Education*, testified to their research and his own showing the disparities between black and white schools in *Sipuel*, as well as *Sweatt* and *McLaurin*.<sup>34</sup>

In *Belton v. Gebhart* and *Bulah v. Gebhart*, the two Delaware cases consolidated with *Brown*, two professors from the Howard Department of Education, Ellis O. Knox and Paul Laurence, testified to the harmful educational effects of segregation on the development of black students. The NAACP and Louis Redding won both cases in the state courts, the first time a judge ever ordered desegregation of public schools.<sup>35</sup> The two cases were brought to the Supreme Court on appeal from the State Board of Education. Professor of Education at Howard, Matthew Whitehead, along with Professor Knox, added their testimony to the *Briggs v. Elliot* case, enumerating the inequalities apparent between the black and white schools of Clarendon County, South Carolina.<sup>36</sup> *Briggs v. Elliot*, the first direct challenge to reach the Supreme Court and the fourth case consolidated with *Brown*, was filed by parents of black students to improve the deteriorated conditions of the school and obtain a working school bus. Thurgood Marshall decided to directly attack segregation instead of asking for equalization of black and white schools, arguing that segregation was inherently unequal.<sup>37</sup>

The Bureau of Educational Research, a division within the Department of Education and located on the third floor of Frederick Douglass Memorial Hall, sponsored much of the research collected by the testifying professors as well as stewardship of the *Journal of Negro Education*. Also located in Douglass Hall were the Departments of History and Psychology, where several professors also added their expertise to the cause of desegregation. According to Dr. Paul P. Cooke--a professor at Miner Teachers College in the 1940s-50s and a longtime civil rights and education activist in Washington, DC--meetings held in Douglass Hall by LDF lawyers and members of the Departments of Education, History, and Psychology discussed the unique detriments of segregation as manifested in each subject area and the strategies to apply that knowledge to desegregation legislation.<sup>38</sup> Although experts from other universities were called to provide testimony by the LDF, no other university was used as consistently, provided a larger number of witnesses, or a wider breadth of research supporting their case for desegregation than Howard University.

Along with providing supporting evidence for the LDF arguments against the constitutionality of segregation, the university helped to prepare the LDF lawyers' legal arguments. Several of the attorneys who participated in the desegregation cases of the 1930s-1950s noted that every case argued before the Supreme Court was first given a "Dry Run" at Howard University using professors and law students to

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<sup>34</sup> Logan, *Howard University*, 562.

<sup>35</sup> *Belton v. Gebhart*, 91 A.2d 137 (1953). *Bulah v. Gebhart*, 91 A.2d 137 (1953). Greenberg, *Crusaders in the Courts*, 137.

<sup>36</sup> Kluger, *Simple Justice*, 350.

<sup>37</sup> *Briggs v. Elliot*, 132 F. Supp. 779 (1955).

<sup>38</sup> Paul P. Cooke, Ph. D. in education. Telephone interview with Turkiya L. Lowe. December 1999. Howard University.

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ask questions of and critique the LDF legal strategy.<sup>39</sup> These questions anticipated those that would be asked by the Supreme Court justices during the trial. Historian James Haskins describes one instance where Thurgood Marshall was asked a question by one of the law students that neither he nor the other attorneys could answer. After researching the question and deciding on a response, Marshall was asked that very question in the subsequent trial by Justice Frankfurter.<sup>40</sup> Dry runs for the cases, which have become a standard preparation tool for law schools and attorneys, were held in the Old Law School Building on 5<sup>th</sup> Street, NW and in the basement of Founders Library on the main campus of Howard. The law school was relocated to the third floor of the library in 1944 and continued there until 1956.

