

<http://www.historycooperative.org/journals/jah/91.2/graham.html>  
From *The Journal of American History* Vol. 91, Issue 2.  
Viewed April 23, 2006 19:3 EDT

Presented online in association with **the History Cooperative**. <http://www.historycooperative.org>

---

## Flaunting the Freak Flag: *Karr v. Schmidt* and the Great Hair Debate in American High Schools, 1965–1975

Gael Graham

---

In the fall of 1970, sixteen-year-old Chesley Karr returned to Coronado High School in El Paso, Texas, after a summer spent harvesting wheat in the Midwest. During his working vacation, he had let his hair grow out over his ears and collar. Later he asserted that his long hair, which he referred to as a "freak flag," was both "a cultural statement and a practical matter." Culturally, he believed his hair identified him as a supporter of the "peace or hippie movement"; practically, haircuts had been a low priority on the wheat farm. To his surprise, the high school gym coach refused to admit him to class; the issue then ascended through the principal's office to the school board, which told Karr he could not return to school without a haircut. Rather than acquiesce, Chesley Karr took his school to court.<sup>1</sup>

Battles over masculine hairstyles were nothing new in this period. Once the Beatles and their imitators popularized longer locks in the early 1960s, fierce struggles ensued between proponents and opponents of the style. Where opponents of long hair possessed institutional power—in schools, prisons, the military, many work-places—they often wielded that power in favor of their fashion choice, mandating short hair for males. Numerous high schools adopted dress codes that specified how boys were to wear their hair. By the mid-1960s, however, long-haired students were fighting back. Many high school students turned to the courts; an astonishing number, including Chesley Karr, sought justice from federal rather than state courts. High school boys dominated the federal court cases relating to hair regulations. Over one hundred hair cases were appealed to the U.S. Circuit Courts of Appeals; nine appealed all the way to the U.S. Supreme Court. For the historian, these cases open a window on multiple conversations that reveal the fault lines and fissures in American society. While the issue of long hair on minor boys may seem trivial today—many contemporaries, including judges, found it trivial then—the tenacity with which both proponents and opponents of long hair pursued judgments in their favor forces us to ask: What was that all about? What can it tell us about the era known as "the sixties"?

Adopting a social and cultural perspective, this paper examines the legal challenges to high school rules about the length of male students' hair considered in the federal appellate courts. The testimonies of the students and school administrators reveal what each believed was at stake. Similar testimony about the significance of long hair comes from court opinions, editorials, and letters from ordinary Americans. Sorting through the opinions of these four groups—students, school officials, judges, and the public—sheds

light on two separate but related phenomena: the high school student rights movement and the public debate about masculine long hair. In the end, no consensus emerged on what long hair meant or why it mattered (or failed to matter). The battle between students and school officials ended with similar ambiguity: although neither students nor administrators scored a complete victory in the hair debate, when the surge of high school student activism ended around 1975, school officials' power over students had sharply declined, largely due to judicial decisions. That change marks an important phase in the history of childhood and suggests that our understanding of the revolutions of the 1960s and the role of the courts in shaping them needs to be broadened to include some of the youngest members of society.<sup>2</sup>

Federal court cases range over the national conversation about long hair, providing a bird's-eye view. They allow us to probe the attitudes of school officials and students, and sometimes those of parents and teachers. Zooming in on a specific case and the publicity surrounding it enables us to incorporate the voices of observers, not just those of direct participants. For that reason, this paper interweaves the story of the haircut cases heard by federal appellate courts with the story of Chesley Karr's lawsuit and public reaction to it in his hometown, El Paso, Texas. Both of the main newspapers—the *El Paso Times* and the *El Paso Herald-Post*—covered the highlights of Karr's case on their front pages. They also published a handful of editorials and, in total, more than fifty letters from readers on the issue. The newspapers comments offer useful counterpoint to the clear, incisive, and well-reasoned court opinions. For the historian, the combination of local, loosely argued popular commentary on long hair and coherent, legalistic views provides a broad yet manageable set of sources, a sampling that opens up the richness of the hair debate.<sup>3</sup>

The haircut controversy must be seen in a dual context: the social significance of hair and the high school setting. Anthropologists, historians, and sociologists have long realized the symbolic significance of hairstyles through time and across cultures, and some have attempted to explain how hair has functioned in different societies. While early theorists posited a connection between hair and sexual mores (long flowing hair corresponding to unrestrained sexuality), others have found the symbolism of hair more nuanced and specific to the era and society under scrutiny. In American history, both clothing and hair have occasionally taken on political connotations. Hair had sparked controversies before the 1960s. Puritan magistrates in colonial times condemned whites who wore their hair long "after the manner of savages." Nineteenth-century boarding schools for Indians forced haircuts on their charges because the missionaries who ran them regarded the students' braids as a refusal to assimilate into white culture. Throughout the twentieth century, African Americans have uneasily debated "good hair" and "bad hair," along with the politics and aesthetics of hair straightening, in the context of racial pride, assimilation, and black nationalism. While that controversy centered on race, gender anxieties undergirded debates about white women's bobbed hair in the 1920s.<sup>4</sup>

Well before the 1960s, then, Americans used hair as well as clothing to encode specific social values or identities, often in opposition to mainstream cultural norms. The appearance of the British rock group the Beatles on the *Ed Sullivan Show* in February 1964 gave national visibility to hair worn longer than the current fashion and initiated a slow-burning but ultimately passionate confrontation between proponents and opponents of long hair. The Beatles first adopted the style to attract attention, but their hair quickly became entangled with their (generally low-key and humorous) mocking of middle-class respectability. Through the decade, as increasing numbers of young men grew their hair out, the provocative, antagonistic connotations of the style overshadowed mere fashion, and both defenders and attackers attributed a panoply of meanings to long hair.<sup>5</sup>

Long hair had not only political and cultural significance but also distinctive racial meanings. Among African Americans a preference for wearing a "natural" rather than straightening their hair or imitating white styles emerged from black nationalist ideologies and the black power movement of the mid- to late 1960s. Malcolm X's famous self-criticism of the "conked" (chemically straightened) hair he had worn as a young man typified blacks' repudiation of efforts to "whiten" their hairstyles. As the 1960s progressed, naturals—like the long hair on white men—grew longer and bushier. Native American and Chicano men who grew their hair out sought to reclaim the heritage of their ancestors, a heritage they believed whites had attempted to destroy.<sup>6</sup> 7

White high school students who wanted to grow their hair long first did so in imitation of rock idols. Bob Greene, a high school student in Bexley, a white suburb near Columbus, Ohio, noted in his 1964 diary that although his father, to his surprise, had liked the Beatles when they appeared on television, he would not permit Bob to wear a "Beatle haircut." Nor would school authorities: Greene's diary documents repeated confrontations with his high school principal over his hair. Greene backed down and cut his hair every time, but in the fall of 1964, Edward T. Kores, a high school student at Westbrook High School in Westbrook, Connecticut, created a stir by refusing to comb his bangs off his forehead until after school authorities suspended him. Two years later, three members of a high school rock band called Sounds Unlimited in Dallas sued their school in federal court; that became the first high school haircut case appealed to the federal Circuit Courts of Appeals and to the U.S. Supreme Court.<sup>7</sup> 8

Well before, many public high schools had exerted control over their students' apparel and general appearance, and in the rare instances when students challenged that control in court, the courts sided with the schools. Rules governing students' appearance tightened in the years following World War II because of altered circumstances in high schools. Due to state laws mandating high school attendance, the erosion of job opportunities for minors, the general prosperity that relieved many young people of the obligation to help support their families, and the baby boom, high school students were no long primarily middle class, and overcrowding plagued many urban and suburban high schools. Officials intended dress codes not only to manage the larger numbers of students jostling in the halls but also to diminish class-based distinctions and to prevent middle-class students from adopting the sartorial styles of the rough kids from across the tracks—whose clothing may have been less a matter of style than of necessity. For example, most schools forbade blue jeans and mandated tucked-in shirts with collars for boys, imposing middle-class (and increasingly age-linked) values about respectable attire. The juvenile delinquency scare that peaked in the early 1950s added urgency to the campaign to control students. The popular media fanned the flames of this panic with reports about "crime sprees" among middle-class youth, while the U.S. Senate held hearings to investigate the causes of juvenile delinquency. According to the historians Grace Palladino and James Burkhart Gilbert, parents who feared juvenile delinquency pressured school officials to establish dress codes, hoping that conformity in dress could contain student behavior. One source cites the Buffalo Plan, a late-1950s dress code devised in Buffalo, New York, as the inspiration for dress codes in other areas.<sup>8</sup> 9

Whether officials responded to parental pressure, mimicked other schools, or acted on their own perceptions of student behavior, dress codes proliferated. They often included regulations on masculine hairstyles, ranging from vague bans on "extreme hair styles" to specific instructions about how boys' hair should be cut. Dress codes commonly stipulated that hair could not cover eyebrows, ears, or collars. Many added regulations about the length and width of sideburns, as they became fashionable, and banned beards, mustaches, and goatees.<sup>9</sup> 10

