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Cedar Park man writes for a new perspective

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Cedar Park author Gary Lavergne (at his home office) wrote "Before Brown" to depart from the true crime genre. Photo and article by AMY FOWLER

Sitting in his home office in Cedar Park, author Gary Lavergne – a white man with gray hair and blue eyes – furrows his brow as he talks about a young black man 50 years ago walking into the University of Texas and asking for admission to the law school.

Behind Lavergne, pages of notes he collected over three years of research about Heman Sweatt lay neatly in little cubbies, each labeled with a chapter number. Lavergne built the shelf himself to suit his organizational style – he said woodworking is a hobby.

In his new book, "Before Brown," Lavergne argues that afternoon 50 years ago would become a touchstone for the Civil Rights movement, the start of a case that would effectively abolish segregation four years before the U.S. Supreme Court heard arguments in *Brown v. Board of Education, Topeka, Kan.* Brown became the name all schoolchildren were taught. Lavergne said Sweatt should be right there next to Brown in the history books. "It's one of the most unsung events of the civil rights movement," he said.

In *Sweatt v. Painter*, Lavergne said the Supreme Court redefined the definition of “separate but equal,” the touchstone used to justify and define segregation for decades. “The Supreme Court put forth a definition of what was equal, what equality was, that was impossible to meet,” he said. “Before this case, they tended to count books and how many buildings. It was in this case the court said ‘equality is more than that.’ Who do you get to rub elbows with when you go to college? That’s part of equality to. It made it impossible to make a negro school that had the same alumni. “How can you build from scratch a school that’s equal to the University of Texas?”

Not that Texas didn’t try. Lavergne said the state created Texas Southern University in Houston in direct response to Sweatt’s lawsuit. Part of the legal strategy was to say there was another, equal university where Sweatt could earn a law degree. “At the time Sweatt applied, all you had to have was a degree from an accredited four-year college,” Lavergne said. Sweatt had a degree from Wiley College. “He had his transcript in hand when he applied and he was denied for no other reason than he was African American. “It came down to just naked racial discrimination, which was something the state of Texas never denied.”

The Supreme Court ruled in Sweatt’s favor because of its revised definition of equal, and Lavergne argues that new definition effectively ended segregation. “If there had never been a *Brown v Board*, and we were having to live with this ruling, there would still be a legal ban on segregation because of this ruling,” he said. “While *Brown* explicitly outlawed segregation, this case implicitly banned segregation.”

While racism is a touchy topic, filled with moral atrocities, Lavergne said he chose to write about the Sweatt case because the subject was lighter than his previous books – three true crime novels about murderers who changed law and law enforcement. Over the last decade, he said he spent years researching the motivations and actions of the man who took a rifle to the top of the University of Texas tower, a murderer paroled because of lack of prison space and a man who killed six people. One led to the formation of SWAT teams, one to the construction of prisons and the third led to a change in the death penalty law in Texas. “I wanted to get away from these homicidal maniacs,” Lavergne said of his change in topic. He said his book about the UT sniper still gets attention. “He was the first to take his guns and go to school,” he said. “Every time something like that happens, I get 60-80 e-mails a day asking for information and comments and interviews.”

The change in research also gave him a new perspective at work – as an admissions officer for UT. “The truth is, from the 1880s — well the 1870s really — until 1950 with this case, almost all of higher education and all of graduate school and professional schools were closed to minorities,” he said, which gives him a better understanding of why some groups still feel like colleges are closed to them. “It challenges us to be better and to make people not feel that way, to feel welcome, to feel like the University of Texas belongs to them too.”