Accompanying the clarification of the LDF's legal arguments through rehearsals of the Supreme Court cases, the university also provided construction of desegregation strategy. From April 16-18, 1952, Howard University and the *Journal of Negro Education*, celebrating its twentieth anniversary, gathered a leading group of legal, educational, sociological, psychological, and political scholars to discuss and critique past, present, and future efforts to desegregate public schools.<sup>41</sup> The conference had participants who were opponents as well as proponents of desegregation, discussing issues such as the potential success of legal efforts to desegregate schools, and the feasibility and problems that would result from integration. The conference also anticipated the *Brown I* outcome by having sessions dedicated to solutions of how to circumvent opposition to desegregation.<sup>42</sup> Six sessions of the conference were held in Andrew Rankin Memorial Chapel, with the seventh held in the Maria Baldwin Hall, a women's dorm opened in the year of the conference. Thurgood Marshall, Walter White, James Nabrit, Jr., and a host of other recognized participants in the desegregation struggle presented papers. Each offered a unique opinion on the strategy to best achieve quality education for African Americans. Out of the conference emerged a revitalized commitment to desegregate public education through the courts, and the development of strategy to evade white opposition to and logistical problems that might arise out of integration such as financing of desegregation plans.

Commanding an impressive view of Founders Library's bell tower and the "Valley" which separates the lower campus from the upper campus, Maria Baldwin Hall was also the site of several other conferences to discuss school desegregation. The Consolidated Parents Group, Inc., which sponsored *Bolling v. Sharpe*, held conferences there to discuss the best route to establish school desegregation in the District of Columbia. One such conference held January 20<sup>th</sup>, 1951 titled "Planning for Democratic Schools in

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<sup>39</sup> In Greenberg, *Crusaders in the Courts*, 72, Greenberg notes that the dry run at Howard was a preparation tool that Thurgood Marshall insisted upon and was greatly beneficial to the success of their cases. See also James Haskins, *Thurgood Marshall: A life for Justice* (New York: Henry Holt and Company, 1992), 56-58.

<sup>40</sup> Haskins, *Thurgood Marshall*, 58.

<sup>41</sup> This conference is recounted verbatim in *The Journal of Negro Education: A Quarterly Review of Problems Incident to the Education of Negroes*, vol. 21, issue 3, "The Courts and Racial Integration in Education," (Washington, DC: Howard University Press, Summer 1952).

<sup>42</sup> *Journal of Negro Education*, "Some Problems Incident to Racial Integration in the Public Schools," 265-303.

The morning session of the conference held on April 17<sup>th</sup> had three papers presented dealing with problems of desegregation in both the North and the South followed by extensive discussion.

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Our Nation's Capital" served as the initial announcement that *Bolling v. Sharpe* would be filed in the U. S. District Court by attorney James Nabrit, Jr.<sup>43</sup>

Howard University is nationally significant in the Civil Rights Movement under Criteria 1 and 2 for its role in the legal establishment of racially desegregated public education, and for its association with two nationally recognized leaders of that fight: Charles Hamilton Houston and Thurgood Marshall. From 1929 to 1935 through the vision of Charles Hamilton Houston, Howard Law School, where the nation's first course in civil rights was established in 1936, became an educational training ground, for the development of activist black lawyers dedicated to securing the civil rights of all people of color.<sup>44</sup> The University also provided preparation of the legal strategy presented by Thurgood Marshall and the NAACP LDF leading to the historic decisions in *Brown v. Board of Education I and II* (1954, 1955). The university provided expert witnesses to support the defense argument, litigation preparation with the conducting of "dry runs," and strategy critique for desegregation with a 1952 conference titled, "The Courts and Racial Integration in Education."

Howard University continued to play a pivotal role in the Civil Rights Movement after the *Brown* cases. By creating a new generation of "social engineers" envisioned by Charles Hamilton Houston--such as Kwame' Ture (i.e. Stokely Carmichael), one of the founders of the 1960s' Black Power Movement--the university became the sight of legal and academic support for the student protestors who drove the Civil Rights Movement of the 1960s.<sup>45</sup> Howard University has sustained its historical dedication to the protection of equal rights, exemplifying the university motto, *Veritas Et Utilitas*: "Truth and Service."

### Comparison of Properties:

There are six sites associated with Howard University's role in racial desegregation in public education, with Charles Hamilton Houston, and Thurgood Marshall. Two of the buildings--the Old Law School Building (420 5<sup>th</sup> Street, NW, Washington, DC) and the "Dining Hall" or University Center (located on the main yard of university at 6<sup>th</sup> Street NW)--no longer exist and a third, Maria Baldwin Dormitory, does not have the high integrity needed for designation as a National Historic Landmark.