But such regulations increasingly ran against the tides of the times, not only the popularity of longer hairstyles among the young, but also the rise of activism and dissent among high school students. Although historians and the popular memory of the 1960s have only sporadically recognized it, public schools were battlegrounds for hotly contested political and cultural issues. Conflicts over school desegregation, busing, sex education, school prayer, and decentralization of school systems obviously involved the schools, although few have noted what roles students played or how those battles shaped their school experiences. Moreover, histories of the civil rights movement, the black and Chicano power movements, the Native American movement, the women's movement, gay liberation, the counterculture, the sexual revolution, and the antiwar movement generally focus on adult actors, ignoring the fact that high schools could not be insulated from them; indeed, high school activists can be found in all those movements. Since students did not always restrict their activism to after-school hours and since some school officials sought to control students' out-of-school activities, high schools were pulled into the cultural and political maelstrom.<sup>10</sup>

The rights and identity revolutions that were shattering the social status quo could not be confined to adults. High school students found that for them those revolutions necessarily went hand in hand, for in order to proclaim their identity as members of the youth culture or counterculture, they first had to establish their right to do so. Thus activist high school students too fought to be included in the now-widening circle of citizenship. In a landmark 1969 case, *Tinker v. Des Moines Independent Community School District*, the U.S. Supreme Court ambiguously affirmed the status of high school students as citizens. The case became the touchstone for federal and appellate court judges who heard haircut cases in the late 1960s and early 1970s. Since the ambiguity of the Court's ruling allowed lower court judges to rule either for or against regulating long hair on high school boys and justified limited citizenship for minors, the case deserves a closer look.

In 1965 school officials in Des Moines, Iowa, suspended two high school boys and one junior high school girl for wearing black armbands to school in violation of a recently adopted rule against such demonstrations. In fact, school officials had promulgated the rule only after learning that some students planned to wear the armbands as a gesture of mourning for the dead in Vietnam. When the case came before the Supreme Court, the ruling concluded that armbands were "akin to free speech" and thus protected by the First Amendment. In a sweeping statement that seemed to draw minors into full citizenship with adults, Justice Abe Fortas, who penned the majority opinion, wrote: "First Amendment rights, applied in light of the special characteristics of the school environment, are available to teachers and students. It can hardly be argued that either students or teachers shed their constitutional rights at the schoolhouse gate. This has been the unmistakable holding of this Court for almost fifty years." Fortas added: "In our system, state-operated schools may not be enclaves of totalitarianism."<sup>11</sup>

But Justice Fortas undercut the protection afforded minors under the First Amendment in matters of personal appearance by adding, "The problem posed by the present case does not relate to the regulation of the length of skirts or the type of clothing, to hair style, or deportment." In a concurring opinion, Justice Potter Stewart emphasized that, although he agreed that schoolchildren were "persons" under the Constitution, he could not support the notion that "the rights of children are coextensive with the rights of adults." Stewart's opinion left unanswered the question of which adult rights children possessed; Fortas's comments about school rules concerning apparel and hair left open the possibility that children had no right to choose how to present themselves physically to the world. Hundreds of high school students—often allied with the American Civil Liberties Union (ACLU)—went to court to define and broaden the rights children could claim, including the right to wear their hair as they wished, while school officials

tenaciously sought to deny them legal victories. The courts, caught in the line of fire, sought to balance the "special characteristics of the school environment" with the rights of individuals constrained to be in that environment.<sup>12</sup>

Thus by the time Chesley Karr sued school administrators at Coronado High School in 1970, adults and children had already joined battle over the rights of minors, and hair was a key issue in the battle. In a pattern repeated in other high schools, twenty-one other Coronado High School boys initially refused to abide by the school's hair regulations but backed down when threatened with suspension. Karr, on the other hand, held fast. As he has recently noted, he had "the opportunity and resources to say 'no.'" His father testified at trial, "Nobody told me how to cut my hair when I was in school." The elder Karr, an insurance agent, also told the court that, although he did not want his son to break rules for the sport of it, he did want him to stand up for his individual rights. Not only did his parents uphold his right to wear his hair as he wished, they believed he had little to lose in challenging the school administration. Even if school officials expelled him, Karr knew he had "the skills and ability, that [he] could be successful without school being imposed." Moreover, his parents knew some ACLU lawyers, who took an interest in the case.<sup>13</sup> 15



Chesley Karr in 1970, the year in which he challenged the haircut rules at Coronado High School in El Paso, Texas. *Courtesy Chesley Karr.*

Karr's case first went to the school board, but the board upheld the haircut rule. In a 2002 interview Karr judged that the board "didn't like young high school kids trying to buck the system. They saw [opposition to the rules] as part of the protest era of the late 1960s.... It threatened their authority. They didn't want some punk telling them how to run their operation." While school officials undoubtedly feared the diminution of their power, Karr's rebellion may have seemed especially provocative since they had 16

slightly liberalized the dress code prior to his challenge. In line with the advice of numerous "experts" in journals of education and school management, the Board of Trustees of the El Paso Independent School District had created an ad hoc committee of twenty-four members, including some high school students, to study dress codes in other school districts in Texas and make recommendations. Clifford Schmidt, chair of the committee and principal of Coronado High School, asserted that "student representatives were given ample time to speak on any and all matters" and that he had voted only once—to break a tie on the question of facial hair for male students (he voted against it).<sup>14</sup>

When the school board ruled, Karr, with the backing of his parents and the ACLU, took the next step and sued in federal court, asserting that the school's regulations violated the First, Ninth, and Fourteenth amendments. Courtroom testimony took four days; Karr and both his parents testified, as did nine other high school students, two professors from the University of Texas at El Paso (UTEP), the mayor, and a clinical psychologist, all summoned by the plaintiffs. Witnesses for the school administration included the football coach from Austin High School, three local high school students, three teachers, two high school activities directors, three assistant principals, four high school principals, the superintendent of schools, and the president of the board of trustees.<sup>15</sup> 17

In their testimony, Karr and his witnesses emphasized students' individual rights, although they simultaneously argued that the school dress code usurped the rights of parents to oversee their children's appearance. They also attempted to refute the scattershot approach of the defendants, who attacked masculine long hair from half a dozen different angles. 18

Ideas about gender formed a major component in the testimony. When Chesley Karr rebutted the school's claim that boys' long hair caused disruption by pointing out that girls' long hair apparently bothered no one, the school's lawyer, Morris Galatzan, pounced: "You admit that girls are psychologically and physiologically different." Karr conceded the point and admitted that it would not be a "good idea" for boys to pull their hair back in just the ways girls did. Still, he insisted that if safety required it, boys could clip their hair back out of the way. "You mean if you tied your long hair with a pretty red ribbon in back you would not cause disruptions?" Galatzan probed. Again Karr fell back, but he argued that "society would not allow it," intimating that the fault lay in society's reception of masculine long hair, not the hair itself. Several defendants also emphasized gender roles. Jerry Wilson, the football coach at Austin High School, testified that his players had voted to get "gentlemen's haircuts," and that he did not think long hair was "manly." Mildred Sellers, a science teacher from Coronado High School, argued that "girls are by tradition the long-haired of the human species."<sup>16</sup> 19

The need for discipline formed another pillar of the school's argument. Not only did long hair disrupt the school, but dress codes in and of themselves promoted decorum. Gale Glass, a student at Irvin High School, had been on the ad hoc committee to revise the dress code. In the absence of a dress code, she testified, "students wouldn't feel like studying." Schmidt, the principal at Coronado High School, agreed that some dress code was necessary for "maintaining the proper decorum in class." An assistant principal stated bluntly: "Any good army has discipline." Mayor Peter de Wetter, appearing reluctantly after being summoned by the Karrs, testified that "to his knowledge it appeared that more people with long hair are involved in disruptions." He also lamented the general lack of discipline in society.<sup>17</sup> 20

Much of the discussion of "disruption" focused on fights that sometimes broke out between long-haired and short-haired boys, but some defendants linked long hair to purposeful disruption for sinister purposes. Assistant Principal Clay Cox asserted that Irvin High School "had been the target of visitations" by outsiders, including members of a group called GI's for Peace, representatives of an underground 21

newspaper, purveyors of what he called "obscene literature," and people distributing marijuana and looking for trouble. Even though Cox admitted that not all of those individuals had long hair, he associated the problems they brought to the school with long hair.<sup>18</sup>

A final argument advanced by school officials involved hygiene and safety. Wilson, who taught history 22 as well as coaching football, testified that students sometimes changed seats because the long-haired boys stank. Sellers asserted that unlike boys, girls were accustomed to keeping their hair clean. She also expressed concern that boys with long hair might accidentally set themselves afire over the bunsen burners and argued: "Girls can safely handle their hair, but not boys." At this point, the district court judge, D. W. Suttle, broke in to ask whether Albert Einstein's long hair would have endangered him. Not the least ruffled, Sellers said yes.<sup>19</sup>

The arguments by El Paso school officials mirrored court testimony in defense of high school hair rules 23 all over the country. Many officials argued that the blurring of gender lines created disorder. Jean Queen, who taught social studies at Logan High School in Logan, West Virginia, used feminizing language when she asserted that long-haired boys' "combing and primping" distracted other students. Others argued that long hair on boys made it difficult for adults to tell the difference between male and female students, which might create "confusion over appropriate dressing rooms and restroom facilities" or prompt "unruly, ill-mannered, or malicious-minded" long-haired boys to sneak into girls' restrooms.<sup>20</sup>

Whatever rationales they presented in court, the bottom line for many administrators was their own 24 authority over students. In response to student challenges to that authority, they wheeled out their big guns: God, country, tradition. Viewing with revulsion the multiple challenges to systems of authority in the larger society, some school officials believed it was up to them (bolstered by the courts) to hold the line. By 1970 the civil rights movement, so threatening to many when it first emerged, had been superseded by the far more worrisome black power movement, and Chicanos and Native Americans had taken up its nationalist, separatist ideologies. All those groups vigorously assaulted white privilege and power, even white definitions of beauty. High school students of color weighed in with demands for black student unions; courses in black history, Chicano history, and Swahili; more black and Latino teachers, counselors, and cheerleaders; and soul food and tostadas in the school cafeteria.<sup>21</sup>

Just as racial tensions heightened, the antiwar movement peaked, ending a generation of rough 25 consensus on foreign policy and eroding many Americans' esteem for their government. That conflict, too, rippled through many American high schools. School administrators and teachers wrestled with whether to permit classroom discussion of the Vietnam War, and antiwar students demanded the rights to form chapters of Students for a Democratic Society or the Student Mobilization Committee on campus and to bring in antiwar speakers to balance the military recruiters who had free access to students. Some high school students participated in marches and demonstrations off campus and joined in the April 26, 1968, national student strike.<sup>22</sup>

The women's movement was still only an emergent force in 1970, but the foundations of the coming 26 attack on female domesticity, submissiveness, and male dominance had been laid. Moreover, the gender system of the 1950s, which valorized a tightly controlled, conformist (one is tempted to say "domesticated") masculinity, was fragmenting and giving rise to multiple incompatible masculinities—the hyper-masculinity of the armed "power" movements, the gentler, mocking "flower power" movement of the counterculture, and the hedonistic, *Playboy*-inspired man of the sexual revolution. As verities that some had considered eternal collapsed, the rebellion of high school students against adult guidance and control (to say nothing of the enthusiastic participation of some students in those movements) seemed the final

straw. Long hair, worn by many assailants of the status quo, served as a lightning rod, drawing the ire of those Americans who perceived their society as swiftly unraveling. Testifying in favor of the high school hair regulations in a tiny village in Wisconsin, an unnamed principal from a neighboring high school elaborated the disparate associations of long hair: "Whenever I see a long-hair youngster, he is usually leading a riot, he has gotten through committing a crime, he is a dope addict, or some such thing." He added that long hair on men was "un-American" and "reflects a symbol that we feel is trying to disrupt everything we are trying to build up and by we I mean God-fearing Americans." Riots, crime, drugs, disloyalty, and atheism signaled the breakdown of society, and long hair symbolically encompassed them all.<sup>23</sup>

Although the opponents of long hair claimed the high ground of Americanism, godliness, and manliness, the defenders—in El Paso and the nation—contested their right to it. Advocates of long hair emphasized the manliness and patriotism of eighteenth- and nineteenth-century men, who wore their hair long in the fashion of the times. They noted too that traditional depictions showed Jesus with shoulder-length hair. Defenders of long hair often sought alternative high ground of their own: individual rights, the Constitution, and concepts of fairness and liberty. Wayne Pendley, a high school student in Yavapai County, Arizona, argued that his long hair embodied his "choice" and "individual rights." Those who used long hair to express specific sentiments, such as opposition to the war in Vietnam, rebellion against arbitrary rules, or in one case, the view that American society was "very sick," asserted their liberty under the Constitution to express such views. Reacting to the arguments of El Paso school officials that they had liberalized the dress code according to the recommendations of a group that included some high school students, John Karr, Chesley Karr's father, countered that fundamental constitutional rights could not be voted away.<sup>24</sup>

On November 19, 1970, Judge Suttle handed down his opinion. In thirteen pages, Suttle shredded the school administration's case. He began by summarizing the tenor of the by-then-numerous cases involving high school hair regulations: "one's choice of hair style is constitutionally protected and ... the State may invade this interest only upon a showing of compelling reason." One by one, he demolished the rationalizations for the rule offered by officials. He then cut to the heart of the matter:

From specific discipline problems, we proceed to the general proposition advanced by virtually all of defendants' witnesses that a rule such as the one here attacked must be obeyed simply because it is there.... Besides the fact that such an argument would justify any rule, regardless of how unreasonable, arbitrary, or capricious, the Court finds, from the preponderance of the evidence in the case, that, again, requiring adherence to the hair-cut rule is not reasonably related to the professed goal. Instead of teaching respect for society's laws or rules, enforcement of an unreasonable rule undermines respect for other rules and laws which are reasonable and deserve adherence. At best, the rule here attacked teaches only conformity and unreasoning submission to authority; at worst, it results in disrespect for all rules and distrust of authority.<sup>25</sup>

Suttle's judgment drew upon a substantial body of judicial opinion that identified hair length as a protected freedom unless school officials could provide evidence of a need to curtail that freedom. However, an equally imposing set of cases showed judges either finding such compelling evidence or arguing that courts ought not to second-guess school officials. Perhaps knowledge of those other cases led the school district to appeal the case to the Fifth Circuit Court of Appeals. While awaiting the appellate court's response, El Pasoans wrestled with the implications of the case in their newspapers. The *El Paso Times* fired off its first salvo, commenting in an editorial that the ruling "could be considered a victory for individual freedom," or it could spell the doom of the dress code as a whole. If the latter was the case, the editors grimly warned, "citizens can look forward to a new age of permissiveness." The flood of letters that followed generally hovered around those two poles—freedom versus chaos—with supporters of long



hair celebrating Karr's victory as a blow for liberty and opponents prophesying mayhem.<sup>26</sup>

The clash of views about the court case among El Pasoans was part of a larger split over the role and nature of schools and the place of students within them. Many high school activists were extremely critical of public schools, and they expressed their dissatisfaction through lawsuits, underground newspapers, strikes, and demonstrations. They attacked not only dress and hair codes but also other seemingly pointless regulations and restrictions on free speech, press, and assembly. High school dissenters found the curriculum and teaching modes outdated and—in the buzz word of the day—not "relevant." Rejecting their status as children, they argued that students should have a greater voice in the running of the schools. Such students found supporters outside the public schools among their own parents, the ACLU, children's rights activists, and liberal educational reformers, many of whom believed that modern youths outstripped earlier generations in maturity. School administrators had their own outside support, for many observers not only discounted the students' critique but also believed that high school students rebelled because outsiders egged them on, because they imitated college students, or because rebellion was cool and exciting. Those individuals believed that students were children, and that dissent in the high schools threatened education and should be quelled.<sup>27</sup>



In the late 1960s and early 1970s, the battle over appropriate hairstyles for students formed part of a debate about the role of schools in American society and the place of students in them. These cartoons from the High School Independent Press Service encouraged students to unite against the oppressive authority of high school administrators. *Courtesy High School Independent Press Service.*

Although this aspect of the 1960s has largely vanished from later histories of the era, contemporaries 31 found unrest in public high schools profoundly disturbing. Popular magazines and newspapers drew attention to the subject. Congress investigated it. Educational journals studied, surveyed, and dispensed advice. Two teachers who visited twenty-one colleges and fifteen high schools in 1968 and 1969 concluded: "By the end of the 1960s, there is more trouble in American secondary schools than in American colleges." While much of the unrest occurred in large urban public schools, smaller suburban and rural schools also felt the effects. One national poll of secondary schools revealed that in the 1968–1969 academic year, student protests had rocked 67 percent of urban and suburban high schools and 53 percent of rural high schools. Although some adults argued that students simply mimicked the unrest in the wider society, most protesting high school students reacted to specific conditions in their own schools. According to a report of the U.S. House of Representatives Subcommittee on General Education on student unrest in 1968–1969, nearly 70 percent of high school protests involved student discipline or dress codes. Students objected less to school rules and dress codes per se than to their lack of voice in creating them. When *Life* magazine polled twenty-five hundred high school students, parents, teachers, and school administrators across the country in 1969, it found that although only 20 percent of parents and 35 percent of teachers thought students should have a greater role in running their schools, fully 58 percent of students wanted this power. Moreover, more than 60 percent desired to help make the rules and devise the curriculum.<sup>28</sup>

