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As the Jim Crow Flies

Court art attracts heat but no media light
BY TIM FLECK

Two weeks ago, a couple of lawyers, a client and state District Judge Caroline Baker retired to her empty jury room to try to work out a mediated settlement to a civil lawsuit. One of the attorneys, African-American **Ronald Ray**, happened to focus on several framed prints hanging on the wall. When he noticed that they all portrayed groups of black people in idyllic antebellum settings, Ray was shocked -- he realized he was looking at what is known in art history circles as Jim Crow art.

"You ask jurors to leave all their prejudices at the courthouse door and have a clear mind," says the attorney, who often represents clients on civil rights issues. "When they see that art on the wall, whatever discriminatory thoughts they may have creep back in and become a clear distraction."

The unsigned prints were titled *Mississippi Afternoon* and *Working on the Levee*. As is typical of the genre, the subjects were blacks with caricatured physical features in happy, carefree poses.

That style flourished before the Civil War in pro-slavery circles and came back into vogue in the 1880s, after the reconstruction era. White Southerners ended the political emancipation of African-Americans resulting from the North's victory, and laws were enacted throughout the region to enforce segregation and strip blacks of voting rights.

"Prosperous collectors created a demand for depictions that fulfilled their own ideas of blacks as grotesque buffoons, servile menials, comic entertainers, or threatening subhumans," explained curator **Guy McElroy** in a *Washington Post* review of a exhibition of racist art at the Corcoran Gallery.

By the late 1950s, the civil rights movement and federal court rulings were knocking down racist statutes, and Jim Crow art was on its way out, along with segregated public accommodations. So how did some examples of the art wind up hanging in a jury deliberation room in Houston in 2003? The answer is anything but black and white.

Al Cameron



The prints disappeared after reporters' inquiries.

After attorney Ray spotted the prints, he alerted his friend **Randall Kallinen**, a criminal lawyer who is also the chairman of the legislative panel of the local chapter of the American Civil Liberties Union. Ray and Kallinen talked their way back into the jury room to view the prints, and Kallinen snapped some shots with his digital camera.

"Everybody I talked to said it certainly looked pretty damn racist to them," says Kallinen. He called Channel 13 and reporter **Ted Oberg** visited the courtroom, viewed the pictures and decided against a story. The following day, Kallinen called more reporters, and before long there was a crowd of journalists clamoring at Baker's 151st District Court for an explanation. By then the paintings had vanished, without news coverage.

According to Kallinen, the judge initially told reporters the artwork had been placed in the jury room by her bailiff, Deputy **Harry Wright**, who had originally seen them in a church. Wright is also African-American.

The following day, the explanation had changed slightly. According to a statement by Wright, he had been given the prints by a court reporter for state District Judge **Levi Benton** when Benton changed courtrooms. Both the court reporter, **Lavearn Ivey**, and Judge Benton are African-American.

"With the permission of Judge Baker, I brought this artwork to help beautify the court," said the deputy, "and provide a more pleasing atmosphere for the citizens who come and do their work there."

The deputy dismisses any suggestion the works have racist content.

"In my 53 years, I've seen discrimination and racism, and this simply isn't it. This artwork is my personal property. It is art I enjoy and derive pleasure from."

Judge Baker's political consultant, **Allen Blakemore**, was called in to help the judge craft a public statement. He says that in questioning the bailiff, the connection to Benton's court popped out.

"It was a gift from a black to another black, and it was in Benton's court before," says an exasperated Blakemore. He believes his Anglo client is the target of a trumped-up media hustle by an ultraliberal ACLU lawyer. He points out that Kallinen represented the ACLU in demanding that a Bible be removed from a granite memorial in front of the Harris County Civil Courts Building because it violated church-state separation.

Court reporter Ivey says she has a large art collection of similarly themed work at home and had displayed several pieces in her office. When she was packing up to move, there was no room in her new office, so she gave the paintings to Wright, she says.

The only problem with that account is that Benton moved to his new court in early 2002, but Wright says the paintings have been hanging in Baker's court for five years, a discrepancy of some three years.

Ivey calls the brouhaha over the prints "ridiculous." She's never heard the term "Jim Crow art" and barely remembers what the paintings depict.

"If I thought they were insulting I'd have never brought them from Atlanta. I picked cotton [as a child], and what little I remember, I think [the pictures] had cotton [in] them. I guess it just reminded me of a day I don't want to go back to, but I just didn't see anything offensive. I know I have things probably more offensive hanging in my house."

Kallinen is suspicious. "First they get the only black employee in Baker's court to take the blame. Then they get a throw-down African-American judge just when they need him. Is it possible? I guess anything is scientifically possible."

Benton says he has no recollection of seeing the paintings in his staffer's office but bristles at the inference he's covering for a fellow Republican judge. He wonders why attorney Ray sat in the jury room the entire day and never mentioned the artwork to the judge.

"This is a lawyer simply trying to make a story. It's only calculated to get attention for himself and to embarrass one of my colleagues." The judge says his staffer has assured him it was not art anyone could be reasonably offended by, and "I take it as the gospel truth."

Ray explains that both he and his client were offended by the artwork, but did not raise the issue because Judge Baker was mediating the proceeding.

"My client, an African-American, asked me not to say anything because he was trying to get his case settled. He's paying me, so I had to abide by his wishes."

In a brief statement, Baker put a period on the controversy by declaring that "the artwork has become a distraction to the court's business, and it has been removed."

The Jim Crow Museum of Racist Memorabilia at Ferris State University in Big Rapids, Michigan, is dedicated to educating people about the corrosive effects of such art. Museum policy bans children from viewing the objects in the collection, and even adults are assigned facilitators to explain the contexts of the works.

The Insider e-mailed photos of the paintings in question to **David Pilgrim**, the museum curator and a Ferris State sociologist. He notes that the question of whether some black people own or like the art has no bearing on its content. In fact, Pilgrim says, black collectors have some of the largest displays of Jim Crow art and often claim it gives them a sense of how far racial relations have advanced.

"I hear that a lot," says Pilgrim. "For our purposes, it wouldn't matter who created, distributed or sold the art. We would be more concerned about what the image is and how it is impacting people."

The fact that the art was immediately removed from Baker's court once it came to the public's attention indicates to Pilgrim that even the judge saw the problem.

"Is it possible that all the people involved can be so innocently naive to the meanings behind these things? In many cases like this, when someone raises the issue, people look at it and decide that [displaying the art] wasn't such a good idea."

While Pilgrim allows that the Baker court pictures are on the mild end of the spectrum of the art in his museum, he does not believe they are appropriate for display in a government building.

"If it's something that belongs in my museum or that I would gladly have in my museum, it's something I would consider racially offensive; I think those things definitely belong not in a jury deliberation room but in a place like mine."

If Bailiff Wright needs a new place to hang his art, The Insider suggests he contact Pilgrim through <https://ferris.edu/jimcrow>.