Founders Library, located at 500 Howard Place, NW, the law school was moved to this location in 1944 and remained there until 1956. The school was housed on the third floor and from this location, the LDF lawyers conducted many of the dry runs for the Supreme Court cases. In Founders, Houston served as a part-time professor teaching the Civil Rights Law course, and also represented the Consolidated Parents Group, Inc. in *Bolling* before his death. No other existing site represents the role of Howard Law School or Charles Hamilton Houston's role as an educator of young, activist attorneys dedicated to civil rights litigation.

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<sup>43</sup> Consolidated Parents Group, Inc. Papers, Box 19-2. Moorland-Spingarn Research Center, Howard University. Washington, DC.

<sup>44</sup> Jack Greenberg, *Crusaders in the Courts: How a Dedicated Band of Lawyers Fought for the Civil Rights Revolution* (New York: Basic Books, 1994), 39.

<sup>45</sup> Greenburg, *Crusaders in the Courts*, p. 275. Several strategy conferences were held at Howard in the 1960s by Marshall, the LDF and other civil rights attorneys to address the legal defense of student protestors who were arrested in the South and elsewhere for sit-ins.

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Frederick Douglass Memorial Hall, located on 6<sup>th</sup> Street, NW, represents the research and academic argument provided by the university for NAACP strategy. This building was used for meetings between Howard University professors and the LDF to discuss how their research into the harmful effects and infeasibility of the “separate but equal” doctrine weakened the legality of segregation.

Andrew Rankin Memorial Chapel, located on the corner of Howard Place and Sixth Street, NW, represents the community support garnered by the University for the NAACP to use desegregation as a tool to obtain civil rights and also preparation of the NAACP strategy to successfully desegregate schools in practice.

Included in the site for this National Historic Landmark is the Carnegie Building, located along 6<sup>th</sup> Street between Douglass Hall and the Rankin Chapel. During portions of the period of significance, it served as the library and its location facing the Main Yard contributes to the historic setting of the Landmark. Other specific association with the institution’s role in championing the desegregation struggle have not been fully documented.

Founders Library, Douglass Hall, Rankin Chapel and the Carnegie Building all retain the high degree of integrity necessary for designation as a National Historic Landmark.

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*George McLaurin v. Oklahoma State Regents for Higher Education, Board of Regents of University of Oklahoma*, 339 U. S. 637 (1950).

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*Pearson v. Murray*, 182 A. 590 (Md. 1936).

*Sipuel v. Oklahoma State Board of Regents*, 332 U. S. 631 (1948).

*Sweatt v. Painter*, 339 U.S. 629 (1950).

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Previous documentation on file (NPS):

- Preliminary Determination of Individual Listing (36 CFR 67) has been requested.
- Previously Listed in the National Register.
- Previously Determined Eligible by the National Register.
- Designated a National Historic Landmark.
- Recorded by Historic American Buildings Survey: #
- Recorded by Historic American Engineering Record: #

Primary Location of Additional Data:

- State Historic Preservation Office
- Other State Agency
- Federal Agency
- Local Government
- University
- Other (Specify Repository): Library of Congress, Law Reading Room

**10. GEOGRAPHICAL DATA**

Acreeage of Property: approximately 10 acres

UTM References:	<b>Zone</b>	<b>Easting</b>	<b>Northing</b>
	18	324,840	4,309,980

Verbal Boundary Description:

The western boundary is 6<sup>th</sup> Street, NW, from the northern side of Thirkield Science Hall to the northern side of Douglass Hall. The northern boundary is the northern end of the Main Yard and the eastern boundary is the east end of the Main Yard continuing southward between Founders Library and 4<sup>th</sup> Street, NW. The southern boundary runs along the lower quadrangle from 4<sup>th</sup> Street south of Founders Library and Rankin Chapel to the rear of Thirkield Science Hall continuing around the building to 6<sup>th</sup> Street. This area forms a rectangle approximately 1,050' north to south by 525' east to west.

Boundary Justification:

The boundary drawn contains the three contributing buildings—Andrew Rankin Memorial Chapel, Founders Library, and Frederick Douglass Memorial Hall—as well as the one contributing site, the Main Yard or Upper Quadrangle. The Boundary also includes Carnegie Hall, which contributes to the setting of the site.

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NATIONAL HISTORIC LANDMARKS SURVEY

September 14, 2001