The nationwide desire of high school students for more voice in formulating rules and policies emerged 32 in the unfolding drama in the El Paso public schools. When Judge Suttle ruled in favor of Chesley Karr, he ordered not only that Karr be readmitted to school and that evidence of his suspension and absences be expunged from his record but also that the school board cease to enforce the haircut rule. In response, the school board asked the appellate court to allow it to reinstate the haircut regulations until a new ruling could be issued. Eventually, in December 1971, the Fifth Circuit Court of Appeals agreed to hear the case *en banc*, meaning that all the judges in the circuit would participate rather than the usual panel of three judges. The previous January the court had granted the school board a stay of Judge Suttle's injunction against the haircut rule, pending the final disposition of Karr's case. Karr's lawyers asked the circuit court to vacate its decision and then appealed to the U.S. Supreme Court for an emergency stay of the circuit court injunction, but neither court obliged.<sup>29</sup>

Although no other El Paso students had joined Karr's stalwart resistance to the hair rules at the 33 beginning of the school year, the reimposition of the rule in late January 1971, following the circuit court's stay of Suttle's injunction, sparked a rebellion. Karr, who had returned to school with his long hair intact, now left school again, "throwing the finger" to the school building as he made his way through the parking lot. Other students from several high schools first attempted to work through formal channels. A handful of students, including one student body president, one student council president, and the chair of the newly formed Organization for Student Rights (OSR), appeared at a school board meeting and convinced the superintendent of schools to appoint a new committee, with equal numbers of students and nonstudents, to reconsider the haircut rule. Following that meeting, another group of students met and planned a Monday morning walkout. One February 1, two hours before the appellate court ruled that haircuts could be required of male students, between three and six hundred students from a handful of high schools walked out and assembled in front of the Education Center, the headquarters of the school district, with picket signs reading "Smash the Schools," "Hell No, Let It Grow," and "Student Power."<sup>30</sup>

School officials attempted to minimize the demonstration by emphasizing the small number of 34

participants relative to all El Paso secondary school students. The assistant principal of El Paso High School commented dismissively, "They [the ones who walked out] are the ones who walk out for everything." Nevertheless, the acting chief of police and the mayor thought the matter serious enough to meet and discuss rumors about possible violence among the student protesters. They met with leaders of the OSR before the second day of demonstrations began. On that second day, students initiated a petition to permit high school boys to wear long hair, considered instituting an around-the-clock demonstration at the Education Center, and passed around an OSR pamphlet entitled *Defend Your Constitutional Rights*. Two more days of demonstrations followed, but the arrest of sixteen or seventeen youths—most of them high school students—marked the end of direct confrontations between students, school officials, and police.<sup>31</sup>

Although the city's two largest papers mocked the issue as "ridiculous" and "trivial," both published editorials and a new round of readers' letters. The *El Paso Times* praised the school board's firmness and argued that students ought to cut their hair and get an education. The *Herald-Post's* editor, in contrast, drew a parallel between the "freakish" bell-bottom pants and paisley shirts worn by some adults and the long hair of the young. Stating that he "couldn't care less" how other people wore their hair, he nonetheless supported the board's decision to uphold the hair rule. "If it knuckled under to student threats," he wrote, "it would have to knuckle under later on to threats against other rules." In effect, he accepted a domino theory of school discipline: One concession would lead to further demands and further concessions, until the schools collapsed in chaos.<sup>32</sup> 35

Letters to the two papers revived the debate about discipline and freedom, but in contrast to the editors of the papers, the authors often emphasized the magnitude of the issues involved, highlighting the sense of crisis evoked in the first round of letters. They also rehashed earlier arguments about gender and the purpose of education. Once again the hair debate in El Paso, which presented in microcosm issues of human freedom, authority, and the role of society, offered readers an opportunity to air their hopes and fears about the direction of the wider society.<sup>33</sup> 36

The surge of student protests in El Paso gave high school students' rights new prominence in the revived debate. Although the *El Paso Times* first editorialized that the most important right high school students had was the right to attend school and chastised planners of the walkout for not exercising it, it opined that high school students had the right to demonstrate and protest, as long as they did it peacefully. John Baldwin, a reader, countered that students should "adjust to that which seems wrong," rather than "scream for their rights."<sup>34</sup> Baldwin seemed to disdain the varied groups then "screaming" for their rights. Nonetheless, enthusiasm for rights in general and the nationwide push for greater rights for high school students did not bypass El Paso. Local high school students had created the OSR and during the four days of protest against the hair rules had attempted to draw in many of the twenty-one thousand students in the city's nine high schools by "cavalcades" of cars that roamed from school to school. High school students also joined in the newspaper debate on hair. Dan Nelson of Burgess High School wrote to the *El Paso Times* in reaction to an editorial that had condemned student protesters and praised those good students who, instead of protesting, had attended a speech tournament at Austin High School. Nelson denied that the two sets of students were "in opposing camps." 37

If the *Times* had done a bit of newspaper work preceding the publication of the editorial, it would have discovered that David Heller, finalist in the debate, was the main student speaker in the school board meeting of Saturday, Jan. 30. There were several other speech students participating both in this meeting and in efforts earlier in the week aimed at persuading the 5th Circuit Court of Appeals to rescind its order allowing the school to enforce the rule concerning the length of boys' hair.

Nelson did not claim that all high school students opposed the haircut rule, but he insisted that "there was an almost universal concern for the fate of the principle violated by the school board's action." While some students decided to protest the board's unilateral action, others, like him, "opted to continue working within the legal framework afforded us."<sup>35</sup>

The battle of letters to the editor over long hair waned in February 1971 and did not resume even after the Fifth Circuit Court of Appeals handed down its judgment in April 1972, reversing the lower court's ruling. The verdict astonished Chesley Karr, since he and his lawyers believed they had "slam-dunked" the school board's case in the district court. The appellate court reviewed its earlier decisions in seven high school haircut cases, noting that it had upheld hair regulations in six cases (including the *Ferrell* case, the first heard before a federal appellate court) and ruled in favor of the student only once. In the latter case, the court argued that the "local school hair regulation was unconstitutional because it was unrelated to legitimate school board objectives." In other words, the school officials had not couched their rationale in sufficiently compelling terms. Now, however, the appellate judges meticulously disposed of high school students' appeals to the First, Eighth, Ninth, Tenth, and Fourteenth amendments to the Constitution, concluding comprehensively: "We hold that no such right [to wear long hair] is to be found within the plain meaning of the Constitution." While endorsing individual liberties, the court's opinion asserted that these could be "ranked in a spectrum of importance," with hairstyle simply not rising to the same level as "the great liberties, such as speech, religion, and association." The majority opinion flicked away Karr's case in a curt dismissal:

38

In conclusion, we emphasize that our decision today evinces not the slightest indifference to the personal rights asserted by Chesley Karr and other young people. Rather, it reflects recognition of the inescapable fact that neither the Constitution nor the federal judiciary it created were conceived to be keepers of the national conscience in every matter great and small. The regulations which impinge on our daily affairs are legion. Many of them are more intrusive and tenuous than the one involved here. The federal judiciary has urgent tasks to perform, and to be able to perform them we must recognize the physical impossibility that less than a thousand of us could ever enjoin a uniform concept of equal protection or due process on every American in every facet of his daily life.<sup>36</sup>

But the Fifth Circuit's opinion reflected a bare majority, eight of the fifteen judges who heard the case. Seven others—reputed to be the more liberal of the judges—dissented and joined Judge John Minor Wisdom's blistering rebuttal. "Individual rights never seem important to those who tolerate their infringement," Wisdom wrote scathingly. He and the other dissenting judges, embracing a more "commodious concept of liberty," argued that although the Bill of Rights did not specifically enumerate all possible rights available to citizens, that did not mean that hairstyles fell outside the realm of protected rights. Moreover, although the majority had asserted that the hair rule infringed on students' rights for only a brief period, Wisdom questioned the relevance of the duration of the infringement to "its seriousness." Hair, he stated,

39

is a purely personal matter.... Like other elements of costume, hair is a symbol: of elegance, of efficiency, of affinity and association, of non-conformity and rejection of traditional values. A person shorn of the freedom to vary the length and style of his hair is forced against his will to hold himself out symbolically as a person holding ideas contrary, perhaps, to ideas he holds most dear. Forced dress, including forced hair style, humiliates the unwilling complier, forces him to submerge his individuality in the "undistracting" mass, and in general, smacks of the exaltation of organization over member, unit over component, and state over individual. I always thought this country does not condone such repression.<sup>37</sup>

The division among judges on the Fifth Circuit mirrored the division of the federal appellate courts, which split evenly on the question of high school hair regulations. Courts in the Third, Fifth, Sixth, Ninth, and Tenth circuits upheld the right of school administrators to regulate student hairstyles, while those in the

40

First, Second, Fourth, Seventh, and Eighth circuits ruled in favor of the students. The opinions of the courts reflected the conflicted views of the nation as a whole. Americans could not agree on what long hair meant, how much it mattered, or *if* it mattered (although paradoxically some of them expended considerable energy and passion on a matter they proclaimed trivial). Rhetoric about individual rights and liberties warred with invocations of order and authority. Those debates, as historians have noted, underlay much of the cultural and political turmoil of the sixties. Thus hair, while constituting an issue in its own right, was also implicated in wider debates about values in American society.<sup>38</sup>

Believing that the district court's decision was sound and seeking resolution of the division among the federal appellate courts, Chesley Karr appealed his case to the U.S. Supreme Court, one of nine appellants to do so. In November 1972, as it did in all of the haircut cases, the high court denied certiorari, refusing to hear the appeal. Justice William O. Douglas had dissented three times in earlier denials of certiorari, citing the "widely disparate rationales" employed by the appellate courts and the "magnitude" of the conflict as reasons to hear the cases. In Karr's case, Douglas dissented again, but without additional commentary, and the Supreme Court's rejection marked the end of Karr's legal battle. Karr never returned to a public high school. Proudly maintaining his "freak flag," he earned his high school diploma at home, and when the University of Texas at El Paso denied him admission—he believes the publicity over his lawsuit made the registrars wary—Karr attended university in another state. Able to accelerate his education since he studied at home, Karr noted, "I was in college as a freshman while my friends were finishing up their senior years in high school."<sup>39</sup>

During the furor stirred up by Karr's lawsuit, one amused reader of the *El Paso Herald-Post* who lived in Las Cruces, New Mexico, wondered, "So what is all the fuss about in El Paso?" The reader related that in Las Cruces (a much smaller town than El Paso), the school board had met following a brief sit-in by high school students protesting the dress code. A "wise old lawyer" on the board explained that "if some student should take this matter to court, we might get clobbered." Then a "wise old farmer" asked what long hair had to do with education. In the end, the Las Cruces board decided to let students devise their own dress code and to permit girls to wear pants and boys to wear long hair.<sup>40</sup>

Aside from a tiny minority of self-proclaimed high school revolutionaries who sought to overturn high schools and society alike, activist American high school students—themselves a minority—wanted just this: a voice in the rules that governed them and a decent respect for their rights as citizens. But to some adults, traditional authority could tolerate no diminution; moreover, they associated long hair with a host of other threatening societal ills and feared that traditional authority had already taken enough of a beating. The federal courts, with the occasional aid of the U.S. Supreme Court, ultimately expanded the rights that high school students enjoyed. Although the courts failed to resolve the question of the constitutionality of school regulations concerning hair and apparel, by the mid-1970s other rights of high school students—the right to speak, write, assemble, distribute literature, form political groups, invite guests to speak on campus, petition, and demonstrate—had advanced considerably since 1960. The great hair debate of the 1960s and early 1970s helped mobilize American high school students for the high school student rights movement, which should be considered a part of the "rights revolution" of the era.<sup>41</sup>

In the context of the rights revolution, the significance of the high school hair debate is clear. The symbolic element of the battle is murkier and harder to read. Why did long hair on males provoke so visceral a response from opponents? Blue jeans, bare feet, love beads, Indian headbands—all became part of the countercultural look, but none summoned such blind fury on one side or belligerent flaunting on the other. What was it about *hair*? Contemporaries invested long hair with a plethora of meanings; so

too have historians, who look primarily at what long hair meant to the wearer. Dominick Cavallo, for example, attributed to hirsute college students a sentimental attachment to a mythical "frontier" or "wilderness," which, he argues, "symbolized their refusal to embrace the rationality, moderation, security, and orderliness that modern society expected from the best and the brightest of its young." That may have been so for older longhairs, but among high school students only the handful who considered themselves "radicals" or "revolutionaries" voiced that critique of America. None of the boys who sued over long hair uttered that rationale in court.<sup>42</sup>

Taking a different perspective, the historian Kenneth Cmiel has argued that long hair was an "incivility" designed to topple the "dishonest civility" of the older generation; love and candor would replace the polite repression of all that was real, at least in the eyes of counterculturalists. Again, this interpretation works less well for high school boys. Although some of them did cite rejecting adult hypocrisy (or, more broadly, society's flaws) as their reason for wearing long hair, they regarded their hair as a protest against those flaws, not as the instrument for changing them. In short, the majority of high school boys who sued employed justifications other than those theorized by the historians, ranging from opposition to the war in Vietnam to simple personal preference.<sup>43</sup>

In fact, for high school boys the political, symbolic meanings of their hair often faded before the necessity to define and defend their individual rights in court. Chesley Karr recalled that he "participated in some anti-war protests" and "was not shy about expressing where [he] stood, politically." He admitted that his hair "was a way of stating where I stood." In El Paso, site of the army base at Fort Bliss, Karr's hair made may have made a more pointed statement than did long hair in communities without a military presence. But he sued, not primarily to protect his right to have and voice opinions, but to establish his right to wear his hair as he wished. Dominion over his person superseded other political rights, because school administrators denied him precisely that dominion. Although some school officials seemed to suggest that controlling students' hair was tantamount to controlling their minds, in fact the legal contest centered on control over bodies. Because high school administrators possessed and utilized the power to prevent high school boys from growing long hair, they sheared much of the symbolic content from the issue, at least for the wearers. Thus older countercultural youths, not constrained by authorities to wear their hair short, could maintain the pure symbolism of long hair, if it had any and did not reflect mere following of fashion. For high school boys, however, the very fact that they could not wear their hair as they pleased ensured that whatever else long hair meant to them, it meant personal autonomy.<sup>44</sup>

To school officials long hair on high school boys posed both a real and a symbolic threat. As Judge Suttle astutely realized, school administrators sought to maintain their authority over students at a time when all authority seemed subject to interrogation, ridicule, and even dismissal. Thus by growing long hair in defiance of school rules, high school boys challenged the authority of the rule makers. But the symbolism of the threat mattered as much as the sheer flouting of authority. Here Cavallo's and Cmiel's insights seem closer to the mark. Granted, no school administrator testified that long hair was offensive because it flew in the face of rationality, modernity, or civility. But when we read their testimony denouncing long hair, two themes stand out: dirt and disorder. Long-haired boys stink, administrators claimed, they do not know how to keep their hair clean, and they offend those sitting near them. Long hair on boys is in the wrong place because it belongs on girls. Boys with long hair might sneak into the wrong place by posing as girls. Observers might "misplace" them, not being readily able to categorize their sex. Short-haired boys might create more disorder by fighting with the longhairs to force them back into their proper place. Administrators reiterated those arguments in case after case, and many made the leap from dirty, messy, unmasculine hair to the un-American beliefs and attitudes it supposedly expressed. Dirt and

disorder, as the anthropologist Mary Douglas has argued, have long epitomized the profane, or what lies beyond civilized society. As we have seen, many identified long hair on boys as a symptom of a broader malaise in a rapidly transforming society; they feared that civilization itself hung in the balance.<sup>45</sup>

In the late 1960s and early 1970s, opponents of long hair saw it as a boundary marker between men and women, between the respectable and the disreputable, between "us" and "them." For high school officials, students who fought to keep their long hair violated another boundary—that between adults and children. Although psychologists had long understood the liminal status of adolescents, poised as they were between childhood and adulthood, secondary school officials defined their charges as children. Long hair and lawsuits demonstrated the determination of high school boys to challenge that status. Moreover, in the context of the times, long hair said both "we are men" and "we are not your kind of men." In demanding sovereignty over their own persons and appearance, no less than in demanding both a voice in shaping the curriculum and school rules and full citizenship, high school students threatened one of the most salient and traditional of boundaries. That high school students failed fully to transform their status should not obscure the ramifications of their attempt. 48

## Notes

Gael Graham is associate professor of history at Western Carolina University.

I would like to thank Dominick Cavallo, Rebecca Klatch, Timothy Miller, David Farber, Van Gosse, Mary Ann Wynkoop, Gayle Fischer, and the anonymous readers for the *Journal of American History* for their comments on earlier drafts. Thanks also to Guillermo Cervantes for research assistance, to members of the history department colloquium at Western Carolina University for their criticism and suggestions, and to Kenneth W. Graham for advice on legal research.

Readers may contact Graham at [graham@email.wcu.edu](mailto:graham@email.wcu.edu).

<sup>1</sup> Chesley Karr telephone interview by Gael Graham, Nov. 26, 2002, notes (in Gael Graham's possession). "Freak flag" is from David Crosby, "Almost Cut My Hair," performed by Crosby, Stills, Nash, & Young, *Déjà Vu* (compact disk; Atlantic 82649; 1970).

<sup>2</sup> Most works that examine the movements of the 1960s include some discussion of the college student revolt against *in loco parentis* policies. Few do more than mention high school student activism. See Terry M. Anderson, *The Movement and the Sixties: Protest in America from Greensboro to Wounded Knee* (New York, 1995); John Morton Blum, *Years of Discord: American Politics and Society, 1961–1974* (New York, 1991); David Burner, *Making Peace with the Sixties* (Princeton, 1996); Stewart Burns, *Social Movements of the 1960s: Searching for Democracy* (Boston, 1990); David Chalmers, *And the Crooked Places Made Straight: The Struggle for Social Change in the 1960s* (Baltimore, 1991); Dominick Cavallo, *A Fiction of the Past: The Sixties in American History* (New York, 1999); David Farber, *The Age of Great Dreams: America in the 1960s* (New York, 1994); David Farber, ed., *The Sixties: From Memory to History* (Chapel Hill, 1994); Todd Gitlin, *The Sixties: Years of Hope, Days of Rage* (New York, 1993); Kenneth J. Heineman, *Campus Wars: The Peace Movement at American State Universities in the Vietnam Era* (New York, 1993); Maurice Isserman and Michael Kazin, *America Divided: The Civil War of the 1960s* (New York, 2004); Ron Jacobs, *The Way the Wind Blew: A History of the Weather Underground* (New York, 1997); Landon Y. Jones, *Great Expectations: America and the Baby Boom Generation* (New York, 1980); Kim McQuaid, *The Anxious Years: America in the Vietnam-Watergate Era* (New York, 1989); Douglas T. Miller, *On Our Own: Americans in the Sixties* (Lexington, Mass., 1996); Edward P. Morgan, *The Sixties Experience: Hard Lessons about Modern America* (Philadelphia, 1991); Doug Owsram, *Born at the Right Time: A History of the Baby-Boom Generation* (Toronto, 1996); Abe Peck, *Uncovering the Sixties: The Life and Times of the Underground Press* (New York, 1985); Thomas Powers, *Vietnam, the War at Home: Vietnam and the American People, 1964–1968* (Boston, 1984); Kirkpatrick Sale, *SDS* (New York, 1973); Edward K. Spann, *Democracy's Children: The Young Rebels of the 1960s and the Power of Ideals* (Wilmington, Del., 2003); David Steigerwald, *The Sixties and the End of Modern America* (New York, 1995); and Tom Wells, *The War Within: America's Battle over Vietnam* (Berkeley, 1994). Similarly, works that focus on education in this era generally ignore high school activism. See Gerald Lee Gutek, *American Education, 1945–2000: A History and Commentary* (Prospect Heights, 2000); Donald H. Parkerson and Jo Ann Parkerson, *Transitions in American Education: A Social History of Teaching* (New York, 2001); Diane Ravitch, *The Troubled Crusade: American Education, 1945–1980* (New York, 1983); David B. Tyack and Elisabeth Hansot, *Managers of Virtue: Public School Leadership in America, 1820–1980* (New York, 1982); and Jonathan Zimmerman, *Whose America? Culture Wars in the Public Schools* (Cambridge, Mass., 2002). On activism at a single high school in Los Angeles, see Marc Jason Gilbert, "Lock and Load High: The Vietnam War Comes to a Los Angeles Secondary School," in *The Vietnam War on Campus: Other Voices, More Distant Drums*, ed. Marc Jason Gilbert (Westport, 2001), 174–93. On high school antiwar sentiment and the First Amendment, see Charles Howlett, "When the Bell Rings: Public High Schools, the Courts, and Anti-Vietnam War Dissent," *ibid.*, 194–215. For single chapters on

high school activism and dissent, see Thomas Hine, *The Rise and Fall of the American Teenager* (New York, 1999); and Grace Palladino, *Teenagers: An American History* (New York, 1996).

3. The haircut cases also occurred at a historically fortuitous moment. In the late 1960s and early 1970s, as the pressure on federal dockets grew, judges sorted cases by how much time they believed each merited. As a result, the number of appeals affirmed without a written opinion increased dramatically; by 1977 over a third of all appeals were mutely affirmed. Thus as the number of cases involving high school students increased, it became harder to understand judicial opinion. Deborah J. Barrow and Thomas G. Walker, *A Court Divided: The Fifth Circuit Court of Appeals and the Politics of Judicial Reform* (New Haven, 1988), 149.

4. Anthony Synnott, "Shame and Glory: A Sociology of Hair," *British Journal of Sociology*, 38 (Sept. 1987), 381–413; Wendy Cooper, *Hair: Sex, Society, and Symbolism* (New York, 1971); Diane Simon, *Hair: Public, Political, Extremely Personal* (New York, 2000). On the Puritan condemnation of long hair, see Dale Gaddy, *Rights and Freedoms of Public School Students: Directions from the 1960s* (Topeka, 1971), 25. Zitkala-Sâ, "Growing Up Indian in a White Man's World," in *The American Record: Images of the Nation's Past*, ed. William Graebner and Leonard L. Richards (2 vols., Boston, 2001), II, 67–73; Helen Bradley Foster, *New Raiments of Self: African American Clothing in the Antebellum South* (New York, 1997); Shane White and Graham White, *Stylin': African American Expressive Culture from Its Beginnings to the Zoot Suit* (Ithaca, 1998); Noliwe M. Rooks, *Hair Raising: Beauty, Culture, and African American Women* (New Brunswick, 1996); Lois W. Banner, *American Beauty* (New York, 1983); Ruth P. Rubinstein, *Dress Codes: Meanings and Messages in American Culture* (Boulder, 2001); Penny Storm, *Functions of Dress: Tool of Culture and the Individual* (Englewood Cliffs, 1987); James P. Spradley and David W. McCurdy, eds., *Conformity and Conflict: Readings in Cultural Anthropology* (Boston, 1977); Justine M. Cordwell and Ronald A. Schwarz, *The Fabrics of Culture: The Anthropology of Clothing and Adornment* (New York, 1979).

5. Ian McDonald, *Revolution in the Head: The Beatles' Records and the Sixties* (New York, 1994); Philip Norman, *Shout! The Beatles in Their Generation* (New York, 1981). Long hair surfaced as a sign of cultural opposition before the Beatles. Elvis Presley's long, greased-up hair formed part of his bad-boy image, but with his three kinds of hair pomade and eye shadow, Elvis represented the artifice and illusion of the 1950s far more than the "natural" style of the 1960s. A clearer genealogical line from 1960s longhairs runs back to the beats and to pro-Fidel Castro Americans (who admired the hairy virility of the Cuban rebel leader). Peter Guralnick, *Last Train to Memphis: The Rise of Elvis Presley* (Boston, 1994), 68, 71, 91, 172; Pete Daniel, *Lost Revolutions: The South in the 1950s* (Chapel Hill, 2000), 135, 151; Van Gosse, *Where the Boys Are: Cuba, Cold War America, and the Making of a New Left* (London, 1993), 112–13; Van Gosse, "'We Are All Highly Adventurous': Fidel Castro and the Romance of the White Guerilla, 1957–1958," in *Cold War Constructions: The Political Culture of United States Imperialism, 1945–1966*, ed. Christian G. Appy (Amherst, 2000), 238–56.

6. Malcolm X with Alex Haley, *The Autobiography of Malcolm X* (New York, 1965), 54–57. High school students of color rarely sued their schools over hair regulations; when they did, the issue often involved something other than hair length. For example, Darius Lovelace, an eighteen-year-old African American student in Pennsylvania, sued after he was suspended for wearing a mustache, as did three black students from Wheeler County, Georgia. See *Lovelace v. Leechburg Area School District*, 310 F. Supp. 579 (1970); and *Stevenson v. Wheeler County Board of Education*, 306 F. Supp. 97 (1969). Only one Asian American sued over hair length; he claimed no connection between his hair and racial pride. *Yoo v. Moynihan*, 28 Conn. Supp. 375 (1969). The parents of one fifth-grade Native American child sued, claiming that the short-hair rule "violated their parental rights to raise their children according to their religious, cultural, and moral values." *Hatch v. Goerke*, 502 F.2d 1189 (1974).

7. Bob Greene, *Be True to Your School: A Diary of 1964* (New York, 1987), viii, ix, 53, 271, 282–83; *New York Times*, Sept. 13, 1965, sec. 1, p. 37. In this first haircut case neither the student plaintiffs nor the school defendants attributed any symbolic meaning to hair. The students did, however, write a song about their confrontation with the school that got local airtime. *Ferrell v. Dallas Independent School District*, 261 F. Supp. 545 (1966), 392 F.2d 697 (1968), 393 U.S. 856 (1968).

8. *Jones v. Day*, 127 Miss. 136 (1921); *Pugsley v. Sellmeyer*, 158 Ark. 247 (1923); Palladino, *Teenagers*, 162; Arlene S. Skolnick, *Embattled Paradise: The American Family in an Age of Uncertainty* (New York, 1991); James Burkhart Gilbert, *A Cycle of Outrage: America's Reaction to the Juvenile Delinquent in the 1950s* (New York, 1986), 16; Board of Education, Buffalo, New York, School-Community Coordination, "Recommendations of the Inter-High School Student Council for Appropriate Dress of Students in High School," in *American Record*, ed. Graebner and Richards, II, 320–21. I have seen no other references to the Buffalo Plan, so its influence is unclear. Some schools did not adopt dress codes immediately. Shawnee High School in Wolf Lake, Illinois, for example, did not have a dress code until 1972. See *Copeland v. Hawkins*, 352 F. Supp. 1022 (1973).

9. General hair rules appear in *Laine v. Dittman*, 259 N.E.2d 824 (1970). Detailed hair regulations are cited in *Arnold v. Carpenter*, 459 F.2d 939 (1972).

10. Some works on either the Chicano or the civil rights movements make it clear that high school students often served as the shock troops of the movements. Even here, however, historians portray high school students more as ad-libbing walkons than as primary actors. John Dittmer, *Local People: The Struggle for Civil Rights in Mississippi* (Urbana, 1994), 126; Adam Fairclough, *Race and Democracy: The Civil Rights Struggle in Louisiana, 1915–1972* (Athens, Ga., 1995), 156, 214; Charles M. Payne, *I've Got the Light of Freedom: The*



*Organizing Tradition and the Mississippi Freedom Struggle* (Berkeley, 1995), 225, 271; Edward J. Escobar, "The Dialectics of Repression: The Los Angeles Police Department and the Chicano Movement, 1968–1971," *Journal of American History*, 79 (March 1993), 1483–1514; Carlos Muñoz, *Youth, Identity, Power: The Chicano Movement* (New York, 1989), 99–103; David F. Gomez, *Somos Chicanos: Strangers in Our Own Land* (Boston, 1973), 100–110; John Staples Shockley, *Chicano Revolt in a Texas Town* (Notre Dame, 1974); Ignacio M. García, *Chicanismo: The Forging of a Militant Ethos among Mexican Americans* (Tucson, 1997); Ernesto B. Vigil, *The Crusade for Justice: Chicano Militancy and the Government's War on Dissent* (Madison, 1999). Jonathan Zimmerman pays some heed to the initiatives of African American students in changing racist history textbooks and adding black studies to the high school curriculum. But he also asserts that most controversies involving schools "stormed over the schoolhouse rather than inside it." That was certainly not true in the late 1960s and early 1970s. Zimmerman, *Whose America?*, 108–28, 222.

<sup>11</sup> John W. Johnson, *The Struggle for Student Rights: Tinker v. Des Moines and the 1960s* (Lawrence, Kans., 1997), 3–27; *Tinker v. Des Moines Independent School District*, 393 U.S. 503 (1969).

<sup>12</sup> *Tinker v. Des Moines*, 393 U.S. at 503. On high school press freedom, see *Shanley v. Northeast Independent School District*, 462 F.2d 960 (1972); *Quarterman v. Byrd*, 453 F.2d 54 (1971); and *Scoville v. Board of Education of Joliet Township High School District*, 425 F.2d 10 (1970). Student political expression was handled in *Guzick v. Drebus*, 305 F. Supp. 472 (1969). Due process in high school discipline was established in *Goss v. Lopez*, 419 U.S. 565 (1975).

<sup>13</sup> *El Paso Times*, Nov. 11, 1970, p. A5. For the statements by John R. Karr, Chesley's father, see *El Paso Herald-Post*, Nov. 9, 1970, p. A1; and *El Paso Times*, Nov. 11, 1970, p. A5. In the El Paso school system, 162 of 21,000 high school students violated the dress code, but all of them—save Karr—immediately complied. *Ibid.*, Nov. 13, 1970, p. A10; Karr interview.

<sup>14</sup> Karr interview; *El Paso Times*, Nov. 11, 1970, p. A5; *ibid.*, Nov. 12, 1970, p. F1; *ibid.*, Nov. 13, 1970, p. A10. Citing then-current court cases on hair and student rights, many educators urged school administrators to solicit student input in formulating dress and behavior codes, and to justify such rules by educational necessity rather than authority. See David Martin, "The Rights and Liberties of Students," *High School Journal*, 57 (Oct. 1973), 24–38; and Harry C. Mallois, "The Emerging Law of Due Process for Public High School Students," *ibid.* (Nov. 1973), 83–90.

<sup>15</sup> *El Paso Times*, Nov. 11, 1970, p. B1; *El Paso Herald-Post*, Nov. 9, 1970, p. A1; *El Paso Times*, Nov. 11, 1970, p. A5; *ibid.*, Nov. 12, 1970, p. F1; *El Paso Herald-Post*, Nov. 10, 1970, p. B5; *ibid.*, Nov. 11, 1970, p. B10; *ibid.*, Nov. 12, 1970, p. D2; *Karr v. Schmidt*, 320 F. Supp. 728 (1970).

<sup>16</sup> *El Paso Herald-Post*, Nov. 9, 1970, p. A1; *ibid.*, Nov. 10, 1970, p. B5; *ibid.*, Nov. 11, 1970, p. B10.

<sup>17</sup> *Ibid.*, Nov. 10, 1970, p. B5; *El Paso Times*, Nov. 12, 1970, p. F1; *ibid.*, Nov. 10, 1970, p. B1. The *El Paso Times* spells Glass's name "Gail." *Ibid.*, Nov. 11, 1970, p. A5.

<sup>18</sup> *El Paso Times*, Nov. 11, 1970, p. A5; *El Paso Herald-Post*, Nov. 11, 1970, p. B10.

<sup>19</sup> *El Paso Herald-Post*, Nov. 10, 1970, p. B5; *ibid.*, Nov. 11, 1970, p. B10.

<sup>20</sup> *Lambert v. Marushi*, 322 F. Supp. 326 (1971); *Griffin v. Tatum*, 425 F.2d 201 (1970); *Livingston v. Swanquist*, 314 F. Supp. 1 (1970).

<sup>21</sup> Scot Brown, *Fighting for US: Maulana Karenga, the US Organization, and Black Cultural Nationalism* (New York, 2003); Kathleen Cleaver and George Katsiaficas, *Liberation, Imagination, and the Black Panther Party: A New Look at the Panthers and Their Legacy* (New York, 2001); Bettye Collier-Thomas and V. P. Franklin, eds., *Sisters in the Struggle: African American Women in the Civil Rights–Black Power Movement* (New York, 2001); Robin D. G. Kelley, *Freedom Dreams: The Black Radical Imagination* (Boston, 2002); Timothy B. Tyson, *Radio Free Dixie: Robert F. Williams and the Roots of Black Power* (Chapel Hill, 1999); William L. Van Deburg, *A New Day in Babylon: The Black Power Movement in American Culture, 1965–1975* (Chicago, 1992); K. Komozi Woodard, *A Nation within a Nation: Amiri Baraka (LeRoi Jones) and Black Power Politics* (Chapel Hill, 1999). The demands of black high school students are documented in Donald Reeves, *Notes of a Processed Brother* (New York, 1971), 81–82, 115–16, 212–13, 309–10, 334–35; James Ross Irwin, *A Ghetto Principal Speaks Out: A Decade of Crisis in Urban Public Schools* (Detroit, 1973), 124, 157–59, 213–16; and Sylvia Berry Williams, *Hassling* (Boston, 1970), 182–85. For works on the Chicano movement, see n. 10 above. Most Native American high school students still attended schools run by the Bureau of Indian Affairs; a group of such students demanded an "Indian Students' Bill of Rights" from Congress. U.S. Congress, Senate, Committee on Appropriations, *Senate Hearings before the Committee on Appropriations, Department of the Interior and Related Agencies Appropriations*, 92 Cong., 2 sess., April 11, 1972, pp. 3728–57.

<sup>22</sup> Fred Halstead, an antiwar organizer and member of the Socialist Workers Party, claimed that over a million students boycotted school on April 26, 1968, "many" of them high school students. He also documented efforts of the Student Mobilization Committee (SMC) to court

high school students by promoting a national high school students' bill of rights. Fred Halstead, *Out Now! A Participant's Account of the American Movement against the Vietnam War* (New York, 1978), 386–87, 530–31. Similar proposals for a high school students' bill of rights—sometimes advocated by students, sometimes by adults—popped up in a number of cities, including Detroit and New York. See Irwin, *Ghetto Principal Speaks Out*, 186–90; and Reeves, *Notes of a Processed Brother*, 212–16, 460–62. The classic account of the antiwar movement (which ignores high school students) is Charles DeBenedetti with Charles Chatfield, *An American Ordeal: The Antiwar Movement of the Vietnam Era* (Syracuse, 1990).

[23.](#) On gender in the 1950s and the emergence of feminism, see Beth L. Bailey, *From Front Porch to Back Seat: Courtship in Twentieth-Century America* (Baltimore, 1988); Alice Echols, *Daring to Be Bad: Radical Feminism in America, 1967–1975* (Minneapolis, 1989); Sara Evans, *Personal Politics: The Roots of Women's Liberation in the Civil Rights Movement and the New Left* (New York, 1979); Betty Friedan, *It Changed My Life: Writings on the Women's Movement* (New York, 1976); Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York, 1988); and Ruth Rosen, *The World Split Open: How the Modern Women's Movement Changed America* (New York, 2000). High school feminism in the late 1960s and early 1970s left few traces in the historical record. But a massive tome by the Vietnam War protester Mitchell Goodman includes one article on high school feminism and sources on high school activism. Mitchell Goodman, *The Movement toward a New America: The Beginnings of a Long Revolution (a Collage) a What?* (Philadelphia, 1970), 24, 54, 80–82, 169, 172–76, 230, 267–89, 541–42. For the principal's statement, see *Breen v. Kahl*, 296 F. Supp. 702 (1969).

[24.](#) Judge Suttle's opinion mentioned the long-haired Founding Fathers and jurists who used long-haired wigs "to enhance their appearance of dignity." *Karr v. Schmidt*, 320 F. Supp. at 728. In his letter to the editors of the *El Paso Times*, Elroy Bode noted that long-haired Comanches were not "namby-pambies," short-haired Nazis were hardly "saints," and Thomas Jefferson, Davy Crockett, and Buffalo Bill were not "un-American." See *El Paso Times*, Dec. 12, 1970, p. A4. The expressive uses of long hair may be seen in *Pendley v. Mingus Union High School District No. 4 of Yavapai County*, 504 P.2d 919 (1972); *Giangreco v. Center School District*, 313 F. Supp. 776 (1969); *Parker v. Fry*, 323 F. Supp. 728 (1970); and *Laine v. Dittman*, 259 N.E.2d at 824. John Karr's argument was in the *El Paso Times*, Nov. 11, 1970, p. A5. The school administration's assertion that the El Paso dress code was democratically decided was undermined by the testimony of the superintendent of El Paso public schools, Dr. H. E. Charles, that an "advisory group" had sought to abolish the dress code; since Charles regarded that as "extreme," he replaced the advisory group with an ad hoc committee where students were the minority. *El Paso Herald-Post*, Nov. 12, 1970, p. D2.

[25.](#) *Karr v. Schmidt*, 320 F. Supp. at 728.

[26.](#) *El Paso Times*, Nov. 22, 1970, p. A6.

[27.](#) For an overview of activist high school student opinions, see John Birmingham, *Our Time Is Now: Notes from the High School Underground* (New York, 1970); Marc Libarle and Tom Seligson, *The High School Revolutionaries* (New York, 1970); and United States Commission on Civil Rights, *What Students Want* (New York, 1971). Liberal adult opinion appears in Kenneth L. Fish, *Conflict and Dissent in the High School* (New York, 1970); American Civil Liberties Union, *Academic Freedom in the Secondary Schools* (New York, 1971); and Robert L. Ackerly and Ivan B. Gluckman, *The Reasonable Exercise of Authority, II* (Reston, Va., 1976). For conservative adult opinion, see Institute for Development of Educational Activities, *Dissent and Disruption in the Schools: A Handbook for School Administrators* (Dayton, 1969). For the liberal argument that the young were maturing more quickly, see Margaret Mead, "Youth Revolt: The Future Is Now," *Saturday Review*, Jan. 10, 1970, pp. 23–25; and Kenneth Fish, "Coping with Activism in the Secondary Schools," *Education Digest*, 35 (Oct. 1969), 8–11.

[28.](#) Roger Rapoport and Laurence J. Kirshbaum, *Is the Library Burning?* (New York, 1969), 130; "Three of Five Principals Report Protest Activities," *Ohio Schools*, March 14, 1969, pp. 31–32; U.S. House of Representatives report cited in Irwin, *Ghetto Principal Speaks Out*, 112–14. A study of incoming college students showed that, although as high school students only 12% had demonstrated against the war in Vietnam and 20% participated in racial protests and demonstrations, 45% had challenged high school rules. Alan E. Bayer, Alexander W. Astin, and Robert F. Boruch, *Social Issues and Protest Activity: Recent Student Trends* (Washington, 1970), 24, table 3. For the *Life* poll, see "What People Think about Their High Schools," *Life*, May 16, 1969, pp. 23–33. Many other polls emphasized the desire of students to have a voice in making rules and shaping curriculum, and educators hammered home this theme in their speeches and writings. Moreover, in 1971 the venerable White House Conference on Children and Youth (established in 1909) split to create the White House Conference on Youth. Adult experts presided over previous conferences; in 1971, however, two-thirds of the participants were 14 to 24; 40% were high school students. The overriding theme of the conference was the desire of young people to participate more fully in school and society. White House Conference on Youth, *Report of the White House Conference on Youth, April 18–22, 1971* (Washington, 1971); White House Conference on Youth, *Listening to Young Voices: White House Conference on Youth* (Washington, 1971).

[29.](#) *Karr v. Schmidt*, 451 F.2d 1023 (1971); *Karr v. Schmidt*, 401 U.S. 930 (1971); *El Paso Herald-Post*, Dec. 29, 1971, p. C8; *El Paso Times*, Dec. 29, 1971, p. A2.

[30.](#) Karr interview; *El Paso Herald-Post*, Feb. 1, 1971, p. A4.

[31.](#) *El Paso Herald-Post*, Feb. 1, 1971, p. A4; *El Paso Times*, Feb. 2, 1971, p. A9; *El Paso Herald-Post*, Feb. 2, 1971, p. A6; *El Paso Times*, Feb. 3, 1971, p. A13; *El Paso Herald-Post*, Feb. 3, 1971, p. A2; *El Paso Times*, Feb. 4, 1971, p. B1; *El Paso Herald-Post*, Feb. 5, 1971, p. B9; *El Paso Times*, Feb. 6, 1971, p. B1.

[32.](#) *El Paso Times*, Feb. 1, 1971, p. A4; *El Paso Herald-Post*, Feb. 2, 1971, p. B2; *El Paso Times*, Feb. 4, 1971, p. A4.

[33.](#) Letters to the editors of the *El Paso Times* and *El Paso Herald-Post* on the court case, hair, and school rules ran from Feb. 1 to Feb. 18, 1971.

[34.](#) *El Paso Times*, Feb. 5, 1971, p. A4; John A. Baldwin to editor, *ibid.*, Feb. 11, 1971, p. A4.

[35.](#) *El Paso Times*, Nov. 13, 1970, p. A10. Dan Nelson to editor, *ibid.*, Feb. 5, 1971, p. A4.

[36.](#) Karr interview. The court's querulous tone reflected its burden of cases. The Fifth Circuit then included all the Deep South states—Texas, Louisiana, Mississippi, Alabama, Georgia, and Florida—and the court was swamped with cases involving such issues as desegregation, civil rights, criminal rights, and voter redistricting. *Karr v. Schmidt*, 460 F.2d 609, 618 (1972).

[37.](#) *Karr v. Schmidt*, 460 F.2d at 619, 621.

[38.](#) David E. Shelton, "The Legal Aspects of Male Students' Hair Grooming Policies in the Public Schools of the United States" (Ph.D. diss., University of North Carolina, Greensboro, 1980), chap. 3.

[39.](#) The school hair cases (all but one involving high school students) appealed to the U. S. Supreme Court were *Stevenson v. Board of Education*, 400 U.S. at 957; *Ferrell v. Dallas*, 393 U.S. at 856; *Breen v. Kahl*, 398 U.S. at 937; *Jackson v. Dorrier*, 400 U.S. 850 (1970); *Freeman v. Flake*, 405 U.S. 1032 (1972); *King v. Saddleback Jr. College District*, 404 U.S. 979 (1971); *Karr v. Schmidt*, 409 U.S. at 989; *Oloff v. East Side Union High School District*, 404 U.S. 1042 (1972); and *Holsapple v. Woods*, 419 U.S. 901 (1974). Today, Karr is a successful businessman, has a ponytail five inches long, and supports his son's rebellion against the "arcane requirements" of his high school dress code. See Karr interview.

[40.](#) H. G. Solberg to editor, *El Paso Herald-Post*, Feb. 11, 1971, p. B2.

[41.](#) Gaddy, *Rights and Freedoms of Public School Students*; Irving J. Sloan, *Youth and the Law: Rights, Privileges, and Obligations* (Dobbs Ferry, 1974); American Civil Liberties Union, *Academic Freedom in the Secondary Schools*; H. C. Hudgins Jr., *School Administrators and the Courts: Review of Recent Decisions* (Arlington, 1975).

[42.](#) Cavallo, *Fiction of the Past*, 90–92. Even high school radicals rarely articulated the level of abstraction that Cavallo posited. They were more likely to attack racism, capitalism, and militarism than America's obsession with security or rationality. For example, among 18 high school and 2 junior high radicals interviewed in 1969, only 3 alluded to the critique that Cavallo associated with older longhairs. Libarle and Seligson, *High School Revolutionaries*, 3–23, 161–71.

[43.](#) Kenneth Cmiel, "The Politics of Incivility," in *American Record*, ed. Graebner and Richards, II, 340–57.

[44.](#) Members of the Vietnam Veterans against the War, who often showed up for antiwar demonstrations and theater with long hair and scruffy fatigues, broadcast a still more pointed message. See Richard Stacewicz, *Winter Soldiers: An Oral History of the Vietnam Veterans against the War* (New York, 1997); and Andrew E. Hunt, *The Turning: A History of Vietnam Veterans against the War* (New York, 1999).

[45.](#) Mary Douglas, *Purity and Danger: An Analysis of Pollution and Taboo* (New York, 1966).

---

©2004 Organization of American Historians

Content in the History Cooperative database is intended for personal, noncommercial use only. You may not reproduce, publish, distribute, transmit, participate in the transfer or sale of, modify, create derivative works from, display, or in any way exploit the History Cooperative database in whole or in part without the written permission of the copyright